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T J RYAN

A Political Biography



D J MURPHY

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T. J. RYAN

Denis Murphy, a former reader in History at the University of Queensland, was a recognised authority on Australian labor history. At the time of his death in 1984 he was President of the Queensland Labor Party and had been elected to a seat in state parliament. He wrote and edited many books on Queensland and Australian politics, including *The Premiers of Queensland* (previously published as *Queensland Political Portraits 1859-1952*) and *Labor in Politics: The State Labor Parties in Australia 1880-1920*.



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A Political Biography

DJ MURPHY

University of Queensland Press

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To my Mother and Father

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six years have talked politics, trade unions, sugar, meat, the law and again politics with me. My thanks also go to Mrs. Judy Solley who typed the manuscript.

D. J. Murphy

Abbreviations

<i>AJPH</i>	<i>Australian Journal of Politics and History</i>
ALF	Australian Labour Federation
ANA	Australian Natives Association
ASP	Australasian Socialist Party
ASPA	Australian Sugar Producers Association
AWA	Amalgamated Workers Association
AWU	Australian Workers Union
BIC	Brisbane Industrial Council
CAO	Commonwealth Archive Office
CLR	<i>Commonwealth Law Reports</i>
CPD	<i>Commonwealth Parliamentary Debates</i>
CPE	Central Political Executive
CPP	<i>Commonwealth Parliamentary Papers</i>
CSR	Colonial Sugar Refining Company
CYMS	Catholic Young Men's Society
FPLP	Federal Parliamentary Labor Party
<i>HS</i>	<i>Historical Studies</i>
<i>HSANZ</i>	<i>Historical Studies of Australia and New Zealand</i>
IWW	Industrial Workers of the World
Lib-Lab	Liberal-Labor
NLA	National Library of Australia
NLU	National Liberal Union
NPC	National Political Council
OBU	One Big Union
PGEUA	Plumbers and Gas Employees Union of Australia
PLP	Parliamentary Labor Party
QCE	Queensland Central Executive
QGG	<i>Queensland Government Gazette</i>
QPD	<i>Queensland Parliamentary Debates</i>
QPLP	Queensland Parliamentary Labor Party
QPP	<i>Queensland Parliamentary Papers</i>
QRU	Queensland Railways Union
QSA	Queensland State Archives
RPA	Rockhampton Political Association
SLP	Socialist Labor Party
<i>StRQ</i>	<i>State Reports Queensland</i>

UCGA	United Cane Growers Association
USL	Universal Service League
WIU	Workers Industrial Union
WIIU	Workers International Industrial Union
WPO	Workers Political Organisation

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The T.J. Ryan medal

Foreword

by Ross Fitzgerald

In December 1899 Queensland, if only for a few days, had the first Labor government in the world. From 1915 to 1919 the state could boast the much more substantial radical-reformist government of T.J. Ryan. This government has in some significant ways been a model for the current Labor premier, Wayne Goss.

Thomas Joseph Ryan (1876-1921), the urbane Victorian-born barrister, was Queensland premier, chief secretary and attorney-general from 1 June 1915 to 22 October 1919. He was not only an ideal subject for a biography by the late Denis Murphy, but also largely a picture of what Murphy wanted to be.

T.J. Ryan was a role-model of many of the qualities which Murphy hoped to bring back to Queensland politics and in particular to Labor administrations in Queensland. This would involve, at the very least, giving a primary role in government to members of the principled intelligentsia. One wonders, however, whether had he lived, Dr Murphy would have been able to put these ideas into practice or whether he would have been overcome, once more, by the forces of factional interest and short-term pragmatism.

As state Labor leader, and later on as premier, T.J. Ryan did not operate alone. He had headed a talented and tightly-organized team, that included John Fihelly, William McCormack and particularly the extremely capable union official, E.G. Theodore. Theodore and Ryan balanced each other in the way that Chifley balanced Curtin.

As Murphy explains, Theodore's industrial knowledge and strength complemented Ryan's extensive legal and political capabilities. Ryan did not try to argue economic theory or practice; being no economist he wisely left this field to Theodore. Not only was there suspicion in the ALP party (Queensland Branch) of political opportunists, but also there was suspicion of academic qualifications and intellectual ability. In Murphy's words, "loyalty and a willingness to join with rank and file members in the mundane work of the party were qualities that

counted more than university degrees in deciding whether a new member was acceptable. It was the first political lesson Ryan was quick to learn".

In July 1912 Ryan, after an exhaustive ballot, defeated William Lennon for deputy leadership of the party. Labor's stunning electoral victory in 1915 emerged from the events of September 1912 when Ryan and Theodore, a most brilliant combination of Leader and Deputy Leader, took firm control of the Labor party. In May 1915, when the Ryan government was elected in Queensland, Labor held six of the seven Australian governments, a feat it was not to match again until 1946.

A Catholic and a long-standing good friend of Archbishop James Duhig, Ryan was personally well liked, able to fit in with the various groups inside the Labor caucus and was fortunate in having E.G. Theodore as his able deputy when the latter was the most powerful union figure in the State.

I only hope I might produce a biography of E.G. Theodore which in its own way does justice to the complex figure of 'Red Ted' Theodore, as Murphy did with Ryan.

As Murphy's superb political biography makes clear, Ryan's conception of the ALP was not a party based on class nor one concerned solely with the status of manual workers. In a decentralized and ruraly oriented Queensland, Ryan saw the Labor party as representing mainly that group in society which neither owned large areas of land nor controlled large sections of capital: "He then proceeded to outline those areas of policy which would assist the primary producers and the wage earners — 'the natural allies'. The land question, he said, was of importance to all classes in the community and therefore of importance to the Labor party."

T.J. Ryan held Edward Theodore in high regard and a close friendship existed between them. McCormack — the speaker, Theodore and John Fihelly were as close as any three members of caucus. Besides being Treasurer and Deputy Premier, Theodore was chairman of the Anti-Conscription Campaign Committee which also contained the Assistant Minister for Justice, Fihelly.

As Ross Johnston points out in his excellent *Australian Dictionary of Biography vol. 11:1891-1939* entry for Ryan, he gradually "overcame the unfavourable image held of him by some labor rank and file as a political opportunist and academic . . . Labor, operating a well-organised machine, easily won the May 1915 elections".

As Australia's only state Labor premier, Ryan's lone opposition to

Prime Minister William Morris Hughes over conscription placed him under great pressure. While federally and in every other state Labor parties split over the issue, Ryan held Labor in Queensland together in both 1916 and 1917 anti-conscription campaigns. Moreover, to Murphy, the radical-reformist government of T.J. Ryan was an excellent example of socialism at work, including establishing numerous state enterprises.

In October 1919 Ryan was uniquely invited by the ALP national conference to enter Federal politics. Endorsed for the seat of West Sydney he was easily elected.

Surprisingly, there is little sense of fire, guts and ardour in Murphy's portrait of Ryan. Perhaps this could be because Murphy chose to write a distinctly *political* biography. But it could also be that, for all his gifts, as a person Ryan was one of those human beings, not unknown in politics, who subordinated his private personality to his public role.

In a number of his historical works, other than this book, Denis Murphy attempted to argue that the ALP in Queensland had not abandoned the principles of his hero T.J. Ryan. However, along with Peter Beattie and other articulate supporters, as state party president Dr Murphy was forced by the dominance of old guard, anti-white collar, anti-intellectual parliamentarians and unionists during the 1960s and 1970s, to attempt to effectively reform the party in order to restore its public credibility.

Murphy's unfortunate death, at the early age of 47 was an enormous blow to the Queensland Labor movement.

After ill-treating him in life, elements within the Queensland Labor Party have tended to eulogize him in death, in much the same way as Ryan.

Just as Ryan, like Murphy an Australian of Irish descent, died tragically young of pneumonia at Barcaldine in August 1921 after contracting influenza in 1919, so Denis Murphy's early death from cancer in Brisbane in June 1984 was a tragic loss.

We are indeed fortunate that Dr Murphy left such a fine monument as this excellent biography of T.J. Ryan behind him.

Significantly, the new Labor government in Queensland led by Wayne Goss, also a lawyer, has an unrivalled opportunity to follow the highly principled examples and reform agendas set by the talented T.J. Ryan, and by the academic-activist Dr Denis Murphy.

January 1990

Introduction

Thomas Joseph Ryan was born in 1876 and died in 1921. During his working life he was a teacher, a barrister and a member of parliament. From 1909 to 1919 he represented the electorate of Barcoo in the Queensland Legislative Assembly and was the member for West Sydney in the House of Representatives between 1919 and 1921. He was the Premier of Queensland from 1915 to 1919, being the first Labor premier to have a majority in the lower house. His teaching career was not spectacular and was merely a means of supporting himself until he qualified as a barrister. His early ambition centred on a career in law, but he also had a liking for politics. He combined careers in both fields as had several of his contemporaries. Though he proved to be an outstanding barrister, his skill here became subordinated to politics and it was in the latter field that he made his reputation.

Since Ryan left no diary nor any personal papers, this political biography necessarily is based on public and archival material plus the semi-private records of the Labor party and certain trade unions. These sources were supplemented by a number of verbal and written interviews with several surviving contemporaries. Minutes of cabinet meetings were not kept at this time; ministers kept their own notes of decisions affecting their departments.

Ryan's period as premier coincided with the hectic days of World War I and his career is intertwined with the national politics of the war. He was a central figure in the two conscription referenda; in guaranteeing the allied troops a continued supply of meat during the war; in establishing the State Govern-

ment Insurance Office; in the first attempt to abolish the Legislative Council in Queensland; and in breaking the monopolistic hold of the Colonial Sugar Refining Company (CSR) over the whole sugar industry. In addition he initiated a wider range of State enterprises than any other government had attempted; he established, through the Privy Council, the constitutional power of state parliaments to legislative authority within their own boundaries and played a vital role in the Labor party's denying its own political theory of rank and file control when he was asked to assume the leadership of the Federal Labor party as the only man capable of matching the Prime Minister William Morris Hughes. This biography is a study of Ryan's reaction to each of these and of the contemporary influence of his decisions throughout Australia, with more particular attention being given to Queensland.

I have chosen to deal with these issues together, rather than thematically, because that, unavoidably, was how Ryan had to confront them. The question of the sugar industry well illustrates this point. Between 1910 and 1920, sugar was the primary industry having the greatest political importance in Queensland. It would have been quite impossible to analyse adequately his attempts to stabilize the industry, give growers and workers a fair share of the profits and curb the power of the CSR, without showing how this impinged on his fight with the Legislative Council, and during 1917, on the growing chasm between Ryan, then the sole Labor premier, and Hughes the former national Labor leader. In fact, it will be shown throughout the period that the problems of sugar, meat, the Legislative Council and conscription influenced each other and all other political events in Queensland, particularly during the war. In assessing Ryan's capabilities as a political leader, it is necessary to see his handling the whole range of political issues as they emerged, rather than to consider each one separately. It has been necessary to deviate from this course when an event has been of such importance that it transcended all else. Such was the 1917 conscription referendum when the conflict between Ryan and Hughes became the central point of the whole campaign and when the nation was engaged in its most bitter

political debate.

In writing this political biography, I have concentrated on Ryan the politician rather than on Ryan the barrister, or Ryan the man. The numerous court cases that Ryan fought are considered in the light of their political ramifications rather than for their legal importance. Ryan was married, he had two children and eventually was to buy Sir Thomas McIlwraith's large house at Auchenflower. But since he did not associate his home life very much with his political life, the former is only marginally mentioned. On the other hand, his wife was important as an unofficial private secretary who looked after the sending of condolence or congratulatory messages to constituents or important figures in the State or Commonwealth.

Finally this is a study of the political behaviour of a Labor premier and of the internal workings of the Labor party prior to 1921. Ryan's career is of particular significance in this regard. Having first attempted to enter politics as a supporter of the Liberal Prime Minister Alfred Deakin, he switched his allegiance to the Labor party and despite his bourgeois, non-working class background became the parliamentary leader of that party after only one term in the Legislative Assembly. Within a further six years, his continued progress through the party culminated in a State and national reputation among Labor party and trade union leaders, equalled by few other Labor politicians.

I The Labor Party

The life and political career of T. J. Ryan are inextricably linked with the fortunes and organization of the Labor party from 1903 to 1921. While it is true that as a parliamentary Labor leader, Ryan influenced the actions and policies of the party, his own political decisions were even more affected by the nature of the organization behind him.

Labor parties began to function in three Australian colonies – New South Wales, Queensland and South Australia – in the 1890s. When it could finally draw itself away from the influences of liberalism, a separate Labor party was formed in Victoria in 1901; and Labor parties were also firmly established in Tasmania and Western Australia by 1903. While these parties reflected the differences in geography and the pattern of immigration as well as the economic development of the colonies in the second half of the nineteenth century, they had much in common in terms of their aspirations. By 1908, they agreed to call their federal party the Australian Labor party, though each maintained its own state title. The party by then was a national party, actively supporting a white Australia, and including in its membership people of a wide range of occupations.¹ Its platforms indicated that it was a party with a purpose and one which was anxious to obtain office to implement what it considered necessary reforms.

These platforms were an amalgam of the long term aspirations of the socialists and idealists and the more immediate goals of the empiricists, liberals and socialists also. With comparative success coming early and ultimate success seeming not far off if matters were handled reasonably and responsibly,

the empiricists moved into the leadership and gave the Labor parties their enduring pragmatic reforming character. At the same time the empiricists and liberals who were to lead the party were men with high political ideals. They sought equality in the franchise, that is one adult, one vote, one value, and the abolition of the state upper houses; they sought compensation for injuries received at work, the development of unionism, protection for workers in industry, the raising of wages, the regulation of prices and working conditions and the elimination of unemployment; they hoped to break up the large estates and settle more people on their own land; they wished to break the social and political power that economic wealth conferred and to have the national wealth more evenly divided; finally they sought a society where every person was protected against sickness, old age and economic recessions. They hoped to effect these major reforms through parliament and were not inhibited, as were their Liberal opponents, about the limits of state action or state intervention in the economic, industrial and social life of the nation. The pace towards these reforms was dictated not only by the necessity of having to work in a constitutional environment, but also by the calibre of the men who formed the parliamentary caucuses. This latter factor was of the greatest importance, and finding parliamentarians with the intellectual and political capacity to match the aspirations of the labor movement remained a continuing problem.

Although the Labor parties were intent on gaining office and on seeing their reforms effected, there was a debate which lasted from 1890 to 1910 about the political tactics to be adopted. Four main theories were voiced in the debate. These were: (i) Labor should remain on the cross benches, like the Irish Nationalists in the House of Commons, and support whichever of the two existing parties would agree to implementing parts of the Labor platform; (ii) since the Labor party could not hope, for some time, to win sufficient votes to govern in its own right, it should seek to achieve necessary reforms through judicious alliances with reform-minded Liberals; (iii) the Labor party should merge with or remain a part of the Liberal party; (iv) as it would be only when Labor gained office in its own

right that it could bring about any meaningful or major reforms, the party should eschew all alliances and maintain a separate and independent identity. Those who favoured this last argument maintained that Australian politics would in time become a contest between a Labor-oriented party and capital-oriented parties. From this point, it seemed certain that Labor would then move to become a government in its own right.

The nature and extent of the debate varied among the states. Throughout the 1890s, Labor in Queensland had been divided between those who supported the idea of a Lib-Lab alliance and those who wished to maintain a separate and independent party.² The former group were principally composed of Labor parliamentarians headed by Thomas Glassey, Anderson Dawson and William Kidston, while the latter was composed largely of extra parliamentary officials such as Albert Hinchcliffe, secretary of the Central Political Executive (CPE) and of the Australian Labour Federation (ALF), the principal union organization in the State and manager of the ALF's weekly newspaper, the *Worker*. Hinchcliffe was supported in his views on alliances by Mat Reid, the most competent and thorough organizer in the labor movement and by Henry Boote, editor of the *Worker*.³ A similar debate was to take place in the Federal parliamentary party in the first decade of the century. In both cases, the argument was settled by 1910 when Labor had decided to refrain from any alliance and the Liberals had fused with their former non-Labor opponents.

In the years when the Labor party was establishing itself, there was little intellectual tradition in Australian society. Reflecting this, the Labor party placed a greater emphasis on practical political questions and, though there were some theorists among the socialist groups, the party was only marginally concerned with theories of politics. The theoretical vacuum was filled by the editors of the labor newspapers, particularly the *Worker*, *Tocsin*, the *Herald*, the *Daily Standard* and a host of others and, at the close of the first decade of the twentieth century by W. M. Hughes in his *The Case for Labor*. It was evident that the Labor party saw itself as a working man's party and it was suspicious of both academic qualifi-

cations and middle-class liberals who might want to use it as a stepping stone into politics. From its earliest days the inclusion in its ranks of farmers, people from the minor professions and small businessmen reflected the breadth and the comprehensive nature of the term "working class" and of the "natural allies" of the workingman.

The new Federal Parliament in Melbourne produced a very capable group of Labor politicians in J. C. Watson, W. M. Hughes, Andrew Fisher, George Pearce and King O'Malley.⁴ Not only had these men been largely responsible for the formation of the party in Tasmania and Western Australia, but their performances in the Federal Parliament also raised the whole national estimation of the party. Labor was obviously capable of providing politicians who were the intellectual and political equal of those who had comprised the established political groups and, moreover, it seemed anxious to become part of the Government. The 1903 federal election confirmed the party's future as a permanent group in Australian politics, though it was still not clear whether this would be as a separate organization or as part of a broad liberal alliance. In that federal election, Labor obtained thirty per cent of the House of Representative vote and twenty-three of the seventy-five seats. The swing towards Labor was remarkable in Queensland where the party won seven of the nine House of Representative seats and all three Senate positions. Labor in that State was now a significant and responsible political organization. It was a party with an attraction for aspiring liberals with a bourgeois background.

The years between 1903 and 1910 represented the period of organization and consolidation during which the Labor party further broadened its basis of support and clarified its priorities. During these years unionism again began to flourish, strengthening the whole labor movement; rules were codified and constitutions written; fighting platforms emerged representing the specific aims of Labor in its first terms of government and a number of capable men with a liberal middle-class background began to filter into the parliamentary parties strengthening their capacity to debate a wider range of political issues.

It was during this period also that the role of the politician in the party organization was debated at length. The Lib-Lab coalitions in Queensland and South Australia, and the tacit alliance of Deakinites and Labor in the Federal Parliament, gave added strength to the debate. The questions debated were: should the politicians be the parliamentary servants of the party or should they be the leaders taking the party in and out of alliances and dictating the speed at which party reforms were introduced. The debate resolved itself in favour of the former question, but in practice the roles were to become partially reversed and the political leaders became in fact the real party leaders. In theory, the initiative within the Labor party rested with the unions and the rank and file members; in practice, because they were concerned with politics on a full-time basis, the politicians became the initiators. By 1910 a balance was struck, with the organizational control remaining with the executives or non-parliamentarians, and policy initiatives remaining effectively with the politicians. Hence the speed and nature of reform by any Labor government came to rely on the capabilities of the Labor parliamentarians. Similarly, when Labor was in opposition, the extent to which it could be classed as the party of initiative in the broad political area was directly related to the intellectual and political capacity of its parliamentary representatives.

Between 1910 and 1916, the Labor party achieved almost complete success in capturing the Federal Government and every state government, except Victoria.⁵ In May 1915, when a Labor government was first elected in Queensland, Labor held six of the seven Australian governments, a feat it was not to match again until 1946. This success was due to a combination of better electoral organization, capable political leadership and the concurrence between the national ideals of the Labor party and those of the Australian people. A majority of Australians agreed with Labor in seeking broad social reforms and more equal sharing of national wealth, in accepting the need for an Australian defence force and the Australian dream of large-scale land settlement; there was also a concurrence that the Government had a right to establish state business enterprises and to

intervene actively in the economic and social life of Australian society.

It was in this period that greater emphasis was placed by the Labor party on state enterprises. In the Australian context such enterprises came to be equated, by Labor and its opponents, with the term socialism. In fact, the Labor party was never a doctrinal socialist party. Its socialism was practical and concerned with social reform, electoral reform, a more equal sharing of economic wealth and protection of the working man and his family. State enterprises were seen as one of the principal means of controlling monopolies and price rings which Labor members argued were the principal influences both in raising the cost of living and in opposing Labor reforms. Though the term nationalization was used in the platforms, the Labor parties were concerned only with the direct nationalizing of public utilities such as railways and hospitals. On the other hand, Labor politicians believed that state banks, insurance offices, shipping lines and the like would be more efficient than those of private enterprise, which were concerned only with profit, and would in time force their private competitors to lower their charges to the level of the state enterprises or go out of business.⁶

From their inception, the Labor parties had determined to keep religion and politics apart. This was partly the result of the predominantly Methodist and low Church of England affiliations of their members, but it also reflected a determination not to allow one of the major sources of social division in the old world to be repeated in the new. Consequently, the secular education plank in the Labor platform was strongly enforced and neither compulsory Bible reading in state schools nor government aid to denominational schools was countenanced. However, while being opposed to government aid to denominational schools, the non-Labor parties, composed almost entirely of Protestants, accepted the demands of the Anglican and Protestant churches for compulsory Bible reading in state schools. With a half of the Catholic children attending church schools, the Catholic church avidly sought government aid for its own schools, but was just as avidly opposed to having the

other half of its children compulsorily exposed to Protestant Bible reading in the state schools. As the issue of Bible reading came to a head around 1910, the Catholic church came to look more favourably on the Labor party as the less sectarian of the two parties. But it was not only this and the bishops' statement of 1905 removing any objection to Australian Labor socialism⁷ which caused the drift of Catholics towards the Labor party. The Irish migrants to Australia throughout the nineteenth century had been almost wholly Catholic and working class. It was inevitable therefore that socio-economically the Labor party should acquire an increasing percentage of Catholic support in the pre-war period.

Labor however continued to remain wedded to its secular ideas and made no attempt to capture or foster a "Catholic vote". If anything, it feared and opposed such a vote being tied to it, through the possible counter production of an "anti-Catholic vote".⁸ The alliance of Catholics and Labor which the war seemed to produce was not the natural result of any continuing evolution, but was inextricably wound up with the two conscription referenda, the presence of Irish Catholics like Archbishop Mannix in Melbourne and the Queensland Labor premier T. J. Ryan on the anti-conscription side, and the obsession of Prime Minister, W. M. Hughes that the Irish problem was at the bottom of the defeat of the first conscription referendum.⁹

While the Labor parties remained in opposition, the task before them of making radical changes in society did not seem so difficult. Few party members had any real appreciation of the workings, or power, of capitalism. Few appreciated the task that Labor had set itself in entering politics. However, as successive states elected their first Labor governments, the enormity of their undertaking became apparent. It was one thing to pass a resolution at a party conference, it was another to implement this when in government. Labor cabinets found themselves confronted by the immense power of capitalism, by a high degree of conservatism which seemed to be built into the society, and by administrative restrictions which demanded balanced budgets and the maintenance of normal commerce.

They found also that as the Commonwealth Constitution restricted their power to legislate in the Federal Parliament, so the Legislative Council acted as a formidable and at times uncompromising barrier in a state parliament. The consequent enforced slowness of constitutional change provided a source of continued wrangling. Disillusioned idealists broke away to form left wing parties whose influence and success was small. On the other hand, Labor politicians found themselves under attack from party conferences and from unions for being more concerned with preserving their own seats than with attempting to implement Labor policy, and with being satisfied with mere palliatives instead of demanding large and significant reforms. This constant pressure from party executives and conferences to act more boldly, and the counter pressure from daily newspapers and influential sections of commerce to slow down reforms took its toll on Labor parliamentary leaders.

The Labor party was a difficult party to lead. A Labor premier was still accountable to his caucus and was the target of criticism levelled at the PLP by party conferences. Moreover, with the suspicion of politicians that had grown through the defections in the first twenty years, it was the leader whose actions were most closely scrutinized by the labor movement. Few parliamentary leaders escaped criticism from the party or from the union movement. This did not prevent them from winning elections, though it made their position as Labor premiers so much harder. There have been only a handful of parliamentary leaders who could be described as being completely successful as Labor leaders. Three criteria appear to have been necessary for a leader to be described as being successful. Firstly, he had to be accepted throughout the party and the labor movement, not merely by one faction or another, nor merely by the politicians, the unions or the branches. This acceptance involved not merely "getting on with the machine," but implied also a confidence that he would prosecute Labor policies in and out of office. Secondly, since he was at the head of a political organization which sought to gain power through convincing a majority of electors that they should support his party at the polls, the successful Labor leader had also to be

electorally successful; that is, he had to win fairly conducted elections. Thirdly, in government, he was expected to try to the utmost of practicability to implement the policies laid down by Labor conferences and conventions. He assumed a significant role in drawing up these policies and, through his own political knowledge and experience, provided for these to be both radical and practicable. Also the successful Labor leader needed to appreciate that there were times when he positively sought to direct the party along a certain course and other times when he accepted the majority decision.

The question of where the final authority in the party lay between parliamentary leader and PLP, and the organization came to a head in 1916 over conscription. Of the parliamentary leaders only T. J. Ryan in Queensland and George Elmslie in Victoria accepted the party's will on this issue. The other leaders rejected this idea and were forced out of the party. In a period when theories of syndicalism, worker control of industry and revolution were being widely discussed in the labor movement, there was a re-emphasis on the need for the Labor party, and particular for the Labor members of parliament, to be placed under strong industrial control.¹⁰ From this grew a legend of the unions, or more explicitly the union leaders, being the initiators and the politicians, the resisters in the Labor party. It was a curious legend since the union leaders, through the nature of their occupation, were among the most pragmatic section of the labor movement. It was through this reversal of roles, the "intellectually disorderly radicalism" of the unions, as Rawson puts it,¹¹ that there developed at the 1921 Federal Conference an attempt to turn the Labor party into something like a revolutionary socialist party. The very nature of political action made this difficult to sustain once the crisis period had passed. The fact was that no matter how perfect or how socialistic any policy was, and no matter how much pressure was brought to bear by the extra-parliamentary executives or unions, the final presentation and implementation lay with the parliamentary leader and his caucus.

Despite the theories expounded after 1916, this last point was a fact which the Labor Party Conferences accepted in 1919,

when put to the test. While the defection of long-standing leaders like Hughes, Pearce, William Holman, Crawford Vaughan, John Scaddan and W. G. Spence^{1 2} had reinforced the argument for industrial control, the Federal Conference of October 1919 contradicted this by asking T. J. Ryan, the only surviving Labor premier, to leave state politics and lead the Labor party at the 1919 federal election. In effect, while the Labor party on the one hand was saying that it would never again allow its destinies to be governed by one politician – as Hughes and Holman were accused of doing – on the other hand, it was inviting Ryan to do the very thing for which Hughes and Holman were condemned.

In acting in this way, the Labor party was doing no more than its history indicated. It was a political reform organization whose practical approach to politics outweighed any commitment it had to theoretical politics which, in 1919, had taken a strong hold in the Australian labor movement. What was more remarkable was that, at a time when the need for working class consciousness was being so widely preached, the man chosen to be the new leader, despite his humble beginnings, was not a working class hero, but a bourgeois lawyer with two university degrees.

2 Becoming a Politician

Thomas Joseph Ryan began his life on a western Victorian farm. In 1860, his father, Timothy Ryan, an illiterate Irish farm labourer, arrived in Victoria. For a time he worked building stone fences in the Geelong area before moving to the Port Fairy district in western Victoria. Here in 1866 he married an Irish girl, Jane Cullen, and in 1870 settled on a farm of 200 acres at Boothapool, ten miles from Port Fairy. In the same year their first son, John, was born.¹ There were to be six children, the fifth of whom – Thomas Joseph – was born on 1 July 1876. Seven years later Jane Ryan died and the eldest daughter, Mary, though only eleven, took on the responsibilities of looking after the smaller children. Though he could neither read nor write, Timothy Ryan took a keen interest in local and Victorian politics and each child in turn had the duty of reading him the newspaper each night. In the years when Tom Ryan read to his father or heard one of his brothers or sisters doing so, Victoria was enjoying boom conditions, and liberal protectionist politicians like Alfred Deakin² were rising to prominence. The news of the 1880s centred on land sales, protection, the rise of the trade unions and government activity to assist farmers and prevent the worst forms of capitalist exploitations of workingmen. In the Ryan house, Ireland also was a topic of interest and, while Timothy Ryan supported Home Rule, he was by no means an activist in Home Rule campaigns. As was to be expected, when John Dillon visited Victoria in October 1889 and toured the Colac and Warnambool areas near Port Fairy to raise money for the evicted tenants' fund in Ireland, the Ryan family were as excited as other Irish Catholics. But Timothy

Ryan, with a farm and six children, was too concerned with the price of potatoes, flour and wool, to become too deeply involved in outside causes. He was, moreover, a quiet man, not given to great emotion or introspection, undistinguished in his own neighbourhood and with little ambition for his children beyond seeing them well settled in the farming community.

At the Pretty Hill State School, which the Ryans attended, the teacher, Mr. P. J. Carmody, recognized that Tom Ryan had above average ability and encouraged him to enter for a scholarship which would enable him to go on to a secondary education. At the end of 1889 he obtained a scholarship which he took out at the College of Saint Francis Xavier at Kew, a Melbourne suburb. Although this was a feat of some local interest it nevertheless went unmentioned in the *Port Fairy Gazette*. In the examination at the end of 1890 for one of the thirty state second year scholarships, valued at £40, Ryan showed his ability by finishing twelfth on the list, with 779 marks out of 1100. Again the *Port Fairy Gazette* omitted to mention the fact when reporting the success of two other local students, but made amends in the following week's edition.³ In 1890, the boom was ending as the depression swept through Victoria. It was, according to the historian of the Western District "more devastating than any the District... had known".⁴ What the effects of the depression were on the Ryan family at Boothapool is not known; however the luxury of Tom's boarding at Xavier could no longer be afforded and in 1891 he transferred to the South Melbourne College, a private school of about 120 pupils conducted by Mr. Thomas Palmer who held the degrees of Master of Arts and Bachelor of Laws. Here the fourteen-year-old Ryan was employed as a pupil teacher while he studied for matriculation to the University of Melbourne. It was possibly Palmer's influences which encouraged Ryan to continue studying and to choose the law as a career. Certainly Palmer recognized Ryan's intellectual ability and twenty-five years later recalled Ryan as having "abilities of a very high order" with strong powers of concentration.⁵ Ryan remained at the South Melbourne College and matriculated to Melbourne University at the beginning of 1895, when he

enrolled as an arts-law student. It was no mean feat to teach at the college and attempt a full university course. Consequently when he completed his Bachelor of Arts Degree at the end of 1897, there had been nothing spectacular about his scholastic record which had included failures in three subjects, though two of these had been passed in supplementary examinations.⁶

Victorian politics during the 1890s, when Ryan was a teacher and a student, were dominated by a particularly advanced form of liberalism which found its ablest exponent in Alfred Deakin. It was a liberalism that sought equality of all men in Victorian society. It manifested itself in the demands for equal voting rights, the eradication of unemployment through protection of industry, the breaking up of the large estates acquired by those who had arrived first in the colony and the provision of a minimum standard of living through state enforced minimum wage rates and old aged pensions. It saw the provision of these as coming within the role of the state, though it did not envisage the state's going far beyond this and establishing state business undertakings. This liberalism encompassed, in the words of Deakin's biographer: "...equality of rights and opportunity, some redistribution of wealth by taxation, some legislation to curb the impact upon men and women of capitalist enterprise concerned with profit".⁷ It was a political philosophy that was not greatly different from that of the Labor parties as described in the previous chapter. The principal difference lay in the limited extent to which liberals like Deakin saw state activity as being legitimate. Since the political labor movement in Victoria during the 1890s remained an appendage of Liberalism, it was unlikely to have made any significant impact on Ryan, the student and teacher.⁸

While completing the additional two years for a Bachelor of Law, Ryan took a position as classics master at the Church Grammar School in Launceston. One of his former pupils recalled him as being a "splendid teacher of Latin" while a second remembered him as being "a very approachable and human person, more Christian than the ordinary school master" of his day.⁹ Though taking an additional law subject in 1898, Ryan passed the year's work and while completing his final year in

law, left Launceston to take a position as classics master at the Maryborough Grammar School in Queensland. He may well have wished to work in a warmer climate or he may have been drawn to Queensland as apparently many aspiring southern lawyers were "by the prospect of easy opportunities in the fast growing colony."¹⁰ Whatever the reason, he successfully completed his law degree at the end of 1899 and sought entry to the Queensland Department of Justice. However, he was informed that the type of appointment he sought was made from officers already in the Public Service.¹¹ Moreover, though a graduate of laws, he still had to be admitted to the Queensland Bar.

The Boys' Grammar School at Maryborough had about fifty pupils and a staff of four, in which Ryan ranked third. Its Past Boys' Society, to which members of the staff and other approved persons could belong, was one of the cultural organizations in Maryborough. Ryan was elected secretary in March 1900 and was responsible for arranging debates and discussions, generally on broad political subjects, to which Maryborough people were invited. He took part in several himself though full reports of these were not provided by the local newspapers. However, the *Maryborough Chronicle* reported that a paper he had read on the "position and education of women", in which he advocated the right to vote and more opportunities for education for women, was "carefully prepared and interesting . . . The essayist dealt with his subject in such a thorough manner that subsequent speakers were somewhat at a loss for subject matter". But apart from attending these meetings and, one must assume, the meetings held in conjunction with the Federation referendum, Ryan was not publicly recorded as having committed himself to any political belief at this time. In November 1900, he submitted his resignation to the trustees informing them that he was entering the legal profession.¹² However the fulfilment of this ambition was still three years away.

After his resignation as classics master was accepted, Ryan took the position of second master at the Rockhampton Grammar School in January 1901. He was neither legally

eligible nor financially able to enter law at that time. Not only was his new salary of £320 a year a considerable increase on his Maryborough salary, but Rockhampton was a bigger and more important city than Maryborough and offered better prospects for an aspiring barrister. Rockhampton had a character of its own, quite distinct from that of its hinterland and the surrounding coastal areas. It claimed to be the port for central Queensland and was the centre of a strong separationist movement. The city had a population of 17,000 in its municipality, a total trade which placed it third in Queensland to Brisbane and Townsville, and when the municipality of Rockhampton North across the Fitzroy River was added, together with Mt. Morgan only twenty miles from the city, the wealth produced in the area and the labour employed there was large and significant. Politically also, Rockhampton had its own individual character, tending towards support for the Labor party while not being bound to it. It had produced one of the first provincial labor newspapers in the 1890s, the *People's Newspaper*, which, though it had been forced to close in 1902 through a boycott by the printing companies, was to be revived in 1903 as the *Critic*, advertising itself as a central Queensland democratic newspaper. Three other newspapers were published in the city, the *Morning Bulletin* with its weekly edition the *Capricornian*, and the *Daily Record*, an evening paper. Trade unionists in the city also received the *Brisbane Worker* and many probably read the *Sydney Bulletin*. Of the two daily newspapers, the *Morning Bulletin* under the editorship of James Blair had the greater circulation in the district and certainly the greater influence.

In the Queensland Parliament, Rockhampton, a dual member electorate, was represented in 1901 by William Kidston, a former Scottish ironworker and bookseller, then emerging not only as the most capable member of the Parliamentary Labor party (PLP) but also as one of the most capable politicians in the Legislative Assembly. The second member, George Curtis, a land agent, had little sympathy for the emerging Labor party, but was popular in Rockhampton as the leader of the Separation Movement.¹³ Of the adjoining electorates, Rockhampton North was held by a Labor member while the other three,

Normanby to the north, Fitzroy (taking in the Mt. Morgan mines) to the west and Port Curtis to the south were all non-Labor seats. In the port's hinterland all five seats – Clermont, Mitchell, Gregory, Leichhardt and Barcoo – were held by the Labor party. Both Kidston, a protectionist, and Curtis, a free trader, had opposed Federation, for different reasons and, while Queensland as a whole had voted in favour of Federation, the eight electorates about Rockhampton recording a heavy "yes" vote, Rockhampton itself had a fifty-seven per cent "no" vote.¹⁴ Kidston's opposition had been concerned with the problem of the future separation of central Queensland and with the difficulty of amending the Federal Constitution. He argued, however, that he was still a federalist.¹⁵ This then was the political environment into which the twenty-four year old Ryan came in 1901. In the first federal election for Capricornia, the electorate centering on Rockhampton, independent protectionist Alexander Paterson narrowly defeated his sole Labor opponent, reflecting the division in the city's politics.

Though the new Federal Parliament attracted some attention, most political interest in central Queensland was still focussed on the State Parliament in Brisbane. There the Legislative Council, an appointed house, consisted of representatives of land, commerce, banking and insurance. In the seventy-two member Legislative Assembly there were three groups: the Ministerial party which, since the fusion of the liberals of Sir Samuel Griffith and the conservatives of Sir Thomas McIlwraith in 1890, had ruled the State as the "continuous government" (except for the brief interlude of the Dawson Government); a Labor party which had been the second biggest party in the house since it first contested a general election in 1893; and a rump of liberals known as the Independent Opposition. The previous general election in 1899 had resulted in the return of forty-three Ministerialists, twenty-one Labor members and eight Independents.

In contrast to the Victorian Labor party, which was hugging the safer area about Melbourne and feared to venture forth into the rural areas, the Labor party in Queensland was essentially a rural party drawing its strength from the mining areas in the

north, the shearing districts of the west and the ports along the coast. Its weakest areas of electoral support were Brisbane and the dairying and wheat district of south-eastern Queensland. To many observers the Queensland Labor party in 1901 was composed of revolutionaries like William Lane, hell bent on nationalizing land and industry.¹⁶ The short-lived Dawson Labor Government of December 1899, in which Kidston had been a member, had, as one of its aims, the demonstration of Labor's capacity to administer the State as responsibly as any conservative ministry, while introducing needed reforms in electoral laws, workers' compensation and safety in industry. However, in 1901 it was still very much a workingman's party, drawing its support from predominantly manual workers and not seeking or welcoming those from business or professional occupations. For a classics master at a grammar school there were few opportunities to be associated with the members of such a party; moreover in 1901 Ryan's ambitions were still centred on entering law as a barrister. If he considered a political career at all at this time, it would more than likely have been as a member of the same party as the Victorian Liberals Deakin, Isaacs and Henry Higgins. There was no such political organization in Queensland in 1901 although, in Brisbane, the National Liberal Union (NLU) was trying to form a political organization to match that of the Labor party.

Ryan had little difficulty in settling into his new environment and as he worked at one of the ten grammar schools in the State, and had two university degrees at a time when there was still no university in Queensland, he could count himself among the elite in Rockhampton society.¹⁷ The grammar school records are rather incomplete but those remaining indicate that he was a teacher who commanded the respect of his pupils, willingly accepted responsibility in organizing athletic carnivals, and in representing the school on sporting bodies in the city. He was regarded by the trustees as a valuable member of the staff.¹⁸ Though not an active sportsman himself, Ryan was soon asked to join the executive committee of the Rockhampton Cricket Association and the Rugby Football Union and to represent these bodies in inter-city executive meetings.

But it was the law that remained his first interest. He was not a reader of fiction; he cared little for philosophy or speculation about man and his nature; he had read legal and political history as a student, and now avidly read law reports and journals.¹⁹ In July 1901, having completed the year's study required for interstate graduates wishing to qualify for the Queensland Bar,²⁰ he obtained leave of absence to attend the sitting of the Full Court in Brisbane and to sit for his barrister's examinations in August. Here he obtained second class honours, being only the second to obtain honours since the new rules relating to barristers' entrance examinations were framed in 1896.²¹ As if to demonstrate his new status, three weeks after the results were announced Ryan wrote a long letter to the *Morning Bulletin* disagreeing with another correspondent, "Advocatus", regarding two cases of bigamy where the House of Lords and the Privy Council had given different verdicts. To "Advocatus" the verdicts showed the inconsistencies of the law, but to Ryan the two verdicts were reconcilable and both just. As an indication of the development of his capacity as a barrister at this stage, the details of the arguments are not important. What was important was the clarity of his argument. To Ryan the law was equated with commonsense.²² In his legal arguments he demonstrated a capacity to explain a complex legal issue in simple terms. He also revealed a self-confidence in his ability to interpret the laws; both of these, one might suggest, should be invaluable as part of the armoury of a competent politician.

In December 1901, at the sitting of the Full Court, Ryan was admitted to the Bar and so fulfilled his first ambition. However it was one thing to be admitted to the Bar and another to earn a living there, especially in a city where he was a comparative stranger with no connections who could assist him. He did not resign from the staff of the grammar school but taught through 1902, submitting his resignation to the trustees in January 1903. Since a replacement master was difficult to find – he was to receive only £150 a year – Ryan offered to remain on the staff on condition that he be allowed to undertake any law work that was placed before him. This arrangement must have suited both the trustees and Ryan's finances, for it was to be

the end of 1903 before he concluded his teaching career.

During these two years, Ryan developed a close friendship with a solicitor, Daniel P. Carey, who provided him with his first cases. He joined the Rockhampton branch of the Australian Natives Association (ANA) and the Catholic Young Men's Society (CYMS) both of which provided occasions for those interested in broad political issues to meet, debate and listen. Ryan soon became prominent in both organizations, and was elected president of the ANA in June 1903. There are reports of his having taken part in their debates and having delivered addresses on the "federal movement in Australia", the "British constitution with some observations on the Australian commonwealth" and the "extension of the franchise to women". It would be difficult to imagine a person speaking on such subjects to a critical audience and not at the same time having an interest in national politics.

In Rockhampton there were two political organizations, the Rockhampton Political Association (RPA) which had links with the NLU in Brisbane, and the Labor party. It was evident that Ryan's education, his occupation, his Victorian background and the public conception of the Labor party at that time would make it natural for him to join the RPA rather than the Labor party when he decided to become a member of a political organization in May 1903. He was now becoming a person of some significance in Rockhampton and the reports in the *Morning Bulletin* testified to the increasing size of his law practice. It was not surprising therefore that the self-confident, capable and ambitious Ryan should agree to his friends' suggestion in November 1903 that he should attempt to enter politics.

On 13 November, Paterson announced that he would not be seeking re-election for Capricornia at the federal elections on 16 December. His decision came as a surprise to people in Rockhampton. On 18 November an advertisement appeared in the *Morning Bulletin* announcing a general meeting of the RPA at which the business to be discussed was "the selection of a candidate for Capricornia". Curtis, who had lost his State seat at the 1902 elections wrote to the secretary of the RPA as soon as Paterson's resignation was announced, informing him of his

intention to contest the election. Though the RPA was the only non-Labor political organization in Rockhampton, there were two non-Labor parties in the Federal Parliament. Consequently when the nomination of Curtis, a free trader and supporter of George Reid became known, it was understandable that those members of the RPA who supported protection and Deakin would want a candidate of their own political views to receive the endorsement. They approached Ryan and asked him to nominate. He agreed and attended the special meeting, in his own words, "not thinking for a moment that it intended to proceed to the selection of a candidate".²³ It was apparent from the account of the meeting later given by the president²⁴ that no nomination was expected other than that of Curtis who was, in the view of the executive, the obvious choice. However, as the meeting was being asked to endorse Curtis, Ryan shattered the tranquility by announcing his own candidature. Under the rules, a plebiscite of members in the electorate should have been held. In view of the limited time before the election, Ryan suggested that a plebiscite should be conducted at least in Mt. Morgan and Rockhampton, but the supporters of Curtis would not agree to this and demanded that the candidate be selected at that meeting. Not having a majority at the meeting, Ryan withdrew and Curtis was duly endorsed.

While he was generally regarded as an easy-going person, Ryan had a strong will, definite views on how democratic institutions should operate and a determination not to be put upon in any company. A meeting of his own supporters in the RPA was called for Friday night, the twentieth, when he announced his willingness to nominate if his supporters desired this. They did, and on the following morning he placed an advertisement in the *Morning Bulletin* setting out his platform.

I am in favour of

1. White Australia
2. Fiscal peace
3. Direct assistance to industries by the granting of bounties for the encouragement of rural industries, such as the cultivation of cotton and the development of great industries, like iron and steel
4. The introduction at an early date of legislation to prevent as far as possible the formation of rings, trusts or monopolies of any kind

5. The establishment of a Federal capital in accordance with the provisions of the Constitution Act
 6. The safeguarding of States' rights
 7. The amendment of the "Contract" clause in the Immigration Restriction Act by eliminating its operation to workmen, under contract, to work at wages or on conditions less favourable than those prevailing in the Commonwealth
 8. Establishment of Courts of Conciliation and Arbitration
 9. Old age pensions
 10. Promotion of some practical scheme for the establishment of preferential trade relations within the Empire
- I am the independent supporter of the Deakin government and not the nominee of any political union.²⁵

The platform confirmed that Ryan was a liberal in the tradition of Deakin; a comparison of his political goals with those of the official Labor platform reveals that he was also quite close to that party in his beliefs. It was a shrewd and attractive platform for an electorate like Capricornia.

Ryan, now twenty-seven years old, was about six feet tall, and still fairly thin; he had friendly blue eyes, a rather long moustache and a genial disposition. His appealing platform and his personality and ambition made him a formidable opponent for the other candidates in a simple majority system of voting. Both D. A. Thompson, the Labor candidate, and Curtis recognized this and realized that whatever votes they lost would be won by this new supporter of Deakin. In addition, Ryan's nominating against the endorsed RPA candidate brought down the full wrath of the *Morning Bulletin* which, after Ryan's first election meeting ran an editorial entitled "Breaking Faith" in which it said:

The whole incident, which puts Mr. Ryan in an unfortunate light, was most probably due to his complete inexperience in such matters. He did not realise that when a man joins a Union or places himself in its hands, he must accept its decision without quibble of any kind.²⁶

In an appeal to central Queensland parochialism it suggested that Ryan, the Victorian and newcomer to Rockhampton, knew little of the needs of central Queensland and was more concerned with his own legal advancement. He hoped to be elected to the Federal Parliament, said the paper, so as to be able to practise law in Melbourne. While the *Morning Bulletin* feared that Ryan's candidature would cause the defeat of Curtis, the Labor

party feared that Ryan's platform would draw off many Labor voters who were not impressed by Thompson. The Labor candidate consequently assailed Ryan for not being "straight" and accused him of "coming forward on practically the Labour Party platform".²⁷ The *Worker*, too, noted the challenge presented by Ryan and described him as "a rejected NLU candidate" who had "swallowed nearly all the Labour platform in his desperate attempt to catch votes".²⁸

The extent and virulence of the opposition from both sides threw Ryan on to the defensive and forced him to begin each meeting by recounting his side of the dispute with the RPA. However his potential as a politician had attracted attention beyond Capricornia. A Queensland senator, J. G. Drake, the Post Master General in Deakin's cabinet, came to Rockhampton to assist Ryan and speak for him at political rallies. The *Morning Bulletin* dubbed him "Ryan's coach" and in truth it must be admitted that Ryan needed coaching in speaking at election meetings. His speeches were flat, he seemed to have difficulty in getting over his introductory remarks and he needed more of the political fire that electors expected of a politician.

At the end of November, although he was still a member of the RPA, he publicly dissociated himself from the NLU and for the first time revealed his attitudes towards the Labor party. He rejected the NLU's proposition that Labor policy was in any sense dangerous²⁹ and, though he had also said publicly that he was not associated with the Labor party, his platform, his objection to the NLU's attitude to the Labor party's socialism and his refusal to attack Thompson suggested to the *Morning Bulletin* that "he was at any rate a friend of the family". As the election neared, it seemed that though Ryan would not win, he would split the non-Labor vote. These fears by the *Morning Bulletin* and the RPA were justified and with a swing towards Labor throughout Queensland, Thompson – despite his lack of ability – won easily with 6065 votes to Curtis's 3725. Ryan finished last with 2435 votes.

Minor repercussions were soon forthcoming. At the half-yearly election of officers of the ANA, Ryan was not only

defeated for the presidency, but also failed to gain election to the committee. D. D. Dawson, a member of Curtis's campaign committee and one whom Ryan had called "a small man with small ideas" became the new president. At the same time Ryan severed his connections with the RPA and at the declaration of the poll on 8 January, castigated the Association for abandoning "the democratic principles upon which it was supposed to be founded" and for having as its political creed "antagonism to a large and well conducted political party". Such an organization, he said, was no place for him.³⁰

The Queensland Government in January 1904 was a coalition of the Labor party and a group of Liberals who had finally broken away from their more conservative colleagues of the "continuous government". This last group now formed the Opposition under the former premier, Robert Philp. The Premier was Arthur Morgan from the Darling Downs, who had previously been the Speaker of the Legislative Assembly, while the Labor party was led by a former Croydon miner, W. H. Browne. The formation of the coalition had been negotiated by Kidston and Browne and though Hinchcliffe, Reid and Boote were not happy about it, they had accepted it in the hope that from it would come adult franchise which they saw as a necessary pre-requisite to Labor's gaining power.

Kidston, now treasurer, was the central figure in the coalition. He was very much the practical reformer and as such suspicious of those who spoke loudly and often of vague principles; he was one who saw politics as being the art of the possible. He was respected, though not liked, by the ALF group who nevertheless grudgingly accepted that he was a reformer of great ability and that the Labor party at last could implement some of its platform by accepting Kidston's tactics. In Rockhampton, Kidston was a close friend of James Blair and had replaced Curtis as the most significant political figure in the central district. By the end of 1903 the combination of Kidston and Watson, leader of the Federal PLP in Melbourne, had made the Labor party in Queensland a more acceptable political organization and one whose leaders were the intellectual equals

of the leaders of the older political organizations.

When Ryan severed his links with the RPA and joined the Labor party early in 1904,³¹ he was joining a political organization the roots of which were becoming stronger and the ideals identifiable with those he had expressed at the recent federal election. Whether he decided to join the party after talking to Kidston is now known; however it seems reasonable to assume that the two were acquainted by 1904. They were very similar in their political aims, in their political ideals of social reform and in their liberalism. But, despite Ryan's liberal ideals, which matched those of the Labor party, and his refusal to condemn that party during the federal election, he was not welcomed into the party with open arms. There was a strong suspicion about the motives of non-working-class people who sought to join. In Brisbane the influential Boote was adamant that a close scrutiny should be made of all persons seeking Labor endorsement. In March 1904, he warned the party about a type of ambitious politician who would use the Labor party to gain a seat in parliament. "Everywhere", he wrote, "he may be observed insidiously worming his way into the confidence of the organisation . . . just as he adopts Labour principles to serve his own ends, so he will readily betray them".³² Ryan was merely joining the party, not seeking its endorsement, but from his actions in contesting Capricornia there could be little doubt that he intended to stand again for parliament. Not only was there suspicion in the party of political opportunists, but also there was suspicion of academic qualifications and intellectual ability. Prefacing an editorial in July 1904 warning of "the would-be Labour candidate, who seeks not to serve the movement but to make the movement serve him", Boote wrote: "Give us plain, honest, capable and sober men and we shall be content".³³ Loyalty and a willingness to join with rank and file members in the mundane work of the party were qualities that counted more than university degrees in deciding whether a new member was acceptable. It was the first political lesson Ryan had to learn. Fortunately, he found an early ally in J. C. Kerr, editor of the *Critic*, who used the paper to support Ryan as a prospective Labor candidate and to portray him as a person on

whose loyalty the party could depend.

While he absorbed the lessons of grass roots Labor politics, Ryan continued to build his reputation as a figure of some importance in Rockhampton. He debated within the ANA and the CYMS, of which he was now president, and was elected chairman of the central Queensland Rugby Union. He became a public supporter of Kidston and the Lib-Lab coalition and, in the early months of 1904, when its majority on the floor of the house was reduced to one, Ryan was the principal speaker at two public meetings called to support the coalition and to seek an immediate election if it was defeated in the house.³⁴ When a division in the Legislative Assembly in June showed the coalition to be dependent on the Speaker's vote, Morgan obtained a dissolution and a new election was called. The sitting Labor members, Kidston and K. M. Grant, were re-endorsed for Rockhampton and H. Turner for Rockhampton North. Ryan was approached by members of the Workers' Political Organization (WPO) in the adjoining electorates of Normanby and Port Curtis and asked to nominate. Possessing both self-confidence and ambition, he accepted the two invitations. For those who wished to label him a political opportunist, this seemed a good example to quote, though it must be noted in his defence that power, the subject matter of politics, was not to be had by waiting in the wings to be called or by being too conscious of what local opponents might think.

Of the two seats Port Curtis offered the better chance and there was more than one Labor nominee. In the plebiscite Ryan was defeated by fifty votes to forty-seven and thereby had to accept the invitation from Normanby where he was the sole Labor candidate. There were two other nominations for this seat: G. Fox, the sitting member and supporter of Philp, and L. P. Landsberg who described himself as a Morganite. As two coalition candidates would have split the vote, the WPO sent a telegram to Morgan asking him to endorse Ryan. Kidston, on the other hand, felt that because Landsberg had a local background he would have a better opportunity of defeating Fox. He advised Ryan to withdraw and Morgan endorsed Landsberg.³⁵ Ryan's supporter, the *Critic*, was dismayed at the

choice. It accused the coalition's endorsement committee of "having blundered and blundered badly", and concluded that Fox was being presented "with the softest of soft seats instead of a very close and doubtful tussle."³⁶

Ryan accepted Kidston's advice and withdrew, at the same time offering his full services to Landsberg's campaign, "an honourable action", said the *Critic*, "a proof of loyalty which Labour will not quickly forget". It was not only an honourable action, but also a very shrewd one in a party which recognized and rewarded loyalty more than brilliance. Throughout the campaign, Ryan spoke from the same platform as Landsberg whenever possible as well as appearing with Kidston in Rockhampton. His speeches were short and generally in support either of the candidate or of the coalition's policy. In the final count, Labor won thirty-four of the seventy-two seats, the Morganites twenty-two and the opposition Philpites seventeen, including Normanby. Browne had died in April, prior to the election, and in the new cabinet Kidston and Peter Airey, a school teacher, were the two Labor representatives. From the beginning of the coalition, the PLP had decided to maintain its separate identity and when Airey replaced Browne in the ministry, George Kerr, a blacksmith, elected for the western seat of Barcoo in 1893 became the new Labor leader.

Though Ryan was becoming more involved in politics, the law remained his consuming interest. He read Australian, British and American law journals and reports and found his law practice expanding as he received cases involving more time, more complex legal questions and wealthier clients. Many of these were appeals against decisions given in the lower courts. He still fought many of his cases in the latter and showed as much concern for "two penny ha-penny cases" there, where points of law were involved, as he did in the higher courts. When the Supreme Court was sitting in Rockhampton, Ryan rarely missed a day. Some of his cases went to the Full Court and one, *Francis v. Lyons*, was finally resolved successfully in the High Court.³⁷ While such cases made him a comparatively wealthy man, others in Rockhampton and in the western shearing areas often involving workers' compensation built his

reputation among the unions in the area. One significant case for Ryan's future political career began in Longreach in January 1907 when he appeared for a shearer, Arthur Perricks, against a firm of contractors for the recovery of £3.15.0 for wages and damages. The police magistrate dismissed the case whereupon the Longreach branch of the Australian Workers Union (AWU), the biggest and most powerful of the three AWU branches in Queensland, asked Ryan to appeal against the decision. In the Supreme Court, six weeks later, the appeal was upheld.³⁸

In arguing for Labor participation in the coalition in 1903, Kidston had impressed on his party that this would achieve adult suffrage and electoral reform without which Labor could not hope to achieve eventual power. However, with the passing of the Adult Suffrage Bill, those who had grudgingly accepted the necessity for coalition, now wanted the party to disband the arrangements with the Liberals and return to its former independent status. In addition, they were completely opposed to Kidston's selling crown land to obtain revenue to overcome the deficits inherited from Philp. At the 1905 Labor-in-Politics Convention, the anti-coalition group were in the majority and passed a resolution demanding the end of such land sales. In addition they adopted a socialist objective calling for the collective ownership of the means of production, distribution and exchange;³⁹ this Kidston rejected as being beyond the realm of practical politics.

Even after the convention, Kidston wished to maintain the alliance to implement further reforms. Additionally, he was an ambitious man and, in January 1906, when Morgan retired to the presidency of the Legislative Council, Kidston became Premier. Throughout 1906 the division in the party widened between those who supported Kidston, the continuation of the coalition and the rejection of the socialist objective, and those who supported Hinchcliffe, Reid and Boote in demanding an end to the coalition and an adherence to the party's platform. As an ordinary member of a WPO, Ryan was not involved in the manoeuvring between Kidston and the CPE, though, living in Rockhampton as he did, he could not avoid being caught up in

the debate there. His admiration for Kidston, who seemed to be following a similar course to that of Watson in the Federal Parliament, would have caused him to reject any outright denunciation of the Premier. At the end of 1906 the factions in Rockhampton were temporarily re-united during the Federal elections when Ryan spoke almost nightly for his former opponent, Thompson. However, there was a swing away from Labor in Queensland in 1906 and Thompson was defeated in a two-way contest by E. Archer, an Anti-socialist. Kidston blamed the adverse vote in Queensland on the passing of the socialist objective at the 1905 convention.

Although the State elections were due in August 1907, the main political interest centred on the Labor-in-Politics Convention in Rockhampton in March. In a pre-convention speech in Rockhampton in February, Kidston outlined an impressive social welfare programme, but insisted that candidates seeking endorsement should pledge their loyalty to him not to the party. He would have no divided allegiance.⁴⁰ The convention was a running fight between the supporters of Kidston and the CPE. The final test of strength came at the close of the convention when Kerr moved a motion supporting the continuation of Labor's participation in the coalition. David Bowman, the member for Fortitude Valley, a former ALF organizer and an ally of Hinchcliffe and Reid, moved an amendment that in the coming election Labor candidates would have no compact with any other party. With support in the debate from Reid and Andrew Fisher, then Deputy Federal Leader, Bowman's amendment was carried by thirty-six votes to six.⁴¹ The Labor party had resolved to remain out of office until it won a majority of seats in the Legislative Assembly.

The breach between Kidston and the Labor party was felt strongly in Rockhampton where each member of the WPO had to choose between supporting one or the other. Thompson and W. Goss, the president of the WPO, were chosen to stand against Kidston and Grant in Rockhampton, while Ryan was approached to stand as the Labor candidate in Rockhampton North, a seat which appeared favourable for an official Labor candidate with the retirement of the Kidstonite member, Turner. Ryan

easily won the plebiscite by 297 votes to seventy-four and received the local endorsement. Two other candidates nominated against him, W. Toft supporting Philip and J. Brennan, a Kidston nominee. Ryan was to fight his second election campaign under a cloud of suspicion. The rules of the Labor party in 1907 provided that the local organization should conduct a plebiscite among eligible Labor party members and affiliated unionists in the electorate and then submit the successful candidate's name together with a signed pledge to the CPE for official endorsement. Yet, having won the plebiscite for Rockhampton North, Ryan was not officially endorsed by the CPE, nor is there any evidence in the CPE minutes that the WPO secretary or anyone else had written to Hinchcliffe seeking Ryan's endorsement. Had he sought precedents for this, there were two significant ones. Kidston stood in 1896 as a "democrat" rather than as a Labor candidate while Fisher in 1899 did not seek official Labor endorsement through the CPE.

It is quite likely that because he had stood as an anti-Labor candidate in 1903 and was known to support Kidston, this would have prejudiced his endorsement by the CPE. The president, Mat Reid, had adopted the role of guardian of Labor principles and was not favourably disposed to the idea of non-working class candidates standing for Labor; his history as a party organizer indicated that he was not above rejecting Ryan's endorsement despite the plebiscite result.

Whatever the reason, Ryan's lack of official endorsement heightened the suspicion about his motives and provided useful campaign material for his opponents. Explanations of his actions were unconvincing. When pressed for an answer, the secretary of the Rockhampton North WPO replied: "The reason why the organisation has not got Mr. Ryan endorsed was that it did not consider it necessary. Mr. Ryan has signed the platform and has pledged himself to the Organisation."⁴² Ryan's version was that the CPE "had not" rather than "would not" endorse him. Considering the importance attached to having "straight Labor" candidates in the field, this seems an implausible excuse which became more unlikely when Ryan made no attempt to obtain endorsement. It does suggest however, that if there were

rumours of Reid's likely attitude, Ryan might have considered that having no official CPE endorsement was preferable to being refused such endorsement. Once again Ryan faced the charge of fence sitting and when the *Worker* omitted his name from the list of Labor candidates, it not only lost him support among unionists who read the *Worker*, but also provided Kidston and the *Morning Bulletin* with the opportunity of charging Ryan with trying to gain government votes by appearing to support Kidston at the same time as he sought "straight Labor" votes. Kidston's remarks on Ryan in his final speech in Rockhampton before polling day were clearly meant to damn him more in Labor eyes than in the eyes of others; "Mr. Ryan professed in certain quarters that he wanted to support the Government. He [Kidston] had no doubt that Mr. Ryan would support any party that would put him into parliament".⁴³

Ryan's campaign was poorly conducted. Apart from the glaring absence of any official Labor endorsement, he was absent from the electorate until the last two weeks before the election, while he appeared before the High Court in the *Francis v. Lyons* appeal case. By the time he had returned the important speeches had all been made and his own campaign director had been lax in arranging public meetings for him. Ryan tried to overcome this by appearing at the end of Kidston's meetings and attempting to address the dwindling crowd, and by arranging to address two meetings on the same night – a difficult feat in the absence of fast transport and public address systems. He spoke on the coalition, the Labor platform, the opening of the grammar schools to those who passed the entrance examination and on a government operated insurance company which would provide workers' compensation insurance throughout the State. Capable though he was at convincing juries and appeal judges, Ryan in these last two weeks could not overcome his disadvantages. Labor in Rockhampton was divided against itself and, on polling day, the official Labor candidates found themselves without supporters to man the booths and distribute their cards. The *Critic* claimed the turnout to man the polling booths for the Labor party was "nil". Ryan polled 607 votes to finish second to Brennan with 764 votes while Toft obtained 454

votes. Across the Fitzroy River in Rockhampton, Kidston and Grant won easily with 1991 and 1938 votes. The Philpites polled 1075 and 1056 while the two Labor candidates could manage only 258 and 233 votes.

In the pre-election split, the PLP had been reduced from thirty-four to fourteen as a majority of its members followed Kidston. Following the election, Labor, now led by Bowman, increased its representation to eighteen, while Kidston had twenty-four in his party and Philp twenty-nine. Since Labor refused to support Philp in any way, Kidston retained the premiership. However, in November, he found himself confronted by the Legislative Council which refused to pass a Trades Disputes Bill giving legal standing to trade unions and an Election Act Amendment Bill providing for the abolition of the postal vote, then much abused by employers of female labour. Kidston advised the Governor, Lord Chelmsford, to appoint more legislative councillors to allow the bills to pass, but Chelmsford refused on the grounds that Kidston had no mandate to increase the size of the upper house. Kidston sought a dissolution, failed and resigned. Philp then tried to form a government and when this was defeated, sought a dissolution which, much to the consternation of Kidston and the Labor party, was granted.

During the crisis, Kidston offered to amalgamate his party with the Labor party, but too much had occurred in the previous twelve months and a joint meeting of the PLP executive and the CPE rejected his offer.⁴⁴ Publicly there were denials of any electoral agreement, but a study of the lists of candidates revealed few electoral clashes. The election of February 1908 was seen as a contest between Kidston and the Labor party on the one hand and Philp, the Council and the Governor on the other. For Ryan the question was whether he would stand again and if so in what electorate. The WPO in Rockhampton North was divided on whether it should nominate its own candidate or support the Kidstonite member against Philp. Ten years later, the editor and proprietor of the *Barcardine Western Champion*, W. H. Campbell, claimed that Ryan had approached Kidston requesting his endorsement for

Rockhampton North in place of Brennan.⁴⁵ It would have been in character for Ryan to speak to Kidston about Rockhampton North, though perhaps not in the blunt manner that Campbell recalled. Whatever their discussion, Kidston re-endorsed Brennan and Ryan decided not to nominate. His supporter, the *Critic*, had publicly advised him against nominating and when a number of members of the WPO asked him to stand, he politely declined, informing them that he would stand only if they pressed him. A request by 120 electors in Normanby for him to stand there was also declined. Besides learning the lessons of party loyalty and a willingness to work for the cause, Ryan appreciated that continual election losers have no great future in any political party.

With no endorsed Labor candidates in either Rockhampton or Rockhampton North, Ryan and the local Labor party threw themselves into the campaign on the side of Kidston. Ryan was one of the principal speakers at the meetings of Brennan and Kidston and explained that he was doing this because he and Kidston "were in perfect accord with the policy and work of the more national party, the Federal Labour Party".⁴⁶ Ryan attacked the Council with vigour, describing it as an "excrescence on the constitution" which had no reason at all for existing.⁴⁷ Despite the fury of the election, nothing was solved. Kidston was returned with twenty-five seats, Philp also had twenty-five and Labor twenty-two. Kidston once more became Premier, having Labor support for as long as he pushed ahead with his reform programme.

In the first session of the new parliament, Kidston and his Attorney-General, James Blair, an Ipswich barrister, set about providing constitutional means for overcoming a deadlock between the two houses. Firstly a Constitution Act Amendment Bill was passed which repealed the clause making it a necessity for a two-third majority on the second and third reading of bills to amend the Constitution. The new Bill provided that this could be done by a simple majority. Having passed this, Kidston and Blair used this power to amend the Constitution by passing the Parliamentary Bills Referendum Act which provided that any legislation passed by the Assembly but rejected twice in

consecutive sessions by the Council could be submitted to the people by way of a referendum. Ironically it was to be Blair appearing with Ryan, nine years later, who was to argue the validity of those acts in the Full and High Courts. The Labor party supported both these measures.

Throughout Australia, the honeymoon of the Lib-Lab alliances was coming to an end and Australian politics were moving towards a Labor versus anti-Labor division. In Queensland, Kidston recognized this and at the end of 1908 fused his party with that of his long-time opponent, Philp, to form the Peoples Progressive League, known more generally in parliament as the Liberal party. Labor under Bowman became the official Opposition.

By 1908, Ryan had acquired a reputation among the unions in Rockhampton and the west as one who was not only sympathetic to the union movement but was also successful in winning cases involving workers' compensation, disputes under the Masters and Servants Act and disagreements between the AWU and shearing contractors over the perennial problem of wet sheep. One case in 1908 stands out from the rest as being the most important that Ryan was to fight for the shearers. At the station at Kynuna on the Diamantina River, between Winton and Cloncurry, a firm of shearing contractors, Youngs and Company, was proceeding against the shearers for breach of contract. The shearers claimed that the shears provided by the contractors overheated and were not fit for use. They had refused to use them and work had stopped. The case caused tremendous interest in central Queensland as indicated by the space devoted to it by the *Morning Bulletin* and other central newspapers. The interest increased when the contractors briefed a successful Townsville barrister, A. W. MacNaughton, to appear for them. At the lower court hearing, where the shearers briefed a local barrister, the case went against them, with costs awarded to the contractors. However, because of the importance of the principles involved, the shearers were unwilling to allow the matter to rest there. A test case was instituted by one of the shearers against Youngs, claiming payment for time lost while waiting for new shears to arrive. This time Ryan was briefed by

the shearers for the case which opened early in August in the District Court at Winton. Inside the crowded courtroom, Ryan clinched the case for the shearers by his cross-examination of the contractors' key witness. The manager of the station admitted that sheep shorn with the faulty shears were "badly shorn, ragged and rough"; the shed overseer agreed that some of the machines had been too hot to use and that the shearers had made an honest attempt to use them; finally, the contractors' engineer allowed that the shearers were the best judges of whether shears were good or bad.⁴⁸ £613 was awarded to the shearers, but the upholding of what the shearers considered to be an important principle was rated as highly as the money.

Following the Kynuna case, the possibility of having Ryan stand for one of the western seats began to be considered by the leaders of the unions and WPOs there. Leichhardt, Mitchell, Gregory and Clermont were still held by Labor members, but in Barcoo, George Kerr had retained the seat in 1908 as a Kidstonite, by only twelve votes. During his visits to the west, Ryan had become a personal friend of two prominent Labor figures in Blackall, one of the two major towns in the Barcoo electorate. These were Jack Howe, the former champion shearer, and in 1908 licensee of the Universal Hotel and president of the WPO, and Paddy Sheahan, formerly a shearer but now the proprietor of a bicycle shop and secretary of the WPO. These two had contact and influence with the rank and file Labor supporters who would choose the Barcoo candidate.

Although Ryan was politically ambitious, hence his attempts to enter state politics, his primary interest remained in the broader national field and with the defeat of Thompson at the previous federal election he was asked to nominate for the Capricornia plebiscite in 1909. At that stage, each WPO in a federal division was able to nominate its own candidate for the divisional plebiscite. Ryan won the Rockhampton nomination by 116 votes to sixty-five and seemed favoured therefore to secure the divisional nomination. However two other WPOs had asked William Guy Higgs to contest the seat. Higgs was a particularly capable politician with a long history in the labor movement. Originally a printer, he had moved to journalism and had

been brought to Brisbane by Hinchcliffe and Reid in 1893 to replace Lane as editor of the *Worker*. In 1899, he had been elected to the State Parliament and in 1901 to the Commonwealth Senate where he became Chairman of Committees. He had been defeated in the swing against Labor in 1906. Though there were other nominees, the plebiscite was obviously to be a contest between Ryan and Higgs.

In later years, Herbert Hardacre, the Labor member for the western seat of Leichhardt from 1893 and a cabinet colleague of Ryan, in summing up Ryan as a politician, described him in these terms: "Ryan was like a little boy chasing the waves on the beach. When the waves were going out he would charge after them and chase them out to sea, but when the waves were coming in and he could not stop them, he would run to the safety of the beach".⁴⁹ What Hardacre was recalling in a not too polite fashion was that Ryan was wary of being involved in a political fight where he did not have a clear and reasonable chance of winning. It was a characteristic he had developed early. In the 1909 plebiscite, Higgs was favoured to win and as the State Parliament seemed to offer opportunities for quick political advancement, Ryan sent a telegram to the returning officer on the morning of the plebiscite withdrawing "owing to the advice of my medical adviser."⁵⁰ In view of his extensive touring of the Capricornia electorate before and after the plebiscite, his heavy law practice and his involvement in debates with the ANA and CYMS, he did not seem to be medically unfit. Higgs won the plebiscite and the subsequent election in April 1910.

There are two reasons why Ryan may have withdrawn from the federal plebiscite and seriously considered standing for a state seat. One was the paucity of capable leaders in the PLP and the consequent opportunity for a man like Ryan to move quickly to the leadership. The other was the hostile reception by many of Kidston's followers of their leader's fusion with Philp in October 1908. A new party of former Kidstonites emerged, which, when voting with the Labor party, gave Kidston a majority of only one on the floor of the house. A third election in three years seemed imminent since both

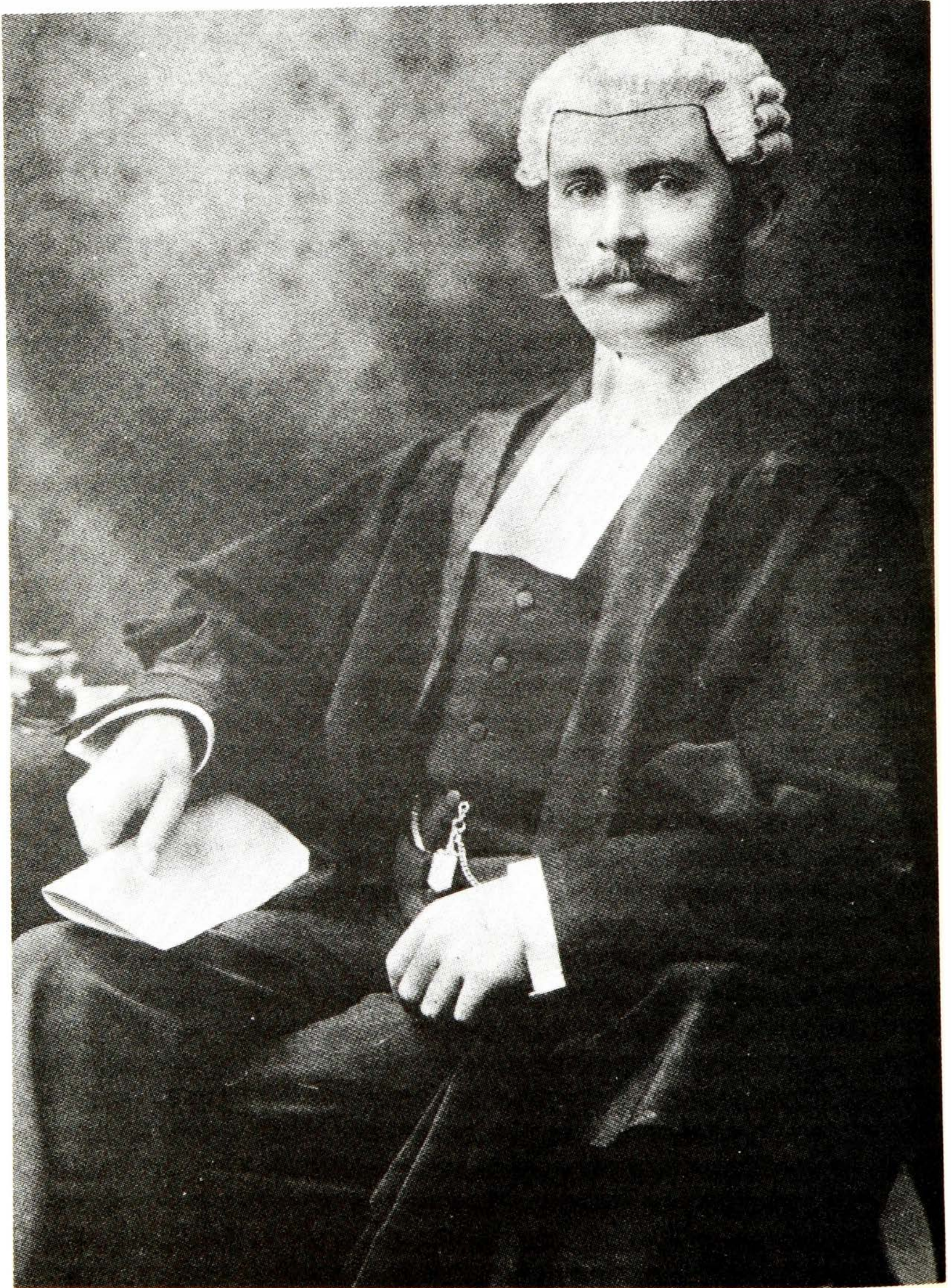
Kidston and Philp were determined that even if their party was defeated in the house, an election would be sought rather than allow Labor to hold office. While newspapers speculated on the government's future, Ryan's legal services were again sought by a group of shearers who claimed that two of their members had been wrongfully dismissed and imprisoned under the Masters and Servants Act. Ryan was engaged to take the case to the Supreme Court in Rockhampton in August when the conviction was quashed.⁵¹ As the case was beginning, the Labor party called nominations for all state seats. Ryan accepted nomination for Barcoo against two former shearers, W. Fothergill and R. P. Bambrick, who had stood against Kerr in 1907 and 1908 respectively. It was here that his friendship with Howe and Sheahan proved helpful. While he fought the shearers' case in Rockhampton, Howe and Sheahan organized his plebiscite votes. Under the simple majority system used in plebiscites, Ryan's opponents split their own vote and Ryan won with 109 votes to Bambrick's ninety-six and Fothergill's sixty-one. In 1893 Kerr had won Barcoo after the CPE had refused to re-endorse the former shearers' secretary, T. J. Ryan, who had won the seat in a by-election in 1892. The wheel seemed to have turned full circle as a second T. J. Ryan became the Labor candidate against Kerr.

For the first time Ryan was not confronted by two opponents. The Government did not nominate a candidate. Only Kerr, who had left Kidston when the latter joined Philp, and Ryan who in the *Western Champion's* view, was the rising hope in the Labor party,⁵² faced the electors. Ryan by then had joined the AWU. As Ryan toured the electorate, addressing meetings at the principal centres, the Labor party provided him with additional assistance to overcome Kerr's local popularity. From Gympie, George Ryland, one of the front bench members of the PLP and a longstanding political colleague of Andrew Fisher, brought his bicycle to Barcoo and rode through the electorate, visiting the shearing sheds and stations to canvass for Ryan.⁵³ Bill Hamilton, one of the shearers imprisoned in the 1891 strike, and since 1899 the member for the neighbouring seat of Gregory, also moved into Barcoo with Hardacre to ensure that Ryan was

elected. Ryan won comfortably by 902 votes to 635. In north Queensland a brilliant labor organizer, Edward Theodore, though only twenty-four, won the mining seat of Woothakata. Labor in Queensland was beginning to recover from the Kidston split.



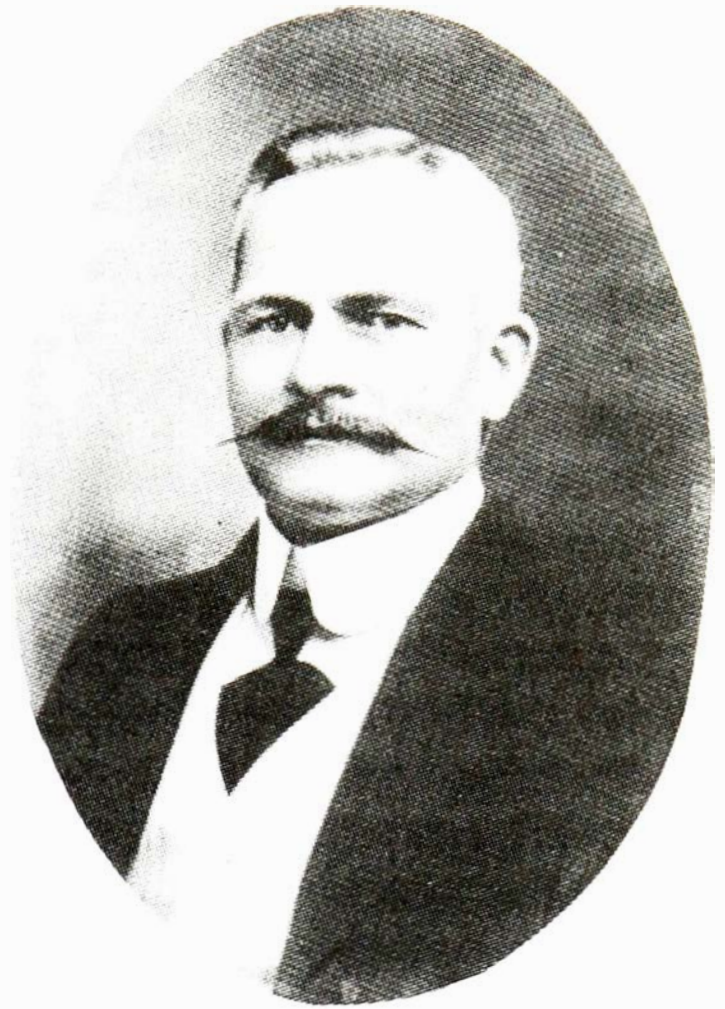
Timothy Ryan [Miss Mary McLean, Victoria]



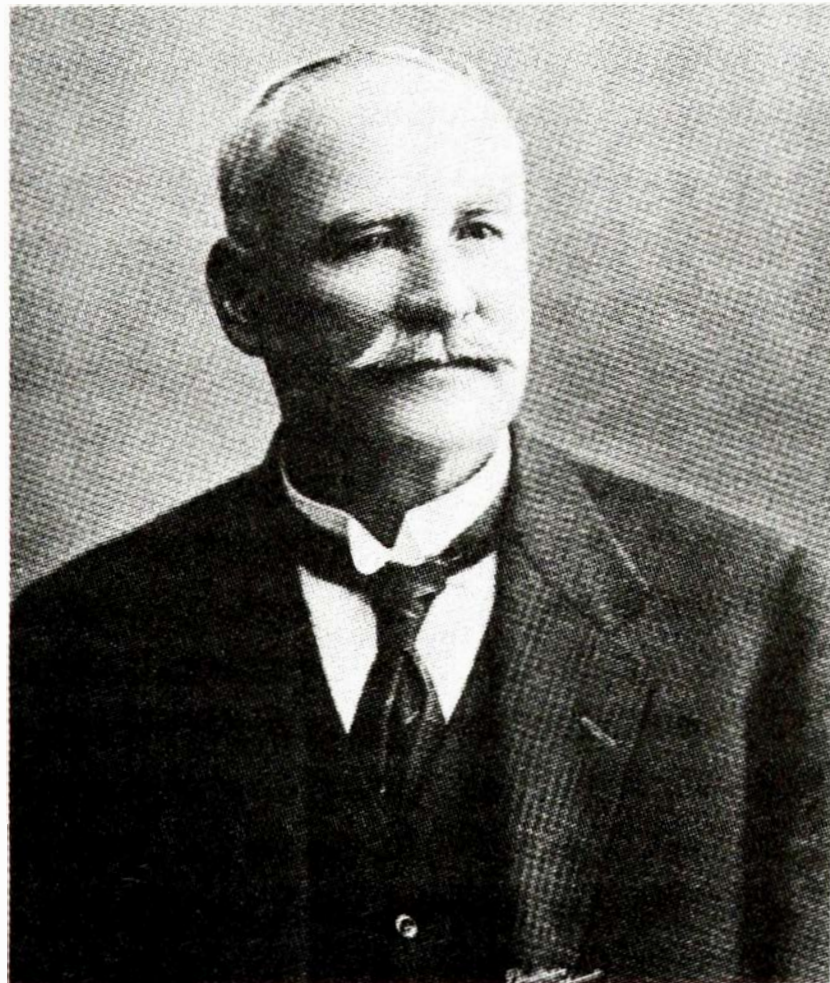
The newly-qualified barrister, Ryan in 1901 [Miss Mary McLean, Victoria]



**John Hunter [John Oxley Library,
Brisbane]**



**David Bowman [John Oxley Library,
Brisbane]**



**William Hamilton [John Oxley Library,
Brisbane]**

3 “Throwing in his lot with the extremists”

The caucus that assembled in Brisbane in October 1909 for the pre-session meeting showed the changes that had occurred in the party in the previous decade. Although there were those such as Hamilton, Hardacre, Ryland and Bowman who could recall the maritime and shearers strikes, a new generation of unionist-politicians had emerged with the same aspirations as those of 1890, but with little concern for past defeats and great concern for the effecting of reforms in the present. Along with these had been elected a number of men – whose childhood had not been so different from the other Labor members – who had taken up non-manual occupations. Ryan was one of these, but two others require mention. William Lennon, elected for the northern sugar seat of Herbert in 1907, had been a manager in Townsville for both the Bank of Australasia and Burns Philp before establishing his own import and auctioneering agency. John McEwan Hunter was a cautious and thrifty man who had established a store in the 1890s at Roma, the principal town in the Maranoa district. From being a humble storekeeper, he so expanded his business as to be listed as a merchant in 1907 when he regained the seat of Maranoa for the Labor party.¹ Though neither of these had been a primary producer himself, each was able to retain the support of the farmers in his electorate for a Labor party which had remained oriented towards the rural and non-metropolitan areas of the State.

At the 1909 election, Labor had increased its share of the seats to twenty-seven. However its traditionally poor polling in the metropolitan and south-eastern farming areas had again been evident in this election. Of the thirty seats within a

hundred miles of Brisbane, Labor held five, only two of these coming from the thirteen metropolitan electorates. Dependence on the faithful Labor areas in the west and north clearly could not produce a Labor government, a fact made more obvious by Kidston's promise of a redistribution; three western Labor seats had fewer than 1000 electors, contrasting sharply with three Liberal metropolitan seats which had more than 4000. A determined effort had to be made to capture votes in the metropolitan and south-eastern dairying and wheat electorates. But the PLP did not seem to have any clear ideas about how this could be done. No leader of the PLP or of the CPE had yet produced a viable plan for capturing non-Labor votes. Labor campaigning relied on the ideal that sincerity and the desire for reform of Labor politicians would eventually win the support of the primary producers as well as that of rural and urban workers. This faith in sincerity was personified by Dave Bowman who was re-elected leader, without opposition, at the pre-sessional caucus meeting.

Bowman, a bootmaker from Victoria, had come to Queensland in 1889 to escape the southern cold which aggravated a throat infection. He had become an organizer for the ALF during the shearing strikes and later for the Amalgamated Workers Union in south-western Queensland where he held the seat of Warrego for a short period. He was elected to the safe metropolitan seat of Fortitude Valley in 1904. It was during the crisis over the coalition that Bowman emerged as the leader of the anti-coalition group within the PLP. His loyalty to the party earned him the leadership of the PLP after the split. Bowman, additionally, had a personality which made him one of the most popular figures in both the industrial and political labor movement. Suspicious of most political leaders after witnessing the defection of Glassey, Kerr and Kidston, the Labor party felt that in Bowman it had a leader who could be trusted and, despite the fact that he suffered from a recurrent illness as well as being unable to match Kidston intellectually, it preferred his stolidity and honesty to a more brilliant alternative. In time Bowman was to become one of Ryan's close friends in the caucus. From Kidston, Ryan had learned the danger of allowing

pride and perhaps greater ability to override the commonsense rule of abiding by party decisions; from Bowman he was to learn the importance of gaining the trust of all sections of the labor movement. While the PLP accepted Bowman's claims for leadership, it was also conscious of the abilities which the new members had brought and consequently elected Lennon as Deputy-Leader. An executive consisting of W. J. Ryott-Maughan – a journalist and vice-president of the CPE – Hamilton, Hardacre, Ryland and Harry Coyne – an AWU organizer and president of the ALF – was elected. Though a new member, Ryan received eleven votes to finish eighth,² an indication that his ability had already been noted in Labor circles.

When the session opened, Bowman was too ill to attend and Lennon, after only two years in parliament, was thrust into the position of Leader of the Opposition. While Lennon struggled to master his new duties, fortune smiled on Ryan as the bills brought before the Assembly were ones in which he was able to demonstrate his knowledge and ability in debate. A bill introduced to establish a university in Queensland found him the only member of the PLP with any knowledge of how universities were governed. His voracious reading of law reports, together with his legal experience in cases involving land and company law, enabled him to point out flaws in a Land Act Amendment Bill, which Hardacre, the acknowledged Labor authority on land, had missed. In the debate on a Company Act Amendment Bill Ryan found that only one government member – E. H. Macartney, a solicitor whose firm³ Thynne and Macartney acted for many of the largest companies in Queensland – could delve as deeply into the ramifications of the Bill. Again, when the Government brought down a Workers' Compensation Act Amendment Bill, Ryan's experience in cases under the previous Act enabled him to speak with as much knowledge as union representatives like Theodore, Ryland or Coyne. Here Ryan pressed for a state insurance office and for a schedule to be attached to the Act setting out fixed amounts to be paid to compensate for specific injuries. This he said would "do away to a great extent with the necessity for the employment of lawyers in the administration of the Act",⁴ a noble

sentiment to come from a lawyer!

His first session in parliament was educative but not spectacular. He had continued to appear in court in Rockhampton and in parliament had spoken principally on those bills where he had some particular knowledge to contribute. In caucus he seldom spoke, but observed closely those who did. During the recess, he returned to Rockhampton to assist Higgs in the federal election.

Ryan's successful law practice had now enabled him to become a man of property in Rockhampton, to buy some shares in the Bluff Colliery and to become friendly with a number of graziers. One of these was Thomas Purcell of Galway Downs, owner of five stations in western Queensland and probably the largest cattle owner in the west.⁵ A personal friendship grew between them and when Purcell became involved in breach of contract with another grazier, Edwin Bacon, over the latter's late delivery of 700 cattle, Ryan took Purcell's case through all the courts and eventually to the Privy Council.⁶ A second grazier with whom Ryan had dealings was Frederick Cook of Dingo and on 30 March 1910 he married Cook's daughter Lilian before his friend Bishop James Duhig of Rockhampton.

In conjunction with the federal election in April 1910, a state referendum was conducted regarding Bible reading in state schools. For some years a Protestant organization called the Bible in State Schools League had been pressing the Government to make Bible reading a compulsory part of primary school education. There had been some opposition from within the non-Labor political groups, from the Catholic church and from the Labor party which insisted that education should remain entirely secular. To overcome the obvious political problem of amending the Education Act to provide for Bible reading, Kidston's Government had agreed to hold a referendum and to abide by the electors' decision. Though it was adamantly opposed to any school Bible reading, the Labor party, apart from recommending a “no” vote, gave little attention to the referendum, but concentrated its efforts on having a Federal Labor government elected. At the 1910 election Labor throughout Australia had its greatest electoral success to date and

Fisher became the first Prime Minister to have a clear majority in both houses. In Queensland, Labor won six of the nine House of Representative seats and all three Senate seats. However, in the little noticed referendum there was a substantial "yes" majority of 74,228 to 56,681. Barcoo voted "no" by 902 to 503.

This result produced a dilemma for Ryan. During the 1909 State election, each candidate had been asked by the Bible in State Schools League if, in the event of a referendum being carried, he would support the passing of an enabling bill through parliament. Ryan had answered in the affirmative and added further, during the debate on the Referendum Bill, that if the referendum were carried "he would certainly support the carrying of the Bill through the House".⁷ It was the liberal and inexperienced Ryan who made that brash promise which could be carried out only if he rejected his own party which at the Labor-in-Politics Convention in May 1910 reaffirmed its opposition to Bible reading being made compulsory in state schools. When the Bill came before parliament in the following session the CPE ruled that any member of the PLP who voted for it "would violate Labour policy".⁸ The results of such violation for the member were not specified.⁹ Ryan had not been a slow learner in politics and, despite the taunting of government members who recalled his earlier pledges, he now interpreted his promise to give effect to the will of the people as meaning the people of Barcoo, who had voted "no". He further added that he did not believe that majority rule should be applied in a religious question.¹⁰

The PLP elected its leader and executive at the beginning of each session. Bowman, though still quite sick, was re-elected unopposed and Lennon retained the deputy-leadership. Ryan again polled moderately well for an executive position, and again finished eighth with fourteen votes. With Bowman obviously incapable of providing the effective leadership required to oust the Liberals, competition was developing among the front bench members of the PLP for the claim to succession. Ryland headed the poll for the executive on this occasion and, given his standing in the party and among the affiliated

unions, must have considered himself a strong contender. In the second week of the session, Ryland led the party in a debate to amend the Workers' Compensation Act by repealing the contracting out provisions available in the Act, and by extending compensation benefits to all employees. Further provisions sought were a schedule of payments for specific injuries and the establishment of a state insurance office.¹¹ Workers' compensation was considered one of the most important reforms sought by the PLP. It was not an area in which Lennon was strong in debate, and this consequently lessened his chances of succeeding Bowman. Ryan, on the other hand, could follow Theodore and Ryland in the debate and with his experience of the operation of the old and new Acts in the courts could take a broader view of the requirements for a successful scheme for workers' compensation.

During 1910 Ryan not only advanced his claims to recognition as a member of some consequence within the party, but also consolidated his position in central Queensland. He travelled through Barcoo during the recess, while, during the parliamentary session, his supporters saw that reports of his representations for local chambers of commerce and school committees were published in the *Western Champion* and the *Barcoo Independent*. Appreciating the value to a politician of a favourable press, he bought the *Rockhampton Daily Record* in 1910.¹² He did not concern himself with the actual running of the paper but left this to the editor, W. S. Buzacott, and the sub-editor, George Westacott. Though the *Daily Record* after 1910 could be listed among the growing number of labor papers in the State, it was never brashly pro-labor nor did it become a mere propagandist journal for Ryan. It still retained the format of a central Queensland daily reporting the news. The *Daily Record* moreover had been barely maintaining itself financially when Ryan bought it; when later it began to lose money, Ryan's grazier friend Purcell came to the rescue and bought the paper from Ryan, but allowed him to retain his voice in editorial policy.

The separation of central Queensland from Brisbane and from north Queensland was in its dying stages in 1910, but was

still of sufficient public importance not to be neglected or scorned by central Queensland politicians. Consequently, when pressed by the separationists to raise the matter in parliament, Ryan, as Curtis and others had done many times before, moved a motion in the Legislative Assembly, shortly after the opening of the new session, that the time had come for Queensland to be divided into three states and that the north and centre should be granted separate constitutions.¹³ At the same time, Higgs moved a similar motion in the Federal Parliament. Ryan's not very convincing speech, to a house that was only slightly interested in the question, seemed to reflect his own lack of concern about separation. Nevertheless, he could still claim to any ardent separationists that he had "raised the matter in parliament". What was important about the debate was that the parliamentary report of the *Brisbane Courier*, while noting that the subject was "little more than an academic discussion" made an interesting comment regarding Ryan's progress as a politician in his nine months' membership of the Legislative Assembly:

The hon. member has adopted a method in the House which commends him to both sides. He does not speak too often, he does not speak at unnecessary length, he abjures small personalities, and he does not blunder into heroics on unheroic themes.¹⁴

Kidston's final service to electoral reform in Queensland was to bring down an Electoral Districts Bill in August which provided for seventy-two single member electorates with one quota for the State. Three electoral commissioners were to be appointed to draw up the boundaries giving consideration to community of interest, physical features, means of communication and areas of proposed districts which did not form part of a city or town. A margin of one fifth above or below the quota was allowed to accommodate any of these factors. In short, the Bill was modelled on existing Commonwealth legislation and would finally achieve the long-standing demand of the Labor party, and of liberals in the State, for an electoral system based on one vote, one value. However, as the Labor party's strength lay in the western and northern areas and its greatest weakness was in the metropolitan and south-eastern Queensland areas, the new distribution of electorates would not benefit it in any way.

Instead, with a decline in the mining industry in the north and the movement of population out of the west, three Labor seats – Bulloo, Clermont and Carpentaria – were to be abolished, while three additional seats were to be created in and about the metropolitan area.

Bowman made a rambling speech about not allowing three commissioners to have the final say on the boundaries and, while trying not to repudiate the Labor policy of one vote, one value, wanted the allowable margin increased beyond one fifth for seats in the north and the west.¹⁵ After Kidston had replied and an Independent from north Queensland had spoken, the debate concluded. In the committee stage, it was the Labor members from the western seats who led the challenge against the clauses providing the same sized electorates for both urban and western rural areas. These were the ones who stood to lose by such a redistribution and, with the politicians' instinct for survival, they sought unsuccessfully to have a line of rotten boroughs created through the middle and west of the State. Ryan was absent in court in Rockhampton during most of the debate but, with one eye on the number of caucus votes in the west, joined the bandwagon of western members opposing the third reading,¹⁶ and demonstrating their belief that western people required smaller numbers of voters in their electorates and more seats in the Legislative Assembly. The allowance of one fifth was in fact used by the commissioners to keep larger rural electorates smaller in terms of the voters enrolled, but it was clear that Labor would have to do something about gaining support in the metropolitan and south-eastern areas if it were to win office. Dependence on geographical areas which were losing population was an unhealthy prospect.

If Labor was ever to effect its reforms it would have to win office. As much as anything, winning office would depend on the calibre of the parliamentary leader. It was during this second session that Ryan began to make that reputation among his parliamentary colleagues which was to place him among the contenders for the leadership. He demonstrated the value of research into bills and their likely application; in debates on labor matters he was able to show not only a knowledge of, and

sympathy with, the ideals of the movement, but also an insight into what could be achieved by a Labor government; in addition, he so mastered parliamentary standing orders as to outclass Hardacre who, until then, had been the Labor authority on these. The PLP recognized this last quality when two Labor members, Daniel Mulcahy and Myles Ferricks, were suspended for refusing to retract when disagreeing with the Deputy-Speaker's ruling. It was Ryan, not Hardacre, who led the opposition when the matter was raised in parliament a week later.¹⁷ Further protests against the arbitrariness of the Deputy-Speaker were held throughout the State and when Ryan, along with Ferricks, addressed one convened by the WPO at Rockhampton, a crowd of a thousand attended. Despite the temptation to act the radical demagogue before such a crowd, Ryan was able to look beyond the immediate political issues: "You want to be at all times active," he said, "at all times reasonable and at all times act with toleration regarding the views of others. If you do this, I am quite certain that at the next general election, Rockhampton will displace their present members and return members to support the Labour Party".¹⁸

He grasped further opportunities to demonstrate his leadership potential throughout the session. Many politicians regarded departmental annual reports as something to glance through, but not to digest. The Auditor-General's Report, the most important of these, often received even less attention. However, Ryan, and certain other members on both sides of house, obviously did study the Auditor-General's Report and it was through this that Ryan was soon involved in a debate where he became the central figure in a telling opposition attack on the Government. During question time, Ryan had probed the Treasurer, A. G. C. Hawthorn, about a criticism by the Auditor-General of the expenditure of money for the Queensland University. The Auditor-General claimed that the Treasurer, under the Audit Act, was not entitled to spend this money.¹⁹ Hawthorn was evasive in his replies and when the supply debate commenced, Ryan launched his attack accusing the Treasurer of misleading the Auditor-General into signing certificates for the appropriation of expenditure when, in fact, the money to cover

this expenditure was not there. His speech revealed Ryan at his legal and logical best as he analysed the requirements of the Audit Act, the Auditor-General's comments and those of Mr. Justice Higgins in a recent High Court case which had a bearing on the debate. He concluded: “It was a suppression of the truth . . . and some action should be taken in the way of a motion to reduce the vote, because there was no doubt that the Auditor-General had been misled”.²⁰ Surprisingly he was supported from the government benches by Macartney. Blair joined in the debate on the side of the Government and the house was provided with the spectacle of Kidston – one of the most able treasurers the Assembly had seen – with Blair – a liberal barrister and future Chief Justice, but now one of the four members comprising the Independent Opposition – debating a technical point of law with the conservative solicitor Macartney and the new Labor backbencher Ryan. Eventually supply was passed on party lines with Macartney voting with Ryan and the Opposition. Nevertheless, it had been a tense period for Kidston and something of a tactical victory for the Labor party. The *Worker* triumphantly referred to it as the “biggest setback that Kidston has got since he fooled Philp”.²¹

Ryan, wisely, did not allow his ambitions for the leadership to blur the broader political issues. In the supply debate on the immigration vote he continued to show his concern with national priorities, particularly those pertaining to defence and the Pacific Ocean. The Labor party, long experienced in having to watch unemployed migrants used as strike breakers, sought to have the immigration vote reduced. Ryan judiciously supported this policy, but at the same time could not suppress his own view that migrants were needed “so that the waste spaces of Queensland should be filled up”. As much as anyone else in the Labor party in Queensland, he held the Australian dream of a nation of yeoman farmers, if only the land were opened up, and he feared the national consequences of an unoccupied northern state. Migrants were needed for both of these reasons, but more particularly because “they all realized that perhaps within the time of the present generation, Australia would be confronted with the problem of maintaining her position in the Pacific and

the Labour Party realized that more than any other party in Australia".²²

The upsurge in union organization that had been accelerating since the reforming of the Brisbane Trades and Labour Council in 1904 resulted in the calling of the first Queensland Trade and Labour Union Congress in August 1910. What was noticeable about this regrowth was the significant role of Labor politicians such as Coyne, Theodore and Ryland who used their railway passes to move about the State organizing new unions and consolidating existing ones. The fact that they had politicians as organizers further ensured that Queensland unions were directed towards political as well as industrial action and, since there was no smaller socialist party in the State, radical political energy was directed towards the Labor party. Though Ryan played no part in this organizing, he developed close friendly links with those who did. Coyne, Ryland and Bowman knew of his work for the AWU in the west and with Theodore he was developing an association based on mutual respect for intellectual ability and political strength. There is little doubt that Ryan was aware of the influence which these unionist-politicians could wield and consciously ensured that he was well regarded by them.

In Brisbane the ALF, of which Coyne was president and Theodore now vice-president, appointed Jack Moir as a permanent organizer in the metropolitan area, while in the north Theodore's mining partner William McCormack was arranging conferences to incorporate all northern workers into the radical Amalgamated Workers Association (AWA). Unionism had been further assisted by the creation of wages boards which recognized the union officials as negotiators for employees and by the favourable decisions of Mr. Justice Higgins in the Commonwealth Arbitration Court. This growth in unionism, with its close association with the Labor party, was being watched with some concern by the Liberal party and by employers' groups who were further disturbed by the constitutional possibility that control of labour laws might pass from the State to the Federal Government, now wholly under Labor control. Their determination to prevent this was revealed in certain actions of

Kidston and W. H. Barnes, Minister for Public Works, at the close of 1910.

Under the Commonwealth Arbitration Act, an association of employees could be registered as a federal union if fifty workmen signed a form requesting such registration. In November 1910 an organizer of the Australian Tramway Employees Association came to Brisbane and, unknown to the Brisbane Tramway Company, obtained the requisite fifty signatures. Trams in Brisbane were then operated by an English company with an American, J. S. (“Boss”) Badger – an avowed anti-unionist – as manager. Since Badger had been appointed, there had been no great affection between him and the labor movement, the latter having constantly lampooned him in cartoons in the *Worker*. But, despite several efforts to form a union among the tramway employees, Badger refused to allow any union except his own employees’ association – a hated “boss’s union”. Developments in Queensland were making this kind of reasoning outdated. However old ideas were difficult to change. A deputation from members of Badger’s union waited on Kidston and Barnes to protest about the action of the southern union organizer and were promised counsel in Melbourne to fight the registration of the new employees’ union; they were told by Kidston that the Government was prepared to bear the cost of this.

On the day that this was reported in the morning press, Blair asked Kidston whether he had been correctly reported as having pledged that the Government would render legal assistance to the non-union members of the Brisbane Tramway Company and, if he had been correctly reported, on what principle the State rendered assistance to ordinary members of the public. Kidston evaded the question by replying “I have not seen today’s *Courier*”.²³ But his actions had stirred the Labor opposition. There was too much similarity in this use of state power to prevent the formation of a tramways employees’ union and the use of state power to break the 1891 strike. After question time, Maughan moved the adjournment of the house to call attention to Kidston’s action in using public funds to defeat the aims of the Australian Tramway Employees’

Association. Ferricks seconded the motion. Twenty-two members took part in the debate, four from the Government, Blair from the Independent Opposition and seventeen from the Labor party. Ryan's speech was couched in terms commending him to radical Labor supporters, but also with some appeal to those people in the community, who, like Blair, were disturbed to see public money being used for fighting a dispute in which the Government had no part. He accused the Government of spending public money to further its own party and, specifically, to fight the Labor party and unionism.²⁴ That such was the case was not really denied by the Government which defended itself on the grounds of preserving states' rights. Maughan's motion was defeated on party lines. Unions hereafter began to look suspiciously on the aims of the Government and a widespread feeling emerged that there would be legislative action taken to curb the growth of unions or to prohibit their affiliation with the Labor party. During 1911 both the AWA and the AWU, the largest and most political of the unions, representative of more than half the unionists in the State, withdrew from registration under the Trade Union Act to prevent any political restrictions being placed upon them.²⁵

Where Bowman, in particular, and many other members of the PLP had concentrated much of their attention on attacking Kidston throughout the session, Ryan was one of the few who concerned himself more with the Government's policies rather than with pursuing a private vendetta against his early political mentor. While Kidston had been able to parry adroitly the personal attacks of Bowman and others in the house, he had been affected by the deaths of his wife and his friend and ally, Blair, of the *Morning Bulletin*, during the session. In the parliamentary recess he resigned to take up a position on the Land Court. It seemed that, after fourteen years of intense political activity, during the last six of which he had been a political leader trying to hold successive governments intact, Kidston had become physically tired of politics. The *Western Champion* whose Brisbane correspondent was W. H. Campbell, a legislative councillor, suggested otherwise: "Perhaps Mr. Kidston has seen the advance of power of the Labour Party and has decided to

retire before the storm gets too thick”.²⁶ Hawthorn also retired, but to the Council. Digby Denham, a produce agent with a history of changing sides in the non-Labor groups, became the new Premier and Grant, Macartney and James Tolmie, a Toowoomba newspaper proprietor, were brought into the cabinet. Denham excited none of the personal animosity of Kidston and though he was accepted as a cunning and experienced politician, he was one whom the Labor party felt it could defeat.²⁷ John Adamson, a clergyman and former Labor politician, won the plebiscite for Kidston’s seat of Rockhampton and in a short campaign in which he was supported by Ryan, Maughan and Lennon, he defeated his Liberal opponent by 2273 votes to 2257. In Hawthorn’s seat of Enoggera the Liberal candidate won, but with a majority of only 139 compared with the 988 at the 1909 election. Taken in conjunction with Fisher’s victory in the Federal election, these results augured well for Labor in the 1912 State election. Thereafter it increased its pressure on the Government.

Following the Rockhampton by-election, the campaign opened for the referendum to amend the Constitution to grant power to the Federal Government over monopolies and over labour questions. Ryan was no “states’ righter”, nor did he believe that federal politics was outside the concern of state members. He entered vigorously into the campaign and as a central Queensland member concentrated his efforts in the central west and about Rockhampton. When addressing a meeting at Allentown, he gave his clearest opinions on the referendum:²⁸

It was necessary that members of the State Parliament should come forward and give their views on the referenda proposals, as the cry of home rule for the States has been raised and if anybody should deal with the force of that argument it should be members of the State Parliament. The proposals in my opinion would not interfere with home rule in Queensland. At all events, it would not interfere with the powers of the State Parliament more than necessary for the welfare of the people.

His main reason for supporting the proposals was that he was strongly anti-monopoly and like other prominent Labor leaders saw high living costs as being the result of monopolistic

practices:

The very thing they wanted was to protect Australia against corporations and monopolies. The State Parliaments already had the powers . . . but only within their own territorial limits. Corporations always spread their tentacles all over the country and unless they [the people] gave power to deal uniformly with them they could not deal effectively with them at all . . . Timber, jam, sugar and tobacco were controlled by combines and unless the electors gave the Commonwealth power to control these combines, the combines would control them.

The federal Parliament would deal only with monopolies and combines which would be injurious to the people of Australia. If Australia is ever going to be a nation, and I know it is, then they could only make it by clothing its national Parliament with national powers.

With Adamson and Senator Harry Turley he spoke at all the main population centres in the central area. But, despite the efforts of Labor State and Federal politicians, Queensland voted heavily against the proposals.

Bowman, whose health had further deteriorated, had taken no part in the campaigns. A testimonial fund established to enable him to take a recuperative trip overseas amounted to £1,400 donated by Labor and non-Labor friends. He was not due to return to Brisbane until the end of 1911 which left Lennon as the acting-leader for what was to be a very arduous session. In April Boote left to take up the position of assistant-editor of the *Australian Worker* in Sydney. He had been the driving force behind the editorial improvements in the *Worker* and knew the Labor politicians as well as anyone in the movement. His place as editor was temporarily taken by Charles Seymour, one of the founders of the paper and an unquestioning stalwart of the labor movement. Charles Seymour was born in Dublin in 1856 and died in Brisbane in 1923. He was secretary of the Federated Seamen's Union of Australasia (Queensland), secretary of the Brisbane District Council ALF, 1890; secretary of the Board of Trustees of the *Worker* and assistant-editor of the *Worker* after 1895.

While Ryan continued his legal work during the recess, Theodore and McCormack expanded the AWA to embrace the sugar workers in north Queensland. The strength of the AWA was demonstrated in the big sugar strike of mid-1911. Here Denham came down on the side of the CSR and sent police and

strike breakers recruited from Sydney into the strike areas. The fears of what the Liberal government might do to the unions heightened. In the middle of the strike the second Queensland Trade and Labour Union Congress opened in Brisbane. Theodore, then only twenty-seven, was elected chairman, an indication of his importance in the labor movement. A committee elected by the congress negotiated a settlement favourable to the sugar workers, which considerably raised the status of the AWA and gave an impetus to strong industrial action within the labor movement. At the same time, there was an appreciation of the power of political action and a demand by the unions present for a greater voice in the administration and policy making of the Labor party.²⁹

As the unions were now seeking direct representation on the CPE and as the president of the CPE was traditionally the leader of the PLP, any member replacing Bowman as leader would need to have strong links with the industrial movement and be acceptable there. Lennon had not been able to fill this rôle as acting-leader and though he temporarily replaced Bowman on the CPE during the latter's absence in England, he was not accorded the acting-presidency of the party and Maughan was elected to this position.³⁰

At the pre-sessional meeting of the PLP in July 1911, Bowman, though still in England, was re-elected leader in the belief that he would have recovered his health. This was an indication of that inability in the Labor party, which seems to have lasted, to discard worn out leaders until they themselves choose to retire. However, it was in the election for the seven-man executive that the PLP showed that it recognized Ryan's potential to replace Bowman as leader. Ryan tied with Hamilton for the first position with twenty out of twenty-six votes, ahead of Maughan, Coyne, Ryland, Hardacre and Tom Nevitt from Carpentaria.³¹

This being possibly the final session before the general election, the new members in the PLP were pressing to have the Government attacked on every possible occasion and the Labor platform broadcast through the reports of the debates. Without waiting for the conclusion of the address in reply, Lennon

moved the adjournment to discuss the sugar strike, which was to last a further month before being settled. Ryan entered the debate no longer as a mere backbencher, but as the senior man on the front bench after Lennon, and as one on whom Labor eyes were coming to be focussed as a possible new leader.

Ryan's main attraction as a political leader was his ability to synthesize the analyses of others and to present the final argument in a clear and simple form which was both practicable and logical. As a Labor politician of his period, he saw the increasing role of the State in industrial, economic and social legislation as not only necessary, but beneficial to the community. This was his approach to the settling of the sugar strike. It should have been the role of the Government, he claimed, to find a means of settling the strike rather than wait for one of the parties to concede defeat. Furthermore, the basis of the trouble, he said, lay in the monopoly of the CSR in sugar refining which made the grower the meat in the sandwich with pressure from the millers and refiners above and from the workmen below. What practical measures could be taken? Firstly, he said, the Government should establish facilities for conciliation, but secondly, it should try to remedy the prime cause of the trouble – the monopoly of the CSR over refining and it should “establish state refineries to enable the grower to get more for his sugar and at the same time to comply with the demands of the men”.³² If a belief in state action and state business enterprises was the mark of a socialist, then Ryan could claim to be one, but it is probably truer to say that in 1911 the advocacy of state enterprises was for radical liberals the line of division between those who would support Labor and those who would join non-Labor parties.

A week later, while the strike remained unsettled, the Opposition was again on the attack when Theodore moved that the Government should introduce legislation to amend the laws relating to trade unions so that “the unjust disabilities which now operate against these bodies may be removed”.³³ There were few votes to be had from such a motion but there was unanimity between the unions and the PLP for drastic changes in trade union laws. Since the Taff Vale decision in Britain,

there had been two court cases in 1906 where Queensland unions had been successfully sued by non-unionists, the resulting costs and damages breaking one of the unions concerned.³⁴ Since then the unions had sought from successive governments a Trades Disputes Bill to protect union funds. In 1911 they were, in addition, fearful that their right to levy members for a political party was in jeopardy.³⁵ Denham's reply to Theodore was chilling. Unions in 1911, he said, were not fulfilling their original role but were “lawful instruments of coercion” operating at the behest of the CPE. He refused to confer any power on unions which would enable them to use their funds for the “promotion or promulgation of socialistic unionism” and then to enhance his point he quoted at length from a House of Commons debate on English laws regarding unions.³⁶ It was a debate in which Ryan, if he wished to press his claims for leadership, had to join. His reading of English law again gave him a tactical advantage as he pointed out that Denham had been quoting a law which had since been altered; however he could not corner Denham into agreeing to introduce a Trade Union Act which was at least the equivalent of that now in England. His views on union levies and strikes, which he now propounded, were little different from those of Hinchcliffe in 1891 or Theodore in 1911:

If the use of strike funds is legitimate for keeping a strike going, surely it is also legitimate for unions to spend their funds to constitutionally bring about what they desire – to send men to Parliament to advocate what is in their interests and thereby bring about results that were heretofore brought about by strikes.³⁷

A contemporary of Ryan in the Queensland parliament, Thomas O'Sullivan, Attorney-General under both Kidston and Denham, was interested in Ryan's attitude to unions in politics. It was after all unusual for a fellow barrister from an Irish Catholic background to be on the Labor rather than the Liberal side of the parliament. Because of this it was to be a common charge among Ryan's legal colleagues that he had simply accepted the Labor brief and argued it through as he would any other – in short that he was not really a Labor man as were Bowman, Theodore or Ryland. O'Sullivan certainly believed

this and in describing Ryan's rise to prominence during 1911 described him as being "quite as extreme in his views as any of them" (i.e. former union leaders), but that in his aim to become leader Ryan "adopted the only way of doing it, that was by throwing in his lot with the extremists".³⁸ Other observers during the 1911 session might well have come to the same conclusion when Ryan dropped his normal role of the polished lawyer whose speeches were above all reasonable and, during the address in reply, became aggressive, personal and somewhat arrogant. Macartney, then Minister for Lands, he described as a "Queen Street lawyer who does not understand much about the conditions appertaining to land in Queensland", while Denham sat through several bristling minutes as Ryan described him as a premier "absolutely without backbone" heading a government similarly crippled.³⁹ The Premier left the house during Ryan's speech. Such a tactical victory was applauded in labor ranks and the *Worker*, in delight, reported: "Ryan was trenchant and when the man from Barcoo is in that mood no man on either side of the floor can command more attention".⁴⁰

To see this behaviour of Ryan, as O'Sullivan did, solely in terms of a reaching for power is to record only one side of Ryan – his ambition. It neglects another aspect – his acceptance of the mores of the tribe.⁴¹ Ryan was born an Irish Catholic. He accepted this background, but was not a fervent Catholic, neither did he question the basis of his religion, or think to reject it. He accepted that he was an Australian of Irish descent and though he supported Home Rule, he was never moved to become emotional about this. He accepted Australian nationalism with its exclusion of non-whites, its fear of attack from the north and its pride in being part of the Empire. Similarly, as a member of the Labor party, he accepted that party's policy and its reforming ideals. He held the radical liberal goals of Deakin, but added to this the Labor belief in the use of state power to balance that of capitalism's power, and absorbed the working class ideals of Bowman, Ryland and Theodore. He certainly wanted to become Labor's leader, and equipped himself to argue its cause. Indeed, by 1911, there was little difference between the arguments he was voicing in parliament and

those of Fisher and Hughes in Melbourne. This was evident in the matter of prices. As a successful barrister Ryan was comfortably well off; he had bought a large and expensive house in Clayfield and had later employed a housekeeper. Rising prices therefore did not affect him as they did the rank and file of his party, yet he appreciated that the real value of a workman's wage was governed by the prices of the goods and services he bought. As the importance of this was driven home to him through mixing with Bowman, Theodore and the others, and through absorbing the teachings of the tribe, the relationship between wages and prices featured often in his speeches. When Ferricks moved for the establishment of a state sugar refinery, Ryan combined the question of prices with the necessity for state action:

You can raise wages as much as you like; but, if prices rise faster than wages the working class are in a worse position than they were before the rises took place. The question of prices and wages are two sides of the same question. If you do not control prices, what is the use of controlling wages.

Here we have [sugar] mills owned by the State, and more are to be erected; and it is admitted that those mills will be useless unless there is also a State refinery; and the establishment of a State refinery would show that the Government were prepared to grapple with this great question. That [prices] is the burning question that will agitate politicians in the near future. It has become evident that it is absolutely useless to try to regulate wages if you cannot also control monopoly-control of the widespread influences that affect prices.⁴²

There was no real difference between this and the arguments Hughes had prepared for the 1911 referendum.⁴³ To some it represented socialism, but to Ryan, essentially a practical politician, it was a necessary reform to achieve the equal society, and what it was called was of little concern.

In the redistribution of electoral boundaries Barcoo had not been changed. Having therefore a safe seat and having overcome the early suspicion of his academic background and his reasons for joining the Labor party, Ryan could begin to think of himself as being a professional politician. To function more efficiently as a politician and to work with the more eminent figures in the Queensland Bar, he and his wife had moved to Brisbane. From here he could just as easily attend to correspondence

from his electorate, see ministers and departmental officers for his constituents and still accept the briefs which his friend, Daniel Carey, provided for him in Rockhampton. For his political career, it meant that he did not have to waste time travelling to and from Rockhampton each weekend while parliament was in session; the parliamentary library which he used extensively was always available and, since parliamentarians were given no staff, he had the use of his secretary in his chambers for both his legal and political work.⁴⁴

As the end of the year approached the question of when the general election would be held was widely canvassed. Denham suggested October 1912, but a meeting of government members on the yacht *Lucinda* sought an earlier date, in fact as early as possible in 1912.⁴⁵ There was good reason for this, Labor had been far more penetrating in debate during the session, their new members had shown themselves skilled in politics and the Labor organization outside parliament was improving and was far better than that of the Government. Furthermore, a recent electoral victory for the Labor party in Western Australia meant that there were now three state Labor governments as well as the one in the Federal Parliament. Much depended on Denham who certainly was not as able as Kidston.

Among the powers retained by the states at Federation, few could arouse the corporate ire of normally divergent groups as definitely as the liquor question. Given the uncertainty existing in the Liberal party over the coming election, it was surprising that Denham allowed a bill to be introduced at the end of October to amend the Liquor Act. As far back as July, the *Sydney Bulletin* in reviewing the Government's programme of legislation had commented: "The cattiest fight in the coming session will be over the Liquor Bill. Both parties have a wowsler brigade and a Bung faction and the voting on this measure will be a lovely exhibition".⁴⁶ The *Bulletin's* correspondent further noted that if the Bill went through the Assembly it would run up against some strong opposition in the Council "where Bung is potent". The Bill's main purpose was to provide for local option polls to decide on prohibition or on reducing the number of hotels in an area. At the request of 10 per cent of

electors in a defined area, a poll would be held so that if such polls were successful prohibition would cover the whole State by 1926, if the people desired.⁴⁷

The Labor party contained a strong temperance section which had written into the platform a plank calling for the nationalization of the liquor trade with a view to ultimate prohibition. As one who enjoyed his glass of whisky, Ryan was unlikely to be enthusiastic about prohibition. At the same time, nationalization of the liquor trade was a part of the policy his party espoused and when following Denham in the second reading debate, he based the Labor opposition to the Bill on the grounds that to be effective it would have to drive the liquor trade into the hands of a few, that is, a monopoly would have to be created. Before any effective policy of prohibition could be introduced, he said, the whole liquor trade would have to be nationalized.⁴⁸ Other Labor speeches followed in the same vein, but the *Worker* thought Ryan's speech “the most damning indictment of the Bill so far”.⁴⁹ It seemed that now he could do no wrong.

For Denham and the Government the Liquor Bill was having a rough passage. The Labor party fought it clause by clause through the committee stage, frequently dividing the house and delaying further its final passing. However, when it eventually went through all stages in the Assembly and was sent up to the Council, it became apparent that Denham's troubles were just beginning. The Council attached a number of amendments which the Premier said were unacceptable⁵⁰ and when an open conference of representatives of the two houses failed to come to an agreement, the Assembly was to be recalled on 9 January to further consider its stand, instead of adjourning, as planned, at Christmas. Denham threatened that if there was no satisfactory solution by then he would invoke the Parliamentary Bills Referendum Act of 1908 for settling a deadlock between the two houses and place the question before the electors.⁵¹

When parliament resumed on 9 January, the Council still refused to pass the Bill and the Assembly resolved to use the 1908 Act. Denham announced that a session would be held in April to comply with the Act and that the general election

would be held in May when the referendum would also be taken.⁵² The Labor party was delighted, the political situation could not have been more favourable. Others, too, noted this and the *Courier* sorely remarked on the "ill conceived glee" with which the Labor opposition watched the Premier and his friends in the Council slog it out.⁵³ On 11 January, when Denham and Treasurer Barnes left for the Premiers' Conference, Labor began selecting its candidates for the election.

"The best laid schemes o' mice an' men/Gang aft a' gley", so Robert Burns wrote and so the Labor party now discovered. Badger with his "boss's union" could not contain for ever the growing strength of unionism among the blue collar workmen in the metropolitan area and it was inevitable that sooner or later an open clash would come between the Brisbane Tramway Company and its employees who were members of the Australian Tramway Employees' Union. The breaking point came when Badger threatened the dismissal of any men wearing their union badge on their uniforms. On Friday 19 January at twelve o'clock a crowd gathered outside the General Post Office to watch the union men don their badges in defiance of their employer. The battle had begun. The conflict, simmering since Badger had become manager, and exacerbated by Kidston's assistance to the non-union men, now boiled over. The unionists who had pinned on their badges were sacked and a strike was called. Denham, the Government and the *Courier* could not have been inwardly more thankful. For Ryan it was to become the final proof of his claims to the Labor leadership.

The PLP met and carried a resolution congratulating the tramwaymen on their stand "for the cause of trade unionism" and offered them the "moral and practical sympathy of the Party in the present struggle". They further resolved to have a deputation wait on the Home Secretary, J. G. Appel, to bring the dispute officially under his notice.⁵⁴ The report of the deputation's meeting with the Minister⁵⁵ reads somewhat like a Gilbertain libretto. Ryan, speaking after Bowman, pointed out that the Government had a responsibility under the Tramway Act to see that the company carried out the conditions of the Act. The only defence that he could see, he said, was that the

manager objected to his men wearing the Australian coat of arms as a token that they belonged to a union, legally recognized and registered under the law. He maintained that if the Government enforced section 49 of the Act which required the company to run trams from seven in the morning to ten at night the dispute would be immediately overcome as all the dismissed men would have to be re-employed. Theodore reiterated this point. But, having stated their case to the minister assumed to be responsible for the tramways, the Labor members were taken aback when Appel stated that under an order in the *Government Gazette* of 22 September 1905, the Secretary for Railways not the Home Secretary was charged with control of the tramways and therefore he (Appel) had no control. When pressed by Ryan as to whether anyone could lay a complaint for a breach of the Act, Appel wriggled out of a direct answer by saying that this was a matter for the Railway Department. The deputation left and went to see an amazed Minister for Railways who held a fifteen minute private session with Ryan before receiving the deputation. The best he could say in reply to their questions was that it came as a complete surprise to him to know that he had anything to do with the tramways. The deputation left, being preceded out of the building by a hurrying Home Secretary.

Believing that a general attack on unionism was imminent, other unions called their members together to assist the tramwaymen. The Brisbane District Council of the ALF called a special meeting for Sunday 28 January, when it was agreed to call a general strike from six o'clock Tuesday unless a satisfactory agreement was arrived at.⁵⁶ The Waterside Workers Federation was reported as willing to strike in support of the tramwaymen on the express understanding that it would be a general strike. Records of all unions no longer exist but a typical position was that of the Plumbers' Union, which decided by thirty-five votes to fifteen that the union would go out on strike "if a general strike is declared". One member remarked; "If they did not strike now they would go back to the position of 30 or 40 years ago". The shop assistants agreed to take part in what was to be their only strike for sixty years. But though

there was enthusiasm among many unionists for a general strike and the thought of this recalled the romance of the Paris commune to the revolutionaries in the labor movement, the decision to hold one was completely *ad hoc*; there was no planning and no clear idea of just what was to be achieved by such a strike. It must be seen as the result of a combination of the fear that unionism was about to be attacked, the high point of enthusiasm for industrial action born out of the success of the sugar strike and the growing optimism and strength of labor organizations throughout the State. The annual conference of the AWA, the only union equipped to organize such a strike, opened in Townsville on Monday 29 January. The conference thus removed Theodore and other AWA delegates from the centre of power at the time it was decided to call the general strike and when the strike itself began to unfold. This absence of important AWA officials from Brisbane, though they tried to organize a supporting strike in Townsville, reflected the essentially unplanned nature of the event.

While it had all the ingredients of the spontaneous rise of the workers that romantics like William Lane's brother Ernie had dreamed about,⁵⁷ this general strike as an industrial weapon was to prove ineffective. The first *Strike Bulletin* of 31 January exaggerated the feeling of the moment. As the Labor propaganda for the 1911 referendum had pointed out, no one state government could effectively control monopolies in Australia; similarly it could have added, no general strike in any single state could hope to bring about a social revolution. The people most convinced by the headlines of "Brisbane Toilers Class Conscious at Last"⁵⁸ were those who wanted to believe this. Not surprisingly many government supporters, misunderstanding the pragmatic nature of the Australian political and industrial labor movement, also seemed to have been taken in by the strike leaders' propaganda that, "Today the toilers refuse to toil and all commerce, all industry is paralysed. Tomorrow, when the workers of the world unite, no Government can exist except by their mandate".⁵⁹ The sentiment may have been correct, but not the time or the environment.

As Denham had arrived back in Brisbane on 30 January, the

PLP decided to send a further deputation to try to have parliament recalled to discuss the tramway dispute. However, the dispute had ceased to be merely between Badger and the unions and was becoming wider and more bitter. A procession by unionists through Brisbane on Friday 2 February was broken up by armed foot and mounted police, who charged the marchers and made “Black Friday” a day to be remembered in union history. The non-labor newspapers pictured the incident as an attempted revolution and complimented the Government on its stand.⁶⁰ When finally the deputation of Labor members met Denham that afternoon to seek to have parliament recalled, they found him in an intransigent mood. Bowman asked for parliament to be recalled to deal with a situation “unprecedented in the history of Australia” and warned of the danger of more trouble with so many armed and mounted police in the city. Ryan, following Bowman, concentrated again on the central legal issue of the company and the Tramway Act, by pointing out to Denham that if the Government had forced the company to abide by the Act and run their trams, the present trouble would have been avoided. In his view parliament should have been called to consider the acquisition of the tramways by the Government.⁶¹ The strike and “Black Friday” had completely changed Denham’s political standing. No longer was he the incompetent premier stirring opposition among his associates and supporters over the Liquor Bill. Now, by enrolling sturdy special constables and preventing unruly unionists from holding processions, he had become the protector of citizens’ freedom. The *Courier* was later to describe the strike as “quite a godsend to the Government”. Consequently, when the deputation approached him to recall parliament, where the actions of the “specials” and the causes of “Black Friday” could come under critical scrutiny, he was able to avoid any such commitment by replying that until the authority of the central government had been vindicated and restored, he could not dream of calling parliament together. He concluded: “the place was practically in a state of siege – in a state of war”.⁶²

Though the strikers’ hopes of winning were kept up by the daily *Strike Bulletins* and by a succession of meetings addressed

by strike leaders and Labor politicians, it became obvious that they could not successfully oppose the combined economic and political power of the Employer's Federation backed by the Liberal government.

Ryan was one of the principal speakers at these meetings, but a more important and significant use of his legal ability was sought in a test case brought by a member of the Tramway Union, John McCarthy, against Badger for wrongful dismissal.⁶³ Ryan appeared for McCarthy, the solicitors for the company, Thynne and Macartney, instructed Arthur Feez, a leading Brisbane K. C., to defend the case. Ryan intimated that the case was being brought under the Commonwealth Conciliation and Arbitration Acts of 1909–11. Though no Tramway Union records of the time remain, it would seem highly probable that Ryan himself was behind the move to test in the courts Badger's dismissal of men for wearing their union badges. A victory in such a case would have thrown the whole Government story of planned revolution overboard. Unfortunately the case was adjourned and continued to be adjourned until after Mr. Justice Higgins had established in the Commonwealth Arbitration Court the men's right to wear the badge. By that time the tramway strike and the general strike had been broken and the original cause lost in a profusion of charges, counter charges and propaganda.

While other Labor members were forced to return to their electorates, Ryan remained in Brisbane during January and February to attend the McCarthy case and to address the nightly rallies. At a meeting in the Centennial Hall on Friday 9 February, he gave his first pronouncement on the general strike when he expressed his approval of the action of the strike committee in declaring the strike off in north Queensland. By doing this, he said, they were more able to concentrate their attention on Brisbane and to deal more effectively with the basic issue there. He expressed, mildly, his opposition to the general strike as a weapon and said that the staging of strikes in Rockhampton and Townsville would do little to assist the tramwaymen who were at the centre of the dispute. A levy on unionists outside Brisbane to enable the tramwaymen to hold

out would have been more effective.⁶⁴ Not all those who addressed rallies agreed with this. Bowman, for example, in one of his few addresses to delegates of the unions involved said: “Every delegate at the meeting seemed to realise that the fight for the tramway employees was a fight for the industrial movement throughout Queensland”.⁶⁵

The strike had clearly demonstrated the need for a political Labor leader physically able to stand up to the strain of addressing rallies each night – with often more than one meeting on the programme – leading deputations, holding private consultations and performing his normal duties. Though he claimed to be restored to health, Bowman could not cope with the exertions required and retired from the battle. Others like Lennon had to return to their electorates to prepare for the election, leaving Ryan as the only significant Labor politician remaining in Brisbane. He took the opportunity offered.

At the end of February, as the strike began to fizzle out and the workers sought to return to work, Ryan went to Rockhampton to attend the sittings of the Supreme Court and address meetings on the strike. On 26 February, in the market square of that city, he gave what was probably the best and clearest account of the strike by any person on the labor side. Commencing with the Government’s action from December 1910, when Kidston had given assistance to those members of Badger’s union who did not wish to become part of a national employees’ union, he traced the course of the strike, recalling the enrolment of special constables and the refusal to make the tramway company abide by the State law by running its trams as directed by the Act. The full text, published in the three Rockhampton newspapers, was later reproduced as a special broadsheet by the *Daily Record*.⁶⁶ A letter writer to the *Critic* remarked that it was a speech that Ryan should repeat all along the coast of Queensland.⁶⁷ The speech not only reflected Ryan’s opinion of the strike but also enabled him to relate it to another important issue, the control of prices, by including his oft repeated argument that wages and prices should be considered as belonging to the same category.

Wages can be raised, but what is the use of the rise in wages, what is the use of Labour legislation, if you cannot control monopolies. There is only one course to take: appoint a board to fix the price of tea and butter, and get into competition with the middlemen by running a line of steamers, by having your warehouses, and by having your union stores.

The speech brought sharp replies from the *Morning Bulletin* which in its editorial asked "By what process of reasoning can it be shown that the fact that the help given by the Government to the tramwaymen in 1910 and the general strike stand in the relation of cause and effect"?⁶⁸ and from Grant, who countered with a justification of Denham's actions because "constitutional government was [now] in the ascendent and not the mob rule that had prevailed for three days."⁶⁹ It was an indication of the line government members were to take in the coming election.

On 1 March the last of the special constables were discharged and four days later the strike was officially called off, both sides claiming victory. Only the miners and the waterside workers remained out. The Commonwealth Arbitration Court had ruled that tramwaymen could wear their badges, but, in view of the defeat of the general strike by the combination of the Government and employers, the unionists' victory was a moral one only. Those tramwaymen who had stayed on with Badger were rewarded with double pay and with having their group photograph in the *Courier*. Ryan had returned to Brisbane after a week in Rockhampton to appear in the McCarthy case and to attend a special caucus meeting to discuss the dispute. It was there resolved to seek again the recall of parliament. Denham wisely refused and so denied the Labor party its forum for providing evidence of government partisanship throughout the strike.

The part played by the State Governor, Sir William MacGregor, during the strike had not been that of the disinterested adviser. He informed the Colonial Secretary in London that he had refused to pass information on to the Governor-General regarding the strike since the latter might communicate with the Prime Minister, Fisher, who could in turn pass it on to the strikers.⁷⁰ He further claimed that he had encouraged Denham

to call an election at the earliest possible date to gain the greatest political advantage out of the strike.⁷¹ In addition, he asked the Colonial Secretary to send a British warship to stand off the coast and had agreed with Denham's idea of landing troops from a German warship off the Queensland coast during the strike.⁷² With the full collusion of the Governor, Denham announced that the election would be held on 27 April and began a campaign of “democracy versus tyranny” and “constitutional versus mob rule”.⁷³

The Labor party contacted Boote in Sydney to draw up an election manifesto for the CPE to consider and for Bowman to sign. The final manifesto sought to fight the election on three main grounds – the strike, education (Bible reading in state schools) and the Liquor Bill.⁷⁴ But there was really only one issue, the strike. It had changed completely the political fortunes of Denham, no longer on the defensive against powerful sections of his own party or the Brisbane press, which was now able to launch a strong attack on the unions, political unionism and the Labor party. Bowman was physically not able to provide the sort of leadership needed to counter Denham. Theodore, recognizing this weakness, proposed at the final caucus meeting that two joint deputy-leaders, Lennon and Ryan, should be appointed to assist Bowman.⁷⁵ His motion was withdrawn, but Ryan assumed the role of a Labor leader during the campaign. A report in the *Warwick Argus*, probably emanating from Sir Arthur Morgan the owner of the paper, and reprinted in the *Morning Bulletin*, spoke of a group of Labor supporters trying to have Bowman stand down and nominate as a Senate candidate so as to allow Ryan to become the leader. The report referred to Ryan as “the brainy man of the Party, a good platform speaker and [one who] would be a keen party leader”.⁷⁶ Even if such negotiations took place, Bowman remained leader during the election, though his health prevented his touring the State as he had hoped.

In Barcoo, Ryan had no worries about a plebiscite, the president of the Barcaldine WPO having recently written to the *Worker*:

The people of the Barcoo are decidedly proud of their worthy Member T. J. Ryan and his splendid address on the Tramway strike . . . In common with all Mr. Ryan's Barcoo supporters, I would like his Rockhampton address printed in pamphlet form, as no better literature could be used in the coming election.⁷⁷

Nor was he likely to have much trouble from any government opponent. The Liberals were having difficulty finding a candidate for Barcoo. After approaching three influential gentlemen they finally persuaded the Blackall manager of the Australian and New Zealand Loan and Mercantile Agency Company, A. H. Catchlove, to stand against Ryan. Even the *Western Champion* was not hopeful about Catchlove's chances and was doubtful as to whether he would even save his deposit.⁷⁸

Denham, in opening his campaign in Corinda on 28 March, devoted an important section of his speech to proving wrong Ryan's contention that the Government could have solved the strike very early in the dispute by applying the relevant section of the Act. He claimed that in fact the Government had no power to intervene in the strike.⁷⁹ After the release of his manifesto, Bowman opened his campaign in Fortitude Valley on 2 April; but this had been overshadowed in the daily *Strike Bulletin* during the previous fortnight, when it had advertised a "special election bulletin" to contain highly important electoral material. On 1 April, the *Special Bulletin* appeared. "The need", it said, "of an authoritative and detailed history of the happening which led up to the recent industrial struggle has been keenly felt by those concerned".⁸⁰ The "hot election stuff", as it had been billed, "undoubtedly one of the finest utterances of the memorable campaign" was Ryan's speech on the strike which he had delivered at Rockhampton. This was printed in full on two days, 1 and 2 April.

If further confirmation was required of Ryan's status as the most significant member of the PLP, this was surely it. After speaking at all the main centres of the Barcoo electorate, Ryan was given leave by the WPOs there to absent himself from Barcoo to assist other Labor candidates in nearby electorates. For the remaining two weeks of the campaign, he worked in the near Rockhampton electorates of Keppel, Fitzroy and Mount Morgan, at the same time managing to squeeze in a Supreme

Court case. His speeches in all these centres were simple. They dealt with the strike, the land question and prices. He reminded the electors of the special session to have been held on the Liquor Bill and accused the Government of playing up the strike so as to be relieved of the trouble into which this Bill had led it. Concerning the strike, he maintained a middle course and said that while he did not justify all that had happened, the real cause of the trouble had been the Government itself. To prevent further such strikes this cause should be removed. His last point on prices reiterated his already widely expressed views that prices and wages were part of the one question. Now he came out more strongly in favour of state action and state enterprises: “There was only one way to control prices . . . and that was by State enterprises, by doing what Mr. Denham said he would do at the time of the strike, when he said that the Government would distribute flour at cost price through the local authorities”.⁸¹

Despite the adverse vote in some of the farming areas where the Labor story of the strike had not penetrated, the Labor party polled better than it had in 1909 to finish only 10,000 votes behind the government in a poll of 216,000. Its share of the seats, however, was proportionally smaller with twenty-four to the Government’s forty-seven. Ryan easily retained Barcoo with 1649 votes to Catchlove’s 633.

4 Divide and Conquer

An analysis of the 1912 election showed that, despite the bad publicity received during the general strike, Labor had polled well. The nine western seats held prior to the election were all retained, and even with the redistribution of electoral boundaries only one northern seat was lost. On the other hand, for the first time, Labor gained additional votes and seats in the metropolitan area to win six of the sixteen seats. Yet Labor had still not secured the farmers' votes in all the sugar areas nor had it captured the votes in the dairying and wheat areas. Certainly it had won Bundaberg, Cairns and Herbert which were sugar seats with sizeable town populations of waterside workers, carriers and labourers, but clearly if it were to win in 1915, not only had the newly won metropolitan seats to be held, but in addition, and more importantly, a greater proportion of the votes of primary producers had to be gained.¹

Through the effect of the redistribution and the strike, the PLP had lost some of its best debaters in Ryland, Maughan, Ferricks and John Mullan. Fortunately among the new members were several who more than compensated for the loss. John Fihelly, a public servant and international footballer, was elected for the metropolitan seat of Paddington; William Gillies, a cane farmer, became the new member for the far northern sugar seat of Eacham; John Huxham, a Brisbane merchant with a long history of service to the party, was returned for the metropolitan seat of Buranda; a devotee of Ryan, James Larcombe Jnr., was elected for the central seat of Keppel and the powerful union secretary McCormack joined his friend Theodore as the member for Cairns. When the parliament

resumed in July, Bowman was unanimously elected Leader and after an exhaustive ballot Ryan defeated Lennon to become Deputy-Leader. Theodore was elected Whip. Given the state of the party and the reputation he was building, Ryan might well have been expected to oppose Bowman for the leadership. Two factors might be suggested as having prevented this. Firstly his own respect and friendship for Bowman and, secondly, his acceptance of the unwritten party rule that a man like Bowman should not be forced out of the leadership, but should retire of his own volition. Moreover, the Labor party was deeply suspicious of the ambitious politician seeking power, and Ryan was one who now understood and appreciated the practical side of Labor politics as few others have. His securing the deputy-leadership placed him in the best position to succeed Bowman in the likely event of the latter's having to retire.

The strike was still fresh in the minds of both Government and Opposition members when parliament was opened by the Governor. His speech included reference to an Industrial Peace Bill which would "prove an effectual method of adjusting differences which . . . if not settled by peaceful means imperil the public safety and inflict incalculable suffering on thousands who have no direct interest in the dispute."² Speaking first for the Opposition in the address in reply, Bowman sought an arbitration bill to settle disputes and expressed the general Labor view that strikes were not the best way of settling industrial trouble. The Government, however, seemed determined to extract the last ounce of advantage from the strike. Denham, setting the tone, was particularly vituperative towards Coyne as the leader of the strikers and towards the Labor politicians who had assisted the strikers. The latter he described as "law breakers and usurpers of rightful authority." It fell to Ryan to reply on behalf of the labor movement. The major difference between the two parties, he said, was that the Labor party believed in the greatest good for the greatest number, an objective which could be attained only by trade unionism organizing politically to fight the combinations of capitalism seen in America and Australia. Turning to the strike itself he said:

I do not believe in a general strike, but I do justify everything that was done by gentlemen like Mr. Coyne when the thing was brought about by the Government . . . I am decidedly against a general strike as a means to settle a dispute if there is any other effective machinery to settle it. The Labour platform contains a plank affirming that disputes should be settled by arbitration.³

The speech followed a pattern that Ryan was to adopt frequently — discussing broadly the central problem and then pointing to a section of the Labor platform which provided the solution.

Despite the Labor party's plea for a bill to establish a system of arbitration and conciliation for the settlement of disputes, the promised Industrial Peace Bill — a most repressive piece of legislation — was introduced while the address in reply continued and was to occupy most of the 1912 session. The caucus had arranged for Ryan to prepare amendments to the Bill⁴ and Bowman moved the first of these when it was introduced; this was to make it a bill for industrial peace “by means of conciliation and compulsory arbitration”. When this was defeated, Ryan sought to have a Trades Disputes Bill incorporated into the proposed legislation to protect union funds. He also sought, unsuccessfully, amendments to the criminal code to allow for peaceful picketing and the persuasion of non-unionists, during a strike, to join a union.

The unions in the meantime had held a combined meeting at the Trades Hall where they resolved to oppose the Bill, and asked the PLP also to oppose it and to assist with speakers at specially convened rallies.⁵ It was a brave if futile front. At no time was the unions' need for a Labor government so obvious. Financially spent, the Brisbane unions were impotent as they again faced the Government. Fortunately, unlike their predecessors in the 1890s, they did not have to contend with the additional drawback of a depression and, in fact, the increasing prosperity provided the basis for a continuation of the union renaissance.

In his second reading speech in the following week, Ryan, though adopting a moderate tone, could not but see the Bill as being aimed at the destruction of the kind of organized unionism that had been developing in the past years. He sought industrial peace and the use of arbitration but claimed that this

could only be achieved through organized unionism.⁶ On the following day the first of the amendments which he had formulated for the caucus was moved by William Bertram, secretary of the Storemen and Packers Union and one who had been involved in the strike. It again sought to have the Bill withdrawn and replaced by one providing for the prevention and settlement of industrial disputes on more just and equitable lines. The Speaker ruled the amendment out of order. A second amendment moved by Hunter to appoint a select committee to make a full inquiry was rejected by Denham.⁷ In supporting Hunter, Ryan clashed with the two barristers on the Government side, Blair and H. D. Macrossan, newly elected for the metropolitan seat of Windsor, in the first of several debates on legal points which Ryan included in his speeches.

It soon became obvious that the Government was not to be shifted on the issue and that the full penalty for the general strike was to be paid by the unions. The best that the PLP could do was to fight every clause and to publicize as much as possible the advantages of their policy of arbitration and conciliation. The *Worker* set forth arguments against industrial action over the Bill and in favour of concentration on political action, particularly in the Federal area, where Labor held power and where the Federal PLP was again proposing to submit to a referendum alterations to the Constitution providing that powers over labour and employment, wages, working conditions and the settlement of disputes be given to the Commonwealth. Its editorials⁸ frankly admitted that labor could not hope to win its greatest victories in the industrial arena nor would martyrs in convict garb alter the Bill in any way; the only way in which unions could hope eventually to defeat it was through organizing and concentrating on political activity.

A charge against William Gillies, the successful Labor candidate for Eacham, of having made a false statement on his electoral claim regarding his period of residence in Queensland caused Ryan to miss the remainder of the second reading of the debate and the early part of the committee stage as he was appearing for Gillies in the district court at Herberton. In a brief case where Ryan neither called witnesses nor asked Gillies to go

into the box, the judge summed up in favour of Gillies whom the jury found not guilty.⁹ During Ryan's absence from Brisbane, Bowman collapsed in the house and was taken to hospital. Lennon was elected temporary Leader of the Opposition. Bowman later resigned and when Ryan returned to Brisbane, he was elected Leader, Theodore defeating Lennon for the deputy-leadership.

Labor's later electoral victory in 1915 might be seen to have emerged from the events of September 1912 when Ryan and Theodore, a most brilliant combination of Leader and Deputy-Leader, took firm control of the Labor party. In contrast, Denham's grip on the Liberal party was beginning to weaken and conflicts within that party began to emerge. At the same time the American meat company, Swifts, a part of the American Meat Trust, had bought land on the Brisbane River and was preparing to establish a meatworks there, a fact which had ominous overtones so far as the Labor party was concerned.

In the meantime the Industrial Peace Bill was still before the house with the Labor party continuing to introduce amendments to try to make the Bill more reasonable and workable so far as the unions were concerned. The clause preventing union officials or any representatives of employers' associations from sitting on wages boards was most vexatious. Ryan returned to the house in time to support McCormack's amendment to the clause. Having established himself as leader of the PLP, he now had to become the trusted leader of the movement. Consequently he had to fight the unions' case throughout the debate and to use their arguments, such as opposition to "scab" labour which were the stock-in-trade debating points of union members and leaders. It was perhaps because of this that O'Sullivan later accused Ryan of extremism and lack of moderation in his first session as leader.¹⁰ The same impression was held by the Governor (MacGregor) to whom both Ryan and Theodore were men of "pronounced socialistic tendencies",¹¹ traits for which MacGregor had little enthusiasm. However, neither O'Sullivan nor MacGregor was trying to lead a Labor party which still preferred "plain, honest, capable men" to "brainy democrats". The Industrial Peace Bill passed through

the committee stage, on to the third reading, and through the Council.

As a politician and now as a parliamentary leader, Ryan was developing a definite character. During the debate on the Industrial Peace Bill, an interjection by Barnes brought forth the rebuke that "the honourable gentleman had not presumption enough to take upon himself to point out to him [Ryan] what was the law".¹² It brought laughter from the house, and at the same time illustrated part of Ryan's character as a politician. He was, in his speeches, moderate, reasonable, well-informed and brief; but if interrupted by what seemed to be a fatuous remark or by a non-lawyer's taking him up on a point of law, he could react with a biting sarcasm which suggested extremism to some, but which also made Government members wary about crossing swords with him. At the same time he was developing an art of interjection which was more a cross-examination of his opponent than mere interruption. Often he seemed to be able to involve ministers and other leading Government members in a debate across the floor which made the chamber resemble something of a court room. In Ryan's duels in parliament with Denham in the following two years, the latter, on several occasions, was drawn into making admissions which at other times he seemed loath to make or regretted having made.

As the new leader, Ryan wasted no time in making clear his intention of winning the 1915 election; he also clarified the tactics he proposed to follow. In establishing his leadership he was careful to avoid the pitfalls of "Bonapartism" which had bedevilled Kidston in his relations with the movement. He still continued with his work in court but when this necessitated his being absent from the house during the session, he first sought the leave of caucus.¹³ He was personally well liked, able to fit in with the various groups inside the caucus and was fortunate in having Theodore as his deputy when the latter was the most powerful union figure in the State. Theodore's industrial knowledge and strength complemented Ryan's legal and political capabilities. The friendship between them was based more on the respect each had for the other's political and intellectual

capabilities than on personal attachment; where Ryan was warm, friendly and approachable, Theodore tended to be aloof and reserved. It was with Hunter that Ryan established the closest relationship, probably because both were practical men, little interested in doctrinal or theoretical politics, and both had a similar aim in terms of broad reform. Theodore and Ryan were never opponents nor was there ever competition for leadership of the party. Each had ambitions in terms of policies he wanted to see effected and both agreed early in their partnership that Labor would need the farmers' support to win an election – the necessary pre-condition to enacting any Labor policies. Soon after their election a special committee was established in the PLP to report on the platform. This committee reported to the caucus late in November and recommended several new planks, based on state action, to assist primary producers.¹⁴ The first step in a long-term rational programme to win the 1915 election had been taken.

The new vigour instilled into the PLP by Ryan and Theodore was complemented by the improved organization of the labor movement itself. A daily labor newspaper, the *Daily Standard*, began publication in December 1912 and proved to be a responsible newspaper, which, despite continuing financial troubles,¹⁵ presented a wide range of local and overseas news in addition to specifically labor news. Its editorial bias was obviously labor in the same manner as the *Courier's* was obviously conservative and anti-labor. Since 1910 there had been a full-time secretary, Lewis McDonald, a former printer and protégé of Hinchcliffe, who provided liaison between the unions, the WPOs and the PLP. Added to these was the emergence of the new AWU, from the amalgamation of the AWA, the former AWU and a number of southern rural unions. In effecting this amalgamation, Theodore not only produced the most powerful industrial and political unit in the State, but also absorbed what was left of the ALF together with its commercially successful printing business, the *Worker* press. Since the new owners of the *Worker* were also among the leaders of the PLP and the CPE, propaganda literature could be produced cheaply and in bulk for the Labor party. The *Worker* ceased to

be a fully independent labor paper and became the mouthpiece for the AWU and its members in the PLP. While the extra-parliamentary machine was strengthened, it was still inside parliament that the Labor party had to make its mark and, if possible, break the spirit of the Government. Ryan used question time to probe and expose weaknesses in Government policy and to seek material for later speeches. In time, some of the other members came to appreciate the value of questions and followed his example. In addition he was to adopt two other tactics. Firstly, he used parliament as a forum for demonstrating the practicability of Labor policies when there was some issue of importance being discussed in the State; secondly he emerged as a skilled tactician in the art of divide and conquer.

As the 1912 session closed, disagreements within the Liberal party that had been in evidence at the close of the previous parliament became more open and evident. In September, Grant – the last of the ex-Labor Kidstonite ministers – resigned from the cabinet after a disagreement with Denham over a railway line in Grant's electorate, leaving Walter Paget of Mackay the only minister representing an area other than south-east Queensland. In December Macartney resigned over a disagreement with Appel, the Home Secretary. Of more significance was the existence of a group of Liberal members from rural electorates calling themselves the Farmers' Parliamentary Union who outnumbered their colleagues in the Government and who were exerting pressure for more favourable legislation for the farmers and for restrictions on the union campaigns to have rural workers included in wages boards. Denham attempted to lessen some of this country-based criticism by transferring Tolmie to the lands portfolio. Tolmie was a popular man, successful in business in Toowoomba though not outstanding as a politician. At the same time Denham appointed John White, at one time the leader of the Farmers' Parliamentary Union, as Minister for Agriculture.

It was this division between country and town Liberal that Ryan was to exploit. More than this, he challenged the country Liberals' right to be considered the representatives of rural

industries. While the Queensland Farmers' Union was flexing its muscles for battle with the Labor party and the AWU (and to a lesser extent with the Liberals), Ryan was addressing meetings in Brisbane and in country towns, outlining and advocating policies which the Farmers' Union itself had espoused. At the annual luncheon of the Brisbane Merchants' Association, on the day before he left for the 1913 Labor-In-Politics Convention, he once more affirmed the Labor goal of a flourishing sugar industry for the coastal region of Queensland and the manning of that industry by white men. This, he said, was a national, not merely a state, question and must be developed to provide for the defence of the nation. Further stealing the thunder of the Farmers' Union, he outlined a plan for spending huge sums of money as a long-term investment in water conservation.¹⁶ The Queensland Labor party, though traditionally based on rural areas, had never quite been able to tackle the Liberals' monopoly of farmers' support. Ryan was now opening a new page and forcing the farmers to choose between the rural policies of the two parties.

When he had replaced Bowman as PLP representative on the CPE, Ryan had also been elected president, thereby giving him power not only in the political, but also in the administrative section of the party. As CPE president he was elected chairman of the Labor-In-Politics Convention. Since this was his first speech to a convention as the party leader it is of importance.¹⁷ After reiterating some of the points he had made to the Brisbane merchants on the previous day, he outlined his philosophy of the political labor movement and listed the matters on which the party should base its election platform. There was no other party, he said, which had a policy formed on the initiation and at the instance of the people themselves. It was this broad aspect of the labor movement, the fact that it was open to practically all classes of the community – the professional man, the farmer, the clerk and the labourer – which distinguished the Labor convention and the Labor party from other political groups. The duty of the convention was to formulate a platform and a programme best calculated to promote the interests of Queensland, of Australia and of the

Empire. His conception of the Labor party was clearly not one based on class nor concerned solely with the status of manual workers. He conceived it as representing mainly that group in society which did not own large areas of land nor control large sections of capital. He then proceeded to outline those areas of policy which would assist the primary producers and the wage earners – “the natural allies.” The land question, he said, was of importance to all classes in the community and therefore of importance to the Labor party. Allied with this were the questions of immigration and water conservation, both basic to the development of the State. Once again Ryan, accepting the nationalist mores, emphasized the need for peopling the north-eastern coast of Queensland for the defence of Australia. Leaving primary production, he turned to the major problem of the wage earner – high living costs, which, he said, were due to the operations of trusts and combines, middlemen and monopolists who stood between the producer and the consumer. One way of dealing with these was for the State government to “grapple with the price rings” or, failing this, to give the power to the Commonwealth at the coming referendum. The speech was characterized by its brevity and clarity which ensured that the points made were absorbed.

As the convention proceeded, it became obvious that it was to have a different emphasis from those of the past. Debate on policy items occupied the first four days leaving the Constitution and rules until the end, in contrast to earlier conventions where the Constitution and rules had often occupied much of the time. It was noticeable also that members of the PLP were dominant among those initiating new policy resolutions, while the harmony of CPE-PLP relations was emphasized when the Secretary, McDonald, moved the resolution to write into the platform the completely new section “encouragement of agriculture”, which the PLP had sought. The attack on the political loyalties of primary producers was continued by the new CPE which ordered 5000 copies of the party’s manifesto to be printed for distribution in farming centres. At a later meeting it was decided to distribute in farming areas literature specifically defining the attitudes of the Labor party to primary pro-

ducers and also to have some of this literature printed in German for the significant groups of German farmers in south-east Queensland.¹⁸ Again it was the members of the PLP on the CPE who were the driving force behind this new campaign.

Following what must have been considered a very successful convention, Ryan and Theodore threw themselves into the federal election and referendum, Ryan taking the southern portion of the State and Theodore the northern assisted by the State members from each area. Ryan did not spare himself and became the principal Labor speaker, after Prime Minister Fisher had concluded his short Queensland tour. Though Labor narrowly lost the election federally, the Labor vote in Queensland rose considerably giving it a majority of 66,820 on Senate figures. The referendum proposals which were defeated nationally were supported in Queensland by a majority of 23,000 votes. Six out of nine electorates returned Labor members to the House of Representatives. Any electoral support lost by the general strike had clearly been regained since the three Labor senators – Ferricks, Maughan and Mullan – who were returned had taken prominent parts in the 1912 strike and had lost their state seats in the general election.

The increased Labor vote was unhappy news for Denham and spurred the movements of the Queensland Farmers' Union and the country Liberal members towards independent political action. It was not only the heavy Labor vote which produced this. An amendment to the Commonwealth Conciliation and Arbitration Act had included rural workers within the scope of the court; there were increasing doubts about Denham's capability as a political leader, particularly when confronted by someone like Ryan, while farmers were beginning to question their being part of a political organization which included the middlemen with whom they wrangled most. The first step towards a separate country party was being taken and given formal recognition in May 1913 when the second morning paper in Brisbane, the *Daily Mail*, announced itself as the official organ of the Queensland Farmers' Union.¹⁹

Probably the most contentious single item for the farmers was sugar, which involved not only the growing and selling of

the crop, but also questions such as black labour, the settlement and defence of north Australia, wage rates to white workers (now in the AWU) and the virtual monopoly of the CSR over refining. The Labor party had been quite as much concerned about the industry as cane farmers in the Liberal party. It had been campaigning for the end of black labour and saw the development of the sugar industry on the north-eastern coast as filling an embarrassing empty space which was an invitation to potential non-European invaders. The party further had some sympathy with the growers, many of whom were former cane cutters or miners and it saw as the growers' main enemy the CSR, which was able to dictate the price paid to millers and therefore to the growers, and consequently had the ultimate say in what pay and conditions were available for workers in the industry. At the end of 1909, the Commonwealth Government had sought a report on conditions in the sugar industry in Australia from Dr. Maxwell, controller of the central sugar mills, while the Queensland Government late in 1910 had appointed a commission to enquire into the question of establishing more central sugar mills.²⁰ Fisher as Prime Minister had gone a step further in October 1911 by appointing a Royal Commission to enquire into all aspects of the industry. Among its recommendations presented in December 1912, was that the price of cane should be fixed by a board for each mill, consisting of a representative of the growers, a representative of the millers and a chairman appointed by the Interstate Commission.²¹ Most of the recommendations came within the ambit of state responsibility, but the Queensland Government appeared tardy about implementing them.

On the day after the new session opened in June 1913, Ryan called a special caucus meeting to decide what action the party intended to take in view of the apparent disorganized condition of Government supporters.²² There was no doubt that the sugar industry was the major question about which Government members were disagreeing and it was to be concerning this industry that Ryan was to probe most deeply into government ranks, seeking to divide what was really now a coalition, and conquer. But first, all the information available on the industry

had to be acquired. The PLP secretary wrote to Fisher for copies of all correspondence between the Federal and State Governments on sugar, which Fisher supplied a week later.²³ It was not that the Denham Government was uninterested or unconcerned about the sugar industry. The Governor's speech included a proposal to introduce one bill to make sugar growing and manufacturing a white labour industry in Queensland and a second bill to have growers paid the difference between the bounty and excise following the Commonwealth Act to abolish these; it also proposed the erection of additional central sugar mills. Yet, nowhere was any proposal made to establish cane prices boards to fix the price paid to the grower as had been recommended by the Commonwealth Royal Commission and was being continually advocated by sugar farmers.

The debates in parliament were fully reported in all newspapers. Ryan's address in reply speech was aimed therefore at the voters in the urban and rural areas who previously may have been unsure of the Labor party, but who were no longer certain that the Liberal party, particularly under Denham, satisfied their needs. Ryan emphasized the non-sectional role of the Labor party, its policies on primary production and its opposition to trusts and monopolies. It was the image of a party, which combined both producers and consumers, that he was attempting to project. To the farmers, shy of any political party associated with unions, he said:

I have confidence that the primary producers realise the justice of our cause and that . . . they will express their opinion in favour of the Labour party as being a party which is a national party, a constitutional party and a party that specifically has the care of those who are unable to help themselves . . . Until in Queensland we have such a party in power, backed by the primary producer – because I think it is necessary to have his support – and backed up by all sections of the community . . . I do not think you will ever have real prosperity in this state.²⁴

To both farmers and wage earners he directed the increasing concern of the Labor party over the role of trusts and combines. The belief that governments had to curb these had been reinforced by the difficulty recently encountered by the Commonwealth Royal Commission on sugar when seeking in-

formation about the CSR. The absence of any reference to legislation to cope with trusts and Denham's apparent favouring of the American Meat Trust establishing itself in Brisbane provided Ryan with a further basis for an attack on price rings which affected both producers and consumers.

As proposed in the Governor's speech, to comply with the Commonwealth Government's removal of the excise and bounty, the Queensland Government introduced a Sugar Growers Bill, a Sugar Growers Employees Bill and a Sugar Cultivation Bill, but no bill which would establish cane prices boards. This was a bad tactical error on Denham's part and one which Ryan was quick to expose and exploit; for the growers maintained that without an impartial tribunal to fix the price of sugar between the grower and the miller, the other legislation was of marginal value. The Government seemed to be drawn from blunder to blunder. As Barnes, the Treasurer, outlined the aims of the Sugar Growers Bill as being to ensure that the growers received as a first payment the 2s.2d. a ton which represented the difference between the excise and bounty. Theodore, by interjection, drew forth the admission that there was no means of preventing the millers from so reducing the price of cane as to rob the growers of the additional 2s. 2d. even though a first payment of 2s.2d was made.²⁵ Such an admission enhanced still further the case for cane prices boards. Ryan, following Barnes, was thereby able to accuse the Government of bringing in legislation that was not practicable since there was no guarantee that growers would actually receive the 2s.2d. in addition to the current price. He moved an amendment to include in the Bill "the establishment of representative and impartial tribunals to secure fair prices and conditions to sugar cane suppliers". The tactical question was whether or not Denham could be drawn out to reject, publicly the Royal Commission's recommendation and, more importantly, the growers' demand.

Denham accepted the bait and admitted, in answer to an interjection from Ryan, that he considered cane prices boards were not necessary. The Labor party could therefore claim now to be the only party in parliament representing the declared

interests of the sugar growers. But Denham was not alone in being trapped. Colonel C. D. W. Rankin, leader of the farmers' group in the Liberal party, and the self-appointed spokesman for the sugar farmers, was also trapped by the Premier's admission. On the previous day, Rankin had been reported as saying "so fully seized was he of the importance of forming those boards that if the Government could not see its way to take the matter up, he would take the matter up himself and introduce a private bill to deal with the question".²⁶ In the same speech he had quoted from a petition he had received from a number of cane growers in the Isis district and a large number of cane growers in the northern sugar districts asking him to introduce a bill in the current session "for the creation of sugar boards to determine the conditions between the millers and growers for the purchase of cane". Ryan's amendment placed him in a dilemma: to support the amendment would be to repudiate his leader and reveal a deep split in the Government, to oppose it would seem to deny the express wishes of the cane growers. Rankin saved face by opposing the amendment on the grounds that it was "not the right place or the right time to bring them [the cane prices boards] forward".²⁷ The first round in the divide and conquer battle had gone to Ryan.

Having found a weakness, Ryan continued to probe. On the second reading of the Sugar Growers' Bill, he returned to the question of the necessity of having some price-fixing instrument to protect the grower: "If there was some means of fixing the usual price of cane, then I could understand that the Bill would be effective, but unless you can get the usual price of cane fixed there is no use in passing this measure".²⁸ Furthermore, he was able to substantiate his argument by quoting from a letter sent to him as Leader of the Opposition by a meeting of the Cane Growers Union delegates at Bundaberg which included a resolution calling for the establishment of cane prices boards. Succeeding Labor speakers dwelt on these two points and argued that, since the grower was ground between the two millstones of the workers below and the millers and CSR above, cane prices boards were needed to protect him. This would enable him to receive a fair price for his cane and pay fair wages

to his workers. The natural allies – the primary producers and the workers – would be co-operating, not opposing each other.

Sugar was neither the only question of importance before parliament, nor the only question of great concern to primary producers. Railways meant development through the opening up of new land, and their freight rates determined the net profit to the farmer for his work. The Opposition took up the whole question of railways in the Great Western Railway Act Amendment Bill and in a bill to consolidate all acts relating to the railways. In both cases, Ryan spoke of the need for a commission of inquiry into the railways and, in fact, moved an amendment to the latter Bill to have a Royal Commission appointed to inquire into all aspects of the railways. Country members of the Government tacitly agreed with this and, though the amendment was defeated, they joined with the Opposition to appoint an all-party committee to investigate the Great Western Railway.²⁹

This action of the country Liberals revealed that, as with sugar, there were sharp divisions in the Government party, which threatened to embarrass Denham and his Government if not handled correctly. The Labor party was opposed to the guarantee system of building railways; it felt that the guarantee placed too heavy a burden on the selectors who were not the only people being assisted by new railways. Country members of the Government also sought, unsuccessfully, some alleviation of the guarantee system in this new Railway Act. Here also, Denham continued to alienate his country colleagues. C. J. Booker, member for Wide Bay and chairman of the Parliamentary Select Committee on the Great Western Railway, had sought leave during the sitting to tour the west to obtain more evidence for the report, but when Denham had opposed the idea permission was not granted. Ryan, who had supported the proposal, was quick to seize the opportunity offered again to divide the Government parties. On the following day he moved the adjournment of the house to consider discharging the Select Committee and appointing a Royal Commission to inquire into the report upon the best route for the Great Western Railway. In conciliatory and moderate tones, he praised the Select

Committee for their endeavours and emphasized that there were no party politics at all in his motion. Booker seconded the motion and congratulated Ryan on his manner of addressing the question. He accepted that Ryan was motivated by an attitude above party politics. But not so other members of the Government. Denham described it as an abuse of the privileges of the standing orders, while other Government members claimed that such a motion when moved by the Leader of the Opposition inevitably became a party question. When Philp described it as a want of confidence motion, it was obvious that the voting would be on party lines and the resolution would be lost. Ryan withdrew to wait another day while Denham lost the support of the humiliated Booker.

According to reports of the Queensland Farmers Union in the *Daily Mail*, one of the motivating forces in the formation of separate farmers' parliamentary party had been the weakness of the Liberal party and its domination by middlemen, but a second factor had been the success of the Labor party in Queensland in the 1913 federal election³⁰ when even such strong non-Labor rural areas as Warwick and Stanthorpe had recorded majorities for Labor candidates. This latter point had not gone unnoticed in Denham's cabinet. An Election Act Amendment Bill was drawn up to reintroduce postal and abolish absentee voting. The intention of the Bill seemed fairly clear. According to Theodore, 13,000 electors, mainly itinerant workers from Labor areas, had recorded their votes as absentees at the previous State election.³¹ On the other hand, it had been because of the abuses in postal voting by the Philp party in 1908 that this had been removed from the Act. At least seven Government members who had supported in 1907 and 1908 the abolition of postal voting, because of its easy abuse, now found themselves seeking its reintroduction.

As the Labor party had overcome any political disabilities accrued during the strike, and the conflicting interests of the farming members and the business members of the Liberals had become more obvious, an election act such as this could only have as its purpose the bolstering of Government fortunes and the reducing of Opposition votes. Two years prior to the general

election Labor was thus placed at a disadvantage which would require the energies of the whole movement to overcome.

During the second half of the session the "Country party", numbering twenty-five out of the Government's forty-eight members, began to show its influence on the ministry when a number of bills pertaining directly to issues raised by the Farmers Union, but not previously included in the Governor's speech, were presented to the house. Their introduction did not necessarily signify their support by the business and commercial sections of the Liberal party nor by the Legislative Council.

Indeed, though the Farmers Union saw a mild Stock and Farm Produce Agents' Bill and a Pure Seed Bill passed through the Assembly, they were shocked by opposition these encountered in the Council. When the Stock and Farm Produce Agents' Bill was introduced there, G. W. Gray, a member of the Council for twenty years and a former minister, described it as "an attack on the commercial integrity of merchants, firms, stock and station agents" and moved that it be read six months hence. Other resistance to the Bill was forthcoming. This opposition forced A. H. Barlow, a former banker and now Leader of the Government in that house, to plead with his colleagues not to "run up against the farmers", who, he said, were the strength of the State. He seemed more aware of the tactics of Ryan and the Labor party in trying to win over the support of the farmers from the Liberal party than were his colleagues. Furthermore, he warned that to oppose the wishes of the farmers could be to place the whole future of the Legislative Council in jeopardy:

It would be quite possible, though I do not think it will happen, that by disunion in our own ranks and by mismanagement in 1915 the anarchist party might secure a majority in another place and they might send up a Bill providing for the extinction of the Council or for a radical change in the bicameral system under which we are governed and, if we have not the support of the farmers and their friends, there is a strong possibility that the referendum might be carried.³²

His pleas and warnings were in vain. Thynne successfully moved the deletion of "stock agents", an amendment to which the Assembly would not agree and the Bill was dropped. Of the

Pure Seed Bill, the Council amended two clauses and deleted twelve. The Assembly rejected the Council's amendments and when the Bill returned to the upper house, Barlow, in seeking its passage, again asked the Council not to put the farmers on the side of the Labor party. The Council, apparently conceding the worth of his warnings, allowed the Bill to pass with only minor amendments.

Despite this concession, the Government seemed bent on refusing any of the demands of the farmers which would in any way run counter to their business, commerce or philosophy. This was further emphasized when Rankin introduced a private member's bill to establish sugar cane prices boards on the lines recommended by the Royal Commission. Ryan, naturally, was anxious that the debate on the Bill be not delayed. While his support for the cane prices boards was genuine, the political advantage to be gained from manoeuvring Denham into a rejection of Rankin's Bill would be considerable and probably of long standing. Though Rankin had introduced the Bill on 15 October, it was not until 5 November that the second reading began. During Rankin's speech Ryan, through interjection, was as keen to have it admitted that the principle of controlling prices was in the Bill as Rankin was to insist that it was not there. Denham thought otherwise. With the possibility of more country members defying the Government, he revived the hoary old threat of socialism saying: "To my mind there are principles of a fundamental character, of an economic character and of a political character that, if endorsed, would lead us a long way on the track of the nationalisation of all the means of production, distribution and exchange".³³ Yet he could not forever ignore the "Country party's" complaints of price rings robbing the primary producers and, to counter the mounting questioning of the actions of those who were already fixing prices but not in the interests of the consumers, he added: "honourable understandings, combines, and trusts of any kind whatsoever will be dealt with, if we are spared, in the next session of Parliament."

Opposition to Rankin's Bill extended beyond parliament. Gillies claimed that at a recent sugar conference in Sydney, the

CSR had refused to discuss a new price agreement with the growers' delegates unless they would agree to repudiate Rankin's Bill.³⁴ It was necessary therefore for Denham to delay its progress as much as possible. Consequently, on the night of 5 November E. J. Caine, the Government member for Bowen, moved the adjournment of the debate. Ryan protested that unless a division was taken that night it would be impossible to get the Bill through the other stages and send it up to the Council before the session closed. However, Denham refused to be drawn and the debate was adjourned. When the debate resumed a week later, eleven Government members crossed the floor to have the second reading carried by thirty-one votes to twenty-eight: This was the end Ryan had sought, a division in the Government on a major issue. He pressed for an immediate decision as to when the committee stage of the Bill would be considered as the house was only a few days off rising for the Christmas recess. Denham made the quite remarkable admission: "It is quite understood that we shall never get there". The Premier had landed himself squarely in Ryan's net.³⁵

As the session closed the political honours were undoubtedly with the Labor opposition. Denham was coming under greater fire from country interests inside and outside the parliament. The *Daily Mail* in an editorial entitled "The Need for a Country Party" said:

One of the chief objects in forming a Country Party in Queensland was to prevent the Labour Party coming to power in the next election. It was contended that the present two party system gives Labour a chance of securing a majority at the next election . . . the barrenness of the session just closed certainly has not made the hopes of the Liberals any better, however some people might say to the contrary.³⁶

However, it was not only the "Country party" which was upsetting the Liberals; their whole extra-parliamentary organization was in a state of disarray. At the close of the session a circular was issued by E. W. Archer, president, and G. H. Blockside, chairman of the executive of the Liberal Association of Queensland, regarding a crisis which had arisen in the Liberal party over the lack of funds and supporters. It further deplored

the apathy existing in Liberal ranks and the effect this would have on coming elections.³⁷ A special meeting held at the Albert Hall on 2 December 1913, indicated that despite appealing speeches by Archer, Denham and others, the Liberal organization was seriously declining in efficiency. None of this could have been encouraging to Denham whose continuing lack of definitiveness as a leader was again apparent in his method of selecting an Acting-Premier during his absence overseas. Previously when the Premier had been absent he had appointed Barlow from the Council. On this occasion, however, the State waited for a month while Denham pondered. He finally decided to hold a ballot to allow the parliamentarians to decide between Barnes and Blair, with the Clerk of the Parliament acting as returning officer. Governor MacGregor remarked in his despatch to the Colonial Secretary:

The action of Mr. Denham in leaving the selection of his *locums temens* to a ballot of the members of his party . . . has not proved conducive to harmony among the Ministers themselves, nor has it given satisfaction to the Liberal party generally. There is latent feeling of discontent in the cabinet and beyond it.³⁸

Ryan, on the other hand, was firmly in command of the Labor party. Not only had he led the party well in parliament, but he had been an indefatigable worker outside, addressing meetings in as many city and country centres as time permitted. Furthermore, by incorporating the caucus in his decision-making and by seeking the opinions of the caucus on attitudes he proposed to adopt in the house, he avoided any opportunity for the charge of dictatorship or Kidstonism to be levelled at him. Above all Ryan, with Theodore and Hunter, demonstrated that a knowledge and understanding of the capitalist, free enterprise system, when combined with fluency and tenacity in argument, were the most powerful weapons available to Labor politicians. With confidence in his own ability and a charm that won the trust of his colleagues, Ryan was providing the necessary drive and inspiration as party leader to rehabilitate the political labor movement. It may well have been, as some observant contemporaries suggested, that Theodore outshone Ryan in brilliance;³⁹ however Ryan's broader education, his

more genial disposition and his greater experience of the law gave him the political advantage. In addition, his prestige within the labor movement increased in a case brought by Denham against Myles Ferricks over the latter's allegations during the Senate campaign. Though unsuccessful in his defence of Ferricks, Ryan was able to reach agreement with Denham over costs and to save Ferricks and the Labor party a considerable sum of money. His return of his fees of £150, plus a ten guinea donation, was genuinely appreciated in the movement.⁴⁰ Perhaps of equal significance in the broader political field was that his moderation in parliament had furthermore commended him to MacGregor, who, by the end of 1913, was reporting favourably on him in his dispatches to the Colonial Secretary.⁴¹

Ryan's campaign to woo the votes of the primary producers had been accepted in the party. The Literature Committee, appointed in 1912 by the CPE, reported in November that 10,000 copies of the special pamphlet *A Word to Farmers* had been distributed in the farming areas.⁴² The two Brisbane-based labor newspapers the *Daily Standard* and the *Worker* had begun printing special articles for the farmers and the *Standard* conducted a weekly column, "The Soil", in addition to its weekly column "Among the Unions". During the recess the PLP resolved to keep up the pressure by a campaign of visits by teams of politicians to various country areas.

It was on a platform of opposition to trusts and support for primary producers that the Labor party campaigned in a by-election in the central Queensland seat of Normanby in March 1914. Though it was a reasonably safe Liberal seat, having been won by 1490 votes to 966 in 1912, the Labor party, in the persons of Ryan, Adamson, Larcombe and Hardacre, threw itself vigorously into the campaign. It was only after the final count and the inclusion of postal votes that the Liberal candidate, E. W. Archer, a well-known central Queensland figure who had held Capricornia from 1903 to 1906, won with a majority of 129. The by-election seemed a good omen for Labor in rural areas and, throughout the parliamentary recess, Ryan continued to visit country centres emphasizing the same points in each

area: the Labor party was the true friend of the farmer; monopolies and middlemen were the farmers' main enemies; Denham had refused to pass the sugar legislation sought by the growers; the Premier had said he welcomed the American Meat Trust, and trusts and combines would have to be combatted by government action if high prices to the consumers were to be avoided.

Labor had the scent of final victory. Though the election was not due until April 1915, the CPE had taken the unusual step of urging the local Labor organizations to select their State candidates before June 1914, so as to have the maximum period for campaigning.⁴³ Since a large federal Labor vote in Queensland could be expected to assist state candidates, a joint committee of state and federal members, under Ryan as chairman, co-ordinated campaigning in the 1914 federal election. The Literature Committee, with the assistance of Boote in Sydney, was producing a number of pamphlets on topics affecting different electorates for pre-election distribution and, by having these published in the *Worker* first, their cost to the CPE was negligible. Because of the lack of space at the Trades Hall, the CPE had moved its office to the new *Worker* building where a closely-knit unit was built up among CPE members, the AWU executive and PLP executive. As long as this unit was composed of capable men of intelligence, ideas and distinct political ability, it made for a dynamic labor organization. Such men had been brought together in the 1912–1915 parliament. Ryan stood out as the political leader, tactician and policy initiator, but not as the motivating force behind most of the new organization that was going on in the party. The three AWU men, Theodore, Fihelly and McCormack, emerged as the principal innovators. On McCormack's suggestion, the CPE appointed Joseph Collings as political organizer in July 1914.⁴⁴ In addition, for the first time a central campaign committee was appointed, having ten months in which to prepare for the election. Theodore and Fihelly were responsible for propaganda. In July, a second committee began arranging for systematic organizing to be carried out in those electorates which could probably be won by Labor. At the same time the

AWU donated £400 to assist this organizing.⁴⁵

When the State parliament resumed in July 1914, the Labor party was eager and well prepared. But not so the Government. Dissension within the Liberal party had increased, causing MacGregor to note in his final despatch to the Colonial Secretary before retiring:

It is not impossible that a majority of leading men of the Liberal party may move for a change in the leadership before the next general election. It is certain that many of them believe that unless there is a change in leadership the party will be defeated.⁴⁶

The secretary of the Queensland Farmers Union had been making similar predictions, not in confidential despatches, but in frequent statements in the *Daily Mail* which were re-inforced by unflattering editorials on Denham and the Liberals. A month before the parliament resumed, the farmers' secretary wrote: "Our present attitude is not exactly one of antipathy to Liberalism. It is more a recognition of the possible downfall of the Liberals. Our grievance is not against the party but against the present Government."⁴⁷ Added to this were the problems to be faced by the arrival in Brisbane of the American Meat Trust. There was open disagreement in the cabinet regarding the Trust. John White, the Minister for Agriculture, had said that he welcomed the meat company and hoped that the price of meat would go still higher. Appel repudiated White's statement and claimed that when parliament met, a measure would be introduced to deal with trusts and combines.⁴⁸ It was mainly the pastoralists who welcomed Swifts to Queensland since they saw themselves gaining higher prices for their beef, but even MacGregor noted that this would seriously increase the cost of living to the rest of the community.⁴⁹

When the PLP reassembled on the day prior to the opening of parliament, Ryan and Theodore were re-elected leaders in ballots that were little more than formalities. In the election of the secretary, Fihelly narrowly defeated George Barber who had held the position for the previous ten years. Fihelly's win indicated something of the desire within the PLP to use the best brains available to secure office in 1915, though in some quarters it was taken as a sign that Catholics were trying to

assume control of the party⁵⁰ and that Labor was deliberately out to obtain Catholic votes. Neither Ryan nor the CPE accepted this.

For some obtuse reason, Denham seemed tied to political attitudes that were becoming outdated. He seemed incapable of drawing off Ryan's obviously strong points of attack. There was no mention in the Governor's speech of cane prices boards nor of legislation to be brought forward to deal with trusts and combines. Moreover there had been numbers of conflicting statements by ministers and government backbenchers during the previous year on trusts and legislation for primary producers. Ryan was afforded ample areas to exploit the divisions among the Liberals and as he concluded his address in reply speech, he chose the most obvious one by moving an amendment to have legislation submitted to parliament, without delay, establishing "representative and impartial tribunals to secure fair prices and conditions to sugar cane suppliers."⁵¹ The amendment came as a surprise to Denham who was forced to treat it as a want of confidence motion to prevent any desertions of Government members. Rankin was placed in an invidious position and could extricate himself only by agreeing to the amendment being a motion of no confidence. The success of Ryan's tactic was not lost on the *Daily Mail* which pointed out in an editorial: "The course they [Rankin and Country party members] tried to steer was an impossible one from the commencement. Now they have been torpedoed and must make for shelter".⁵² Although Ryan's amendment was defeated, with no Government members crossing the floor, several cane growers' associations wrote endorsing his actions,⁵³ adding to the number who had already commended support for such boards.

Opposition speakers following Ryan emphasized two points: a better deal for primary producers and the control of price rings and trusts. The latter was becoming increasingly the area where Labor could appeal to metropolitan electors, using the presence of the American Meat Trust as a whipping horse. Denham had claimed that no injury had been done in the State by trusts and combines, and that it had not been proven that the

operations of the meat companies were injurious to the welfare of residents of the State. The outbreak of war in August 1914 was to alter his opinions.

The Premier's announcement that Australia was at war with Germany was accepted by all parties. Though there were reservations in small sections of the Labor party, that party agreed with the assistance offered by the Commonwealth Government to Britain. Where disquiet was soon to arise was in the fields of prices and unemployment when these were affected by the war. Denham said the Government would take action to prevent gambling in food supplies, but some of his backbenchers had developed a penchant for scrutinizing in public, rising food prices, the dumping of edible fish, and the sale of diseased cattle; all of these were newsworthy, reportable and marvellous political propaganda for the Opposition.

A telegram from the Agent-General on 6 August had given the impression that the British Government wished the Queensland Government to obtain every pound of meat available for export to Britain.⁵⁴ Acting on this assumption, Denham called together the meat companies in the city for a conference on the best method of meeting the British requirements. His faith in the integrity of the companies' representatives was shattered. He wrote to Sir Thomas Robinson the Agent-General: "I could realise that there was no disposition to help in the least degree, on the contrary . . . they were all out to make money . . . they intended to score the fullest thing they could under the circumstances."⁵⁵ It was because of this unco-operative attitude of the meat companies in what Denham regarded as a crucial period for Britain and the Empire that he had a bill drawn up giving the Government power to commandeer the whole of the meat supplies in the name of the British Government. On 11 August, Barnes as Acting-Premier introduced into the house the Meat Supply for Imperial Uses Bill, probably one of the most important pieces of legislation to be considered during the whole war period.

Before the Bill was presented, Barnes supplied Ryan with a private copy and explained its importance. Ryan expressed his support for the measure, but thought that because of its import-

ance and because “there are practically no political parties now so far as this particular war is concerned”, the Government should have called a conference of representatives of the Government and Opposition to assist with framing the principles of the Bill before it came into the house. In his second reading speech, he pointed out several weaknesses in the Bill which could have been ironed out beforehand; chief among these was the absence of any provision for taking over the meatworks if the companies refused to go on killing.⁵⁶ Despite these criticism, the Bill went through all stages in the Assembly and the Council in one day and was gazetted on the next. The passing of the Bill did nothing to halt the rise in local beef prices. Though Denham denied in public that the American meat company was forcing up the price of meat, in private correspondence with the Agent-General he admitted that the meat companies were deliberately making local meat buying prices higher so as to secure greater returns on the imperial market. As a consequence, selling prices to local consumers also rose.⁵⁷

Pressure on governments to deal with rising prices was Australia-wide. On his return from a conference of premiers, Denham revealed that agreement had been reached on the introduction of legislation to deal with food supplies and to provide statistics of food available and the price of this; so as to prevent any attempts to corner supplies. The Control of Trade Bill introduced immediately on his return was described as a bill “to protect the community during a period of national calamity” and to establish boards in the south, centre and north of the State to fix prices of certain commodities. Ryan supported the Bill – “a somewhat urgent one” – emphasizing that apart from the general advisability of regulating prices at normal times, the war situation made such a move even more imperative. The Bill, not unnaturally, raised the old questions of the basic philosophy of fixing prices.⁵⁸ To conservatives like Philp, Archer and Rankin this Bill was not one to regulate prices, but was simply a means of preventing the cornering of markets.

While concern was obvious in the PLP about the social consequences of the war, optimism about the coming state

elections was increasing. Labor hopes were bolstered by the result of the 1914 federal election where the Labor majority in Queensland had increased from 66,820 to 116,252 since the election of 1913. Using polling booth figures, the *Daily Standard* claimed that twenty-six State seats held by the Liberal party had Labor majorities.⁵⁹ While the Government faced continued opposition from the Labor party over its inability to regulate prices satisfactorily, it had to contend with the continuous pressure also from the "Country party" element in its own ranks. This pressure led to a new spate of bills regarding primary industries which were introduced in the second half of the session. By this stage, the end of the parliament was in sight and from the supply debate in late October it was election campaigning all the way, with Ryan on the attack and Denham and his Government seeming to perform worse the harder he tried to bolster his fortunes.

A major blunder occurred with the refusal to grant automatic pay increases to the lowest paid public servants. Though some of the most senior public servants had received salary increases, Barnes, the Treasurer, blamed the effect of the war on finances as the reason for stopping automatic pay increases which, he said, would have to wait a more favourable occasion. It opened the way for Ryan to become the champion of the public servants. "A more reasonable and sounder policy" he said, "would have been to grant those automatic increases and then make reductions from the whole of the salaries on a sliding scale. In that way the man with a higher salary would bear his pro-rata share of the amount that was being kept from the public servants".⁶⁰ Denham tried to defend the Government but was countered by Theodore who attacked the Government's paltriness in its payment of other Government employees, notably railway workers and teachers. Two thousand four hundred railwaymen engaged on construction work had been paid eight shillings or nine shillings a day since 1910, although the cost of living had increased markedly in that time. Theodore aptly summed up labor opinion: "I am sure that thousands of men who are getting eight shillings a day must have felt an extraordinary thrill of pleasure in hearing they were

to be sacrificed for the sake of saving wealthy members of the community from additional taxation.”⁶¹

In the meantime, additional Labor organizers were appointed in marginal seats; grants were made to candidates in some electorates to enable them to organize their campaign more efficiently⁶² and twenty-seven special pamphlets were prepared, published in the *Worker* and the *Daily Standard*, and allocated to various electorates according to the type of electorate and the wishes of the local Labor bodies.⁶³ In addition to the £400 donation from the AWU, £200 was voted from the CPE general fund for State election organizing.⁶⁴ Not since 1893 had there been such a spurt of optimism in the labor movement.

On the Government side the position had become worse with the breaking up and final disbanding of the Liberal association early in November.⁶⁵ To stem the flow of votes away from it, the Government introduced further amendments to the Electoral Act. These provided for compulsory enrolment, compulsory voting and bi-monthly revision courts, but refused votes to soldiers unless they were actually residents in their electorates. While the first three were expected to reduce the absence of Liberal voters from the polls and to make it more difficult for itinerant Labor voters to remain on the roll, the provision denying soldiers their right to vote at a time when enthusiasm for the war ran high, reeked of political stupidity.

The Labor caucus voted to oppose compulsory voting,⁶⁶ but did not press this in the house. Instead it concentrated its attack on the revision courts and the absence of votes for soldiers. During the introduction of the Bill, Ryan moved a lengthy though unsuccessful amendment to provide for a broader franchise, abolition of postal voting and property franchise and “the recording of the votes of all volunteers leaving Queensland in any expeditionary force for the purpose of the defence of the British Empire and its allies”.⁶⁷ Remaining Labor speakers stonewalled for five and half hours on this amendment. During the second reading Ryan was again able to play on the Government’s lack of patriotism in not allowing the soldiers to vote. This was a good tactic. Government members themselves were

scandalized at the lack of foresight of the cabinet in not providing for the soldiers' votes. But the initiative remained with Ryan. When the third reading of the Bill came forward – still without a clause providing for the soldiers' vote – he moved that it be recommitted to insert an amendment allowing the soldiers to vote in the districts where they had been enrolled. Appel proposed a different amendment to give soldiers the right to appoint a proxy to vote on their behalf,⁶⁸ while Philp in a moment of patriotic fervour wanted to give the soldiers two votes each. Ryan was prepared to accept Appel's amendment and the soldiers received their votes.

Towards the end of November tension within the Liberal party had reached such a point that a "round robin" was being signed and circulated seeking Denham's resignation as party leader. The *Daily Mail* especially made a point of highlighting its existence and printing confidential interviews between its reporter and various government members. Though the document was canvassed widely in the press, many members of the Government party denied any knowledge of it. However, Denham, in an interview with Sir Arthur Morgan, the Lieutenant-Governor, revealed that he had seen the documents which was signed by about twenty-one members. He said he was prepared to put himself to a vote of his party but would seek a dissolution if an adverse vote was carried.⁶⁹ With evidence of such dissatisfaction in the Liberal party and with four of the five Brisbane dailies against Denham's remaining as Premier, on 30 November Ryan moved a want of confidence motion in the Government, listing eleven reasons on which this was based. If he thought the Government might finally split he was badly mistaken. Even with their internal disputes, they refused to be drawn into his net for such obvious political reasons, preferring to continue their fight behind closed party doors rather than in the open parliamentary atmosphere. The motion was defeated on a party vote.

As the session closed, despite attempts by the Government to buy votes with more farm legislation and legislation for fourteen new railways – more than in the previous three years together – the Liberal party was not in a favourable position to

fight the coming election. Throughout the session Ryan had held the initiative and had used his position as Opposition Leader shrewdly. Many of Denham's difficulties had been due to the man opposite him. Ryan had chosen a limited number of important issues, but had concentrated attention on these in parliament, at the same time using the Legislative Assembly and countless other public meetings to expound and explain key Labor policies. Denham's troubles did not cease with the closing of parliament. In January, the Liberal party met and in a ballot for the leadership, he defeated Rankin by twenty-five to twenty-one.⁷⁰ Two ministers, Appel and Paget, resigned from the cabinet before the general election, while Blair declined Denham's endorsement and stood as an Independent.

In his last despatch as Lieutenant-Governor before the arrival of the new Governor, Sir Hamilton Goold-Adams, Morgan thought that the Government's defeat at the election "would appear to be almost inevitable". He reported that the opposition of a "confident and thoroughly well organised Labour party" added to "the hostility of the liquor interests, the scarcely disguised opposition of the majority of Roman Catholic voters and the discontent of the pastoralists" would combine to bring about this defeat.⁷¹ It is doubtful whether discontented pastoralists would have contributed many votes to the Labor party, or whether liquor interests would have favoured Labor given its strong temperance action and its "nationalisation with a view to total prohibition" plank in regard to liquor. On the other hand, they may shrewdly have considered that a party depending on workingmen's votes would be less likely to interfere with the sale of workingmen's beer, even though they might regulate its price.⁷² There is evidence that an increasing number of Catholics were now supporting Labor although this was not through any conscious effort on the part of Labor itself. More likely reasons for Morgan's concluding that Catholics were likely to vote Labor were, firstly, that the party had resolved at the 1913 convention to seek the repeal of compulsory Bible reading, secondly, that there was no obviously anti-Catholic nor Protestant bias in Labor's political attitudes and, thirdly, that, among the front-

bench members of the PLP, five were Catholics and therefore the church could more hopefully look forward to Government aid for its schools here than it could from the Protestants leading the Liberal party. After all, was not Ryan a long-standing and close friend of Archbishop Duhig? It could only have been a hope, for Ryan and his Catholic colleagues maintained the traditional Labor stand on religion being kept out of education and would not be drawn into providing Government aid to Catholic schools, nor would Ryan be drawn into antagonizing Protestants by promising to repeal Bible reading in schools.⁷³

In an atmosphere charged with the tensions of war, unemployment and rising prices coupled with excitement at the scent of victory at the polls, Ryan drew up his policy speech, discussed it with the CPE and formally began his campaign. For the first time a Labor leader would deliver a policy speech and not simply issue a manifesto. Ryan chose Barcaldine as his venue and on 29 March delivered a two-hour address which covered all the weaknesses and mistakes of the Government's previous term and then presented Labor's alternative policies. Government failures in regard to prices, primary production, land, mining, public servants and railways were all dealt with while the basis of his alternative policies lay in state enterprises and state action: "The Labour party believes that by a further extension of public ownership and the establishment of state enterprises, the community will be saved from a great deal of exploitation at the hands of private capitalists". He promised state batteries, coal mines, saw mills, agricultural machinery works, freezing works, sugar mills, refineries, produce agencies and abattoirs.⁷⁴

Following his policy speech, he set out on a physically exhausting three weeks' tour of north Queensland, addressing meetings in every major centre; he then undertook similar tours of central and southern Queensland. Both Holman and Fisher assisted in the campaign which received a boost early in March with the news that the South Australian Labor party had won the election there, at the same time defeating the Premier and Attorney-General in their electorates.

Election day produced an overwhelming victory for the

Labor party which gained forty-six out of the seventy-two seats. Ryan won Barcoo by 1962 votes to 573, while Denham lost Oxley by 143 votes. Of the twenty-one new seats won, eight were metropolitan or near metropolitan, while five included substantial sugar areas.

For some Labor supporters it seemed that the millennium had come. Ryan was more sanguine. On the night of the poll he remarked that now Labor had won, many people would want the moon. He warned that they might have to be content with a few moonbeams.⁷⁵

5 The Lines of Battle are Drawn

The new caucus assembled at Parliament House on 31 May 1915. Bowman moved that Ryan be elected Leader; however, the latter insisted that the caucus rules be followed and that a ballot be held. Not unexpectedly, Ryan was elected Leader, unanimously, and without opposition. Many members of the caucus wanted next to elect the Speaker, rather than any cabinet ministers, on the grounds that his position was more vital and that committees rather than single ministers should control departments. It was only after a lengthy debate that the caucus agreed to elect the seven ministers additional to Ryan as provided in the Officials in Parliament Act. On the first ballot, five ministers – Theodore, Bowman, Lennon, Hunter and Adamson – were elected, while Hardacre received the requisite votes on the second. Theodore was elected Deputy-Leader. However, when the question was raised about the eighth minister, who, under the Act, would have to sit in the Legislative Council, a second long debate took place. Many members refused to recognize the Council as a part of parliament, let alone permit one of their elected Labor colleagues to be appointed there. It required all of Ryan's tact and diplomacy to convince them that an eighth minister should be elected and that the business before caucus should proceed. When Hamilton was finally chosen as the eighth minister, his exact status was left unresolved until a further meeting. In the ballot for the speakership, McCormack and Huxham tied with twenty-two votes each. Ryan exercised his casting vote in favour of McCormack.¹ There was wisdom in this. McCormack was an ambitious, blunt man and had no great regard for non-working

class Labor members like Ryan, Hunter and Lennon. As Speaker he could be passed over for any new ministerial appointments which, in view of Bowman's health, could be required at any time. With McCormack outside the cabinet, there would be less chance of a rival camp being formed in the ministry, which could therefore function more efficiently.

It was left to the Premier to allocate portfolios and when he announced these on the next morning, prior to the swearing in by the Governor, there were some surprises.² Ryan took the portfolios of Chief Secretary, Attorney-General and Minister for Mines. Theodore was given the Treasury and Public Works. It was through the latter that a day labour system was planned and that Labor's industrial legislation was to be introduced. Bowman became Home Secretary, a position which suited his humanitarian ideals and his long interest in welfare institutions. Lennon, though not a primary producer, was given Agriculture and Stock on the grounds of his capabilities as an administrator and his knowledge of the sugar industry which promised to be one of the major problems facing the new Government. It was for similar reasons that Ryan appointed Hunter to the Lands portfolio instead of Hardacre, the party's acknowledged expert on lands. Hunter had been elected by selectors, he appreciated the significance of land, he was experienced in administration and, with Labor's plans for introducing perpetual lease instead of freehold and for using land taxes to break up large unused estates, his greater ability and business experience made him more suited to the task than Hardacre. Railways, next on the list of priorities, was given to Adamson. This left Public Instruction and Hardacre. It was an unfortunate combination. A knowledgeable and progressive minister for Public Instruction could have done as much to lay the foundations of the new society which Labor sought, as could a treasurer, a minister for public works or a lands minister. Hardacre had no real interest in education beyond its providing the rudimentary knowledge necessary to obtain a job, but he had been elected seventh and education was seventh in the Labor order of priorities. The Catholic newspapers in Brisbane had hoped that Fihelly would be given Public Instruction as they felt that a Catholic minister

would provide some Government assistance to Catholic schools.³ This allocation by Ryan left Hamilton without a department, but clearly Ryan intended that he would take over Mines and go to the Council. In the meantime, until the PLP's attitude to the Council was resolved he was made Minister without Portfolio.

Ryan was cautious in his handling of caucus on the Legislative Council issue. From the first meeting, the caucus had indicated that it would jealously maintain its supremacy over the cabinet and the Premier. There was nothing therefore to be gained by trying to force the members to accept the unpalatable truth that Hamilton would have to be appointed to the upper house. He assured them that no appointments would be made to the Council without the caucus being consulted and that, in addition, the Governor's speech would be submitted to them before being read in parliament. In time the logic of having a Government Leader in the upper house would make itself felt.

While caucus made up its mind, Ryan was able to view the problems before him. Undoubtedly the most important of these was the Legislative Council. Composed as it was of men of property and commerce, who received no direct salary for attending parliament but who saw their role as protecting the State's commercial interests, it was unlikely to look favourable on the economic and industrial legislation which the Government was determined to enact. A. C. V. Melbourne in his manuscript on constitutional development in Queensland correctly established the *raison d'être* of the upper house: "The Legislative Council, consisting of members nominated by the Governor-in-Council for life, would, it was thought be a bulwark against rash or hasty legislation, would be independent of popular opinion, would in fact protect interests against democracy."⁴ Ryan appreciated that it could not be ignored, as some members of his party had deluded themselves into believing. Its abolition would not be easy and the Government would have to learn to live with it as Labor governments had in the other states. It would be most unlikely that the new governor, Sir Hamilton Goold-Adams, would agree to swamping the Council with Labor nominees. Handling the upper house

would therefore require tact, a display of reasonableness and an avoidance of an early head-on collision which could cause the members of the Council to adopt an implacable stand of opposition to all the Government's economic, industrial or rural legislation.

While the opposition provided by the Council was likely to be severe, that in the Assembly seemed to offer few problems. Denham, Barnes, White, Blair and Macrossan had all been defeated. Only Macartney and Tomie on the Opposition front-bench had previous cabinet experience and though both had been successful in their careers outside parliament, neither had had an impressive political career. Macartney, unwillingly, accepted the position of Leader of the Opposition.

For Ryan, in June 1915, other questions besides the Council and the Opposition in the Assembly required immediate attention. In the sugar industry, a drought had caused the CSR to import sugar into Australia while the growers and millers were demanding that the price of refined sugar should be raised from £15 to £23 a ton.⁵ The war, coming on top of the drought, had reduced the supply of meat in the State leaving only a small quantity of highly-priced meat for local consumption. The proclaimed prices of foodstuffs were being disregarded throughout the State while speculators seemed to be taking advantage of the drought, the war and the hiatus of the election campaign to make huge profits from the sale of wheat and butter. To cap these, the war was preventing the State from obtaining loans on the London market with which to institute public works to absorb the unemployed and to build new railway lines to open up more land. As the prices boards were administered by the Chief Secretary's Department, Ryan found himself personally confronted with the problem of rising food prices. His forte was the law, not marketing, and he quickly called in Hunter who understood the problem better and had him assume the responsibility for administering the prices legislation.

A shortage of wheat in southern Queensland had become evident late in 1914 when, owing to the drought in eastern Australia, the Darling Downs crop was smaller and New South

Wales had been able to supply only a quarter of its usual quota. To overcome the shortage, Denham had ordered a shipment of wheat from Argentina which did not arrive until mid-August, two months after the scheduled date of delivery. This delay, together with the New South Wales embargo on the export of wheat, caused a steep rise in the price of flour at the Brisbane mills. Believing that speculators were making profits at the expense of the consumers, Ryan appointed Judge MacNaughton as a Royal Commissioner on 7 June to enquire into the supply and distribution of wheat and flour in the State. MacNaughton reported that the price of flour had doubled in the previous twelve months, though he discounted the presence of any price ring operating to force up the price of wheat. Two factors, he said, had caused the shortage and therefore the increased price; these were the refusal of the previous Government to undertake to resell at fixed prices wheat offered by the New South Wales Government, and the export of 142,000 bushels of Queensland wheat to Victoria. By August 1915 the price of flour had risen from £8.15s. a ton in the previous season through £13 a ton in December, £17.10s. a ton in May to £20.12s. a ton. The farmers whose wheat prices had risen from 3s.7d. a bushel to 5s.11d. a bushel had made a profit, the bakers who had bought their flour early in 1914 reaped the benefit of the later rise in the price of flour and bread and the millers too had profited by the rise in the price of flour. Only the consumer made a loss.⁶ Overall the shortage of wheat presented two problems: consumers were being forced to pay higher prices for bread and mills were closing down thus throwing employees out of work. Ryan's method of dealing with the wheat problem was to reveal his formula for regulating prices in other rural industries. Firstly, the consumer had to be protected and the employment of the workers in the industry secured; secondly, to stabilize the industry and ensure that fair wages were paid, producers and manufacturers needed to be guaranteed reasonable prices. Both of these he believed could be achieved through a system of orderly marketing using the power contained in Denham's Control of Trade Act. Accordingly, with the arrival of the Argentine wheat, the price of flour was fixed at £17.10s. a ton,

the price of bread at 4½d. a loaf and no wheat was to be imported until the surplus of Argentine wheat was used. Only when the new harvest came was the embargo lifted. The price of bread remained fixed.

A similar problem of a shortage of butter for the local market and a consequent rise in price had been caused by exports to Victoria. To overcome what Ryan again termed "the organised effort on the part of speculators" to raise, deliberately, the price of butter, a proclamation was issued under the Control of Trade Act requiring seven days' notice of the intention to export butter. Thereupon Government officers commandeered the butter at the proclaimed price of 196s. a cwt. which was 24s. less than the price in Melbourne. The butter was stored and, when the needs of Queensland were satisfied, exported by the Government which distributed the profits among the farmers. Needless to say, not all butter producers appreciated this concern for the State's consumers or for any orderly marketing of their product. One in particular, W. Bebbington, the member for Drayton on the Darling Downs, was to squeeze a reference to the Government's "stealing the farmers' butter" into almost every speech he made in the Legislative Assembly. While the immediate problems associated with wheat and butter were solved soon after the Government took office, those associated with meat and sugar, two of the principal primary products of the State, were to provide difficulties throughout Ryan's period as Premier.

In dealing with these and other questions, Ryan was to have the services of a number of colleagues and public servants who were to serve him extremely well. Hunter and Theodore have already been mentioned. To assist in the regulation of meat supply to the allied troops and to local consumers, he was fortunate in inheriting from Denham two very capable men, both of whom had a knowledge of the meat export trade. The first of these, Sir Thomas Robinson, had been appointed Agent-General in London in 1909. Prior to his appointment, he had been the manager of several large firms of Queensland merchants and had been partly responsible for merging the Australian Steam and Navigation Company and the Queensland

Steamship Company to form the Australian United Steam and Navigation Company. In addition he had served as a major in two of the State's militia regiments.⁷ With this background, it would have seemed unlikely that he and a Labor premier would develop not only a close association to break the power of the meat export companies, but also a strong personal friendship. The second Government officer was Charles Ross who had been appointed Imperial Meat Officer by Denham in February 1915. Ross had been a meat company's representative for fifteen years and later general manager of the Queensland Meat Export Company. He had been appointed to the position of Imperial Meat Officer to provide the co-ordination for exporting the huge quantities of meat required for the allied armies in Europe.⁸ As with Robinson, he soon joined in the unlikely role of assisting a Labor government to break the power of the meat export companies and to ensure that there was a sufficient supply of meat for the local market. The minister through whom he operated for most of the time was Hunter, acting for Ryan in the Chief Secretary's Department. It was to be through Robinson in London and Hunter and Ross in Brisbane that Ryan was to demonstrate that a Labor government, if strong enough, could successfully confront one of the great financial powers in the State.

Two other public servants whom he inherited should be mentioned here since they were to serve Ryan well in his confrontation with the meat companies, as well as in other fields. Peter McDermott had been Under Secretary in the Chief Secretary's office since 1904. A Catholic, classicist, minor poet, literary friend of Henry Boote and president of the Queensland Irish Association, he was to find in Ryan a premier whom he admired greatly. Their similarities in temperament, religion, background and studies in the classics provided Ryan with a close personal friend whose work was the supervising of the Department where Ryan was to do most of his work.⁹ As Crown Solicitor, Ryan inherited Thomas McCawley who had been appointed to that position in 1910 by the previous Attorney-General, O'Sullivan, even though he was then only twenty-eight. McCawley had come from a large poor Catholic

family and had worked his way through pupil teaching and the Public Service to become a barrister in the Crown Law Office. He was not to practice as a barrister but his capacity for understanding and interpreting the law had provided a rapid passage through the Public Service. It was to be McCawley on whose legal advice Ryan was to lean during the first two years of his Government and on whom the cabinet was to rely in drafting its more contentious industrial legislation.¹⁰

A study of the correspondence on meat between Robinson and Denham soon showed that Ryan's election warnings on the need for stronger Government control of the meat export trade were well founded. He found that Robinson had cabled Denham in January stating that the British Government wanted all the frozen meat available in Australia (Queensland provided eighty-three per cent of this) and asked the Queensland Government to "assume control of the meatworks . . . and proceed to operate works on their behalf so that all meat available for export shall be theirs."¹¹ The British were not concerned how Queensland controlled the meatworks, and were quite prepared to finance the leasing of these if necessary. Denham had balked at the idea of trying to assume physical control of the meatworks, preferring to reach an agreement with the companies.¹² Clearly, however, there would have to be a showdown between the companies and the Government on the prices being demanded. Shortly before the election, Owen Cox, the meat companies' representative in Sydney, threatened that if the price of Queensland beef, then 4½d. a pound was not raised closer to the New South Wales price of 4 7/8d. a pound, beef normally treated in Queensland would be sent to the Sydney works.¹³ Meatworks in Queensland were, in fact, beginning to close down as the new Government assumed office. In view of this, Ryan had Ross ask the companies to submit their books to the Chief Secretary's office so that, if they were sustaining a loss, the British Government could be asked to pay compensation. The companies refused¹⁴ and it therefore became necessary for the Government to provide legislation to commandeer meatworks just as Denham's Meat Supply for Imperial Uses Act had given power to acquire meat.

Further evidence of the immediate necessity for such a step was provided in a long cable from Robinson at the end of July. The British Government had appointed Robinson as the buyer of their overseas meat, so that in addition to his knowledge of the Queensland and Australian trade, he had acquired a knowledge of meat marketing throughout the whole world. In his dealing with meat companies in Britain, France and Italy he wrote that he was confronted with the same gentlemen representing the American meat packers – Swift, Armour, Morris, Archer and Sulzberg – who allowed no alternative supply as “they controlled the bulk of the refrigerated meat supplies in America, at the River Plate, Patagonia and in a more limited extent in Australia”. It had been only government intervention in Australia and New Zealand which had provided a temporary, though most beneficial check upon their operations. Some restraint had been placed on them as Britain owned nearly all the refrigerated ships afloat and this prevented a complete distribution monopoly. The recent expansion of their organization in Queensland indicated to Robinson “very clearly that they are endeavouring to take control of the meat trade in Australia.” He thought that several of the independent meatworks in Queensland could easily be controlled by the Trust in the near future and suggested that Ryan should give serious consideration to making the export of meat a state monopoly as the only way to keep some free competition existing. “This organisation”, he wrote, “works by means of many differently named companies, each taking a certain amount of local colour and in some cases equipped with influential local directors, in order if possible to make less the fact that they together form the ‘Meat Trust’ ”. Robinson explained how the British Government had taken over one of the British meatworks at the River Plate for the duration of the war, not only to increase meat supplies, but also to obtain reliable information as to the profits made by the companies. So successful had it been that Robinson suggested that the Queensland and British Governments should go into the meat business as a joint venture.¹⁵ As he continued to explore the possibilities, which included a Government line of steamers, he sounded less and less like the former manager of a

shipping company and more like a Labor politician. Yet his advice to Ryan was clear as had been his previous advice to Denham. If the Queensland meat export trade was not to be swallowed by the American Meat Trust with consequent damage to the local trade, then the Government would have to take control of the meatworks, not necessarily by acquiring them, but by having at least the power to control their operations.

Graziers continually denied the existence of any meat trust which was affecting the supply or price of meat in Queensland. Consequently, before he was prepared to enter into a fight with the meat companies and therefore the graziers supplying these, Ryan had to know what stock was available in the State. Before Robinson's cable of July had been received, inspectors from the department of agriculture and stock were sent out to ascertain the number and condition of killable cattle in the State. While Ryan and Hunter waited for the inspectors' reports and began to draw up the necessary legislation to give the Government power at least to compel the meat companies to keep their works open, Ryan took personal charge of the sugar question which promised to provide as many difficulties as that of meat.

The drought in 1914 had resulted in a shortage of 16,000 tons of sugar. Due to the continuation of the drought and the export of sugar to Canada by the CSR, it was anticipated that a further shortage would exist after the 1915-16 season.¹⁶ Because of this expected shortage both the CSR and the growers sought an increase in the price of refined sugar. However, Hughes, then Federal Attorney-General, was not satisfied with the expressed innocence of the CSR in its reasons for seeking a price rise and had used his power under the War Precautions Act to have a thorough investigation made of the sugar industry. The report was released on 31 May 1915.¹⁷ It showed that, while the shortage of sugar was in no way the fault of the Queensland growers, the CSR had not only known of the impending shortage well beforehand, but, by exporting sugar to Canada, had partially engineered it and now sought a rise in the price of sugar when the wartime legislation prevented its decreeing its own price and when it was too late for any government

to do anything about the shortage. To overcome the current short supply the Federal Government allowed the CSR to import cheap sugar from Java. However Ryan, Hughes and Fisher were anxious to stabilize the industry and to arrive at a scheme whereby a guaranteed price could be paid to the millers for raw sugar, consumers throughout the nation could obtain sugar at a reasonable price and the major industry of the tropics with its overtones of defence and white Australia could be preserved. The other questions, namely the price paid by the millers to the growers, the employment of non-white labour and the costs of labour could be settled at the State level. In June 1915 the whole future of the industry revolved about the price paid by the CSR for raw sugar and on this issue the CSR and Hughes were deadlocked. The result in Queensland was that mills were refusing to sign agreements with growers and, in turn, many growers were refusing to cut. The whole industry threatened to come to a standstill.

On several occasions during his period as Premier, Ryan was to find that he could settle matters more effectively through personal discussions rather than through lengthy correspondence. Preventing the sugar industry from collapsing was one of these occasions. With A. J. Gibson, manager of the Central Sugar Mills, he proceeded to Melbourne on 18 June to try to arrive at some solution with Fisher and Hughes. After a week's negotiation, an agreement was arrived at whereby the Queensland Government would acquire the whole of the 1915 crop at an average price of £18 a ton, an increase of £3 on the previous year's price. In turn the Commonwealth Government would purchase the sugar from Queensland at cost and sell the refined sugar to the community at the lowest possible price.¹⁸ The growers applauded the agreement, Rankin for the Opposition expressed his agreement, while Ryan said he saw it as one of the most important steps ever taken in the industry. There were grave doubts, however, as to the legality of the proclamation acquiring the crop and some questioning as to what would happen if the CSR refused to refine the sugar. Neither the Commonwealth nor the State Government had the power to force the CSR to refine the sugar nor had they the

power to acquire the refineries. Questioned on his return from Melbourne, Ryan was very guarded about discussing the agreement, declining to say under what statutory power he was working and being unwilling to make any statement which might cause the CSR to refuse to co-operate. He thought that all parties would be reasonable and that if there was sugar to refine the refineries would accept it.¹⁹ After a week of negotiations by Fisher and Hughes, the first consignment of commandeered sugar arrived at the CSR refinery at New Farm, Brisbane. The industry breathed again. Growers resumed cutting, the mills began to crush and the sugar question, in one aspect at least, seemed settled. The price between miller and grower could be settled under the prices boards legislation which the Labor party had promised.

Previous Queensland governments had left the sugar industry with legacies other than the running fight among growers, millers and the CSR. Before he left for Melbourne, Ryan was interviewed by a deputation of northern sugar workers who were unwilling to work in the industry while coloured aliens were also employed there. Under the Denham Sugar Cultivation Act, exemptions were given to employers to retain coloured labour. As Attorney-General, Ryan had been considering the large number of exemptions granted by the Denham Government. Ryan was a staunch supporter of white Australia, but unlike many of his Labor colleagues did not extend this to sacking coloured workers because they were not white. The employment of non-European labour, particularly Japanese and Indian was, he appreciated, a question of international consequence and one therefore to be handled quietly and with some tact. He did not indicate whether he would try to remove non-European labour from the industry, but informed the deputation that the Government would proceed along just lines, which seemed to satisfy them.²⁰ Other questions involving labour had been dealt with more quickly and without any deputations being needed. At the first cabinet meeting after the swearing in it was agreed that increases due to public servants since July 1914 would be paid for the full year. A month later all railway construction workers were granted a shilling a day

increase and Adamson began to draw up plans for increased railway construction which would open up more land and absorb many of the unemployed. Several deputations of unionists waited on Theodore seeking preference in employment. The 1912 Industrial Peace Act specifically prohibited any preference, but some prospects of absorbing the unemployed was provided with the Government's promise of a day labour force. Over all these hopes loomed the dark cloud of decreasing loan finance for State public works.

While wage earners and some primary producers could applaud the Government's actions in its first six weeks of office, the men of commerce were not so impressed. Additional proclamations were issued under the Control of Trade Act to try to prevent increases in general food prices. Denham's boards to fix prices were disbanded and replaced by a single controller of prices, Richard Sumner, a merchant and member of the CPE who had unsuccessfully contested a metropolitan seat for the Labor party in 1915. His appointment did not substantially halt the rise in food prices and it became obvious that stronger action than the issuing of proclamations would be required. The Interstate Conference of the Labor party met in Adelaide at the end of May and decided, after hearing the arguments of Hughes, the Attorney-General, to submit its constitutional amendments to another referendum. In Labor journals this became popularly known as the "prices referendum". Fearful of these attempts to restrict profits and to provide for a more equitable sharing of the nation's wealth, the employers' federations and chambers of commerce suggested a political truce between capital and labor and the abandonment of contentious class legislation for the duration of the war.²¹ The *Courier* asked Ryan whether any truce would apply in Queensland. His reply was unequivocal. Such a truce, he said, would mean nothing less than a government standing idly by while one section of the community was allowed to work its will on the other. "I don't notice that speculators observe any truce," he concluded. "There are others engaged in the forcing up of prices who do not observe a truce".²² His reply make it clear that he accepted that the Government had received a mandate to deal with high food

prices and would exercise its power to the full to regulate prices as soon as Sumner's investigations provided the necessary information.

When the caucus reassembled on 9 July, prior to the opening of parliament, Ryan was well in his stride as Premier. He outlined the bills which would be in the Governor's speech and again had to spend some considerable time settling the caucus down as resolutions regarding new legislation flew from all parts of the floor. It was only after a further long debate that the members reluctantly agreed to allow Hamilton to be appointed to the Council. Ryan's tact in leading the caucus again came to his aid and after another lengthy debate the PLP accepted his ruling that the cabinet ministers had been appointed for the full term of parliament and not merely for the first session. However, he accepted the demand of the caucus that it appoint its own committees to study bills before these were presented to parliament. Ryan also proposed that two additional honorary ministers should be appointed.²³ The work load in the Attorney-General's Department where the workers compensation legislation was being framed, when added to his duties as Chief Secretary, necessitated an assistant for him, while Bowman, whose health was becoming worse, clearly needed assistance. There was no argument in the caucus about the necessity for these and Huxham and Fihelly were elected. Ryan appointed Huxham Assistant Home Secretary and took Fihelly into the Attorney-General's Department as Assistant Minister for Justice.

In opening parliament with a speech by the Governor in the Legislative Council chamber, the Government retained traditional parliamentary practice, but the contents of the speech showed that a real change had come to the Queensland parliament. There was to be no truce between capital and labor even though a costly war was being fought. Queensland was the last state but one to elect a Labor government. During the previous twenty-five years, a platform and a hope had been built which might be modified according to circumstances, but which could not be postponed or abandoned. In this the leaders concurred with the rank and file. The speech began with an

appropriate reference to the war, noting that many in Australia did not appreciate fully the gigantic nature of the struggle that was in progress and that the Queensland Government was prepared to go further in producing more men, munitions and supplies for the troops at the front. In addition, plans were in hand for opening up huge areas of land for ex-servicemen from Queensland and from other parts of the Empire. Of more immediate local significance were the references to prices and to legislation to regulate these: "The want of effective machinery to protect the community from persons who continue unduly to inflate prices and to amass large fortunes out of necessary commodities," said the Governor, "makes it incumbent on my advisers to seek your authority for measures to regulate trade and cope with trusts and combines, and for a further extension of public ownership and the establishment of State enterprises." The coercive Industrial Peace Act was to be replaced by a system of industrial arbitration, emphasizing conciliation, and providing an arbitration court with extended powers; the laws relating to trade unions were to be amended providing greater protection for union funds and removing some of the disabilities under which unions operated; land laws were to be amended to provide for perpetual lease in place of freehold tenure; laws relating to compensation for injured employees were to be amended to include compulsory insurance with a state insurance office; property votes were to be abolished and the franchise in municipal and shire elections was to be made the same as that for state and federal elections i.e. universal adult.²⁴ In all, it was an ambitious programme and one that was not likely to be received with equanimity by those who, since Separation, had controlled the commercial, pastoral and political destinies of the State. In his first despatch to the Secretary of State for Colonies, Goold-Adams referred uneasily to the "mass of undigested legislation dealing with a variety of subjects affecting most seriously the body corporate" being introduced and to the "probable confusion" which would arise from it. But though he objected strongly to the type of legislation envisaged, he nevertheless reported favourably that the members of the cabinet were "men of strong character, intel-

ligent and in the widest sense, well informed on general questions." Relations between himself and the cabinet, he said, had been of a most friendly character, "and in Mr. Ryan I have found a gentleman of high standing, courteous and always ready to oblige."²⁵

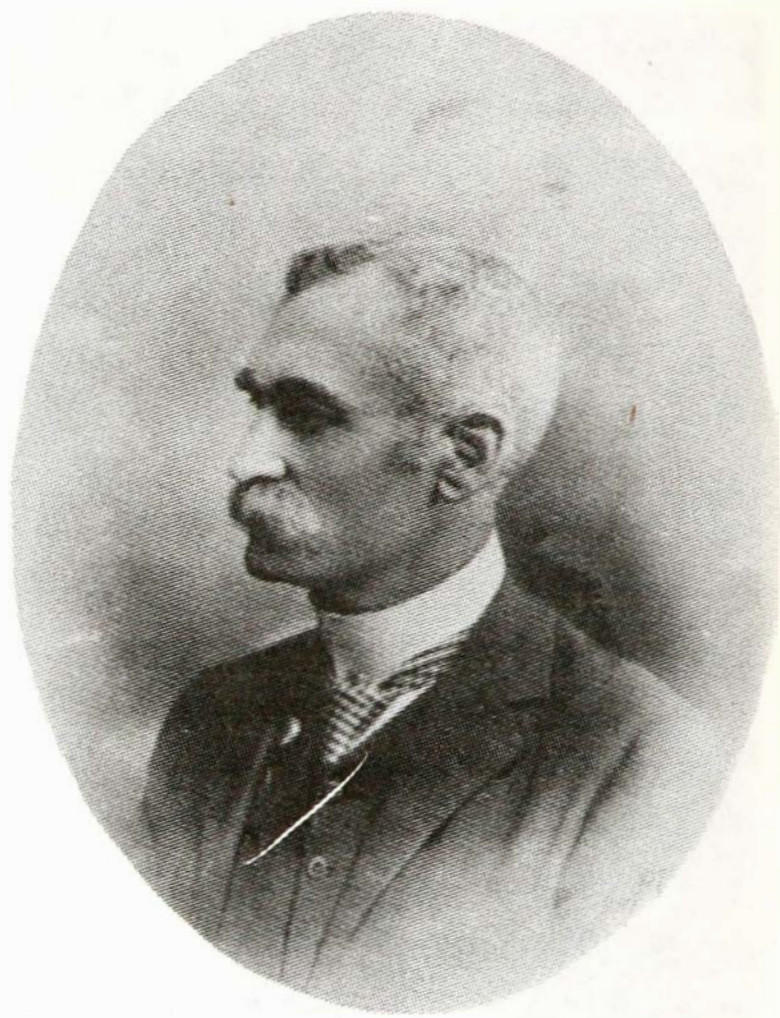
Macartney reflected the conservative opinion of the Labor legislation during the address in reply debate. He expressed his disappointment at the Government's issuing a programme "filled with contentious matter which would invite political strife" when only the war and the Empire should be considered. He further charged Ryan with doing nothing about rising prices except illegally confiscating the farmers' butter.²⁶ Ryan answered for the Government and dealt not so much with the charge of contentious legislation as with the problem of high prices and their causes. It was not contentious legislation, he said, which was holding up the war effort, but those who were concerned more with making profits than with "getting their heads down to the war effort". Those who were making greater profits in war time than they had ever made in time of peace could not be allowed to continue to do so while the Government sat idly by. "Private enterprise, more so in the time of war than even in peace, should be encroached upon in the interests of the whole people."²⁷ The lines of battle were drawn.



Outside the Universal Hotel, Blackall. Ryan with his two principal Barcoo organizers Jackie Howe (left) President of the W.P.O. Blackall and Paddy Sheehan, Secretary of the W.P.O. (c.1916). [Mr. A.T. Howe, Moorooka]



William McCormack [John Oxley Library, Brisbane]



John Huxham [John Oxley Library, Brisbane]



Herbert Hardacre [John Oxley Library, Brisbane]

6 Down to Work

Although Ryan valued the services and co-operation of his cabinet colleagues and those public servants close to him, he left little doubt that he would dominate the Government. He knew what legislation was required and what each bill would contain. In addition, by having Fihelly supervise the day-to-day running of the Justice Department and Hunter assume control of many of the functions of the Chief Secretary's Department, Ryan was freed to exercise an overall control of cabinet and to pay particular attention to those pieces of legislation that he regarded as crucial.

Because of its importance, Ryan elected to bring down the first piece of legislation, the Sugar Acquisition Bill, to ratify the earlier proclamation. He wanted every possible political advantage out of such legislation which was likely to be passed without too much opposition while the conservatives regrouped and waited to see whether Ryan's bite was as determined as his bark. The Bill proposed to go further than ratify the proclamation. It empowered the Government to acquire the 1916 crop and "any foodstuffs, commodities, goods, chattel or livestock", in fact any goods the Government brought under the Act by proclamation.¹ Such powers were wide but could be made to appear necessary in view of the war. Though the Opposition was prepared to allow the Bill through as an urgent war measure, Macartney reflected the uneasy conservative fears that "the legislation could be made use of by future governments to deal with industries from a socialistic point of view on conditions which may not have been appropriate to the times."² His fears were well founded. The Labor party had been corresponding

before and since the election with the Scaddan Labor Government in Western Australia about its introduction of state business enterprises. It found that Scaddan had used administrative, not legislative, action to establish these so as to avoid the rejection of such legislation by the Council.³ The Sugar Acquisition Act provided a basis for similar, though legal, action by Ryan's Government.

In line with Ryan's election promise, a Regulation of Sugar Cane Prices Bill was introduced to establish a Central Sugar Cane Prices Board and local boards to decide the price of sugar cane in the various areas. Growers and millers were represented on each local board. The Central Board, consisting of a District Court judge as chairman, a grower's representative, a millers' representative, an accountant and a chemist, was to act as an appeal board and could determine the price of cane in those areas where local boards did not exist or could not arrive at an agreement.⁴ In the second reading E. B. Swayne, a cane grower and Liberal member for Mirani, who had become the Opposition spokesman on sugar following Rankin's departure to the war, warmly commended the Bill. Certain minor amendments inserted by the Council were accepted and the Bill became law. It was accepted by the Government and by the growers that this was a new area of legislation and that the Act would require amending in the light of first year's experience. Nevertheless, as far as the growers were concerned, it seemed to provide an assurance that they would in future receive a fair price for their cane.

Among the criteria in the Act by which the boards would arrive at a fair price was a clause, (12b), which stated that the Board should take into consideration "the labour conditions under which the sugar cane is grown, harvested and delivered to the mill". There was nothing in the clause to suggest that it had been inserted to differentiate unfavourably against coloured workers, particularly Indians, but this construction was placed on it. Pooran Dabee Singh, leader of the Indian community in southern Queensland, petitioned the Governor complaining that the clause was prohibiting Indians from being employed in the sugar industry and that Japanese were not having the same

restrictions placed on them.⁵ Goold-Adams took the matter up with Ryan. It presented a problem requiring considerable political tact. There were many members of the PLP, of whom McCormack and Gillies were the leaders, whose opposition to non-whites seemed to be based more on racial than on economic grounds. On the other hand, the Secretary of State for Colonies had asked Goold-Adams to hold up the passing of sugar legislation which was reported to have been causing unemployment among Indians.⁶ The British Government was also anxious that relations with Japan should not be damaged during the war. Ryan frankly explained to the Governor the problem regarding his own party and said the Government would adhere strictly to the Sugar Cultivation Act regarding permits, but would also abide by the understanding arrived at with the Secretary of State for India, at the time the 1913 Act was under consideration, to grant to qualified Indians, resident in the State, permission to cultivate sugar and to work in the mills. He assured the Governor that Japanese and Indians would be treated alike and that a cabinet decision to that effect had been arrived at. Ryan however was not prepared to allow the ideal to overshadow the reality of politics. He said he would not reply to Singh's petition, as any reply would cause the whole question to be discussed again in labor circles with no advantage to anyone. He preferred to allow the matter to lie or as Goold-Adams wrote, "[the Government] would rather allow their supporters to remain in blissful ignorance of what they are doing". He did not consider that Ryan's solution was satisfactory, but grudgingly admitted that "it is possibly the best policy for the time being".⁷

While the questions of sugar, meat and food prices occupied much of Ryan's time in the early stages of the session, Theodore was drafting his important legislation dealing with unions, the arbitration system and unemployment. In the new Department of Labour, W. R. Crampton was appointed director. Crampton was on the board of the *Daily Standard*, secretary of the Meat Industry Employees' Union and probably one of the most competent union officials in the State. The fact that such a man was appointed to take charge of this new

department was in itself an indication of the Government's intention to handle industrial problems swiftly. A Labour Exchange Bill, an Industrial Arbitration Bill, a Workers' Compensation Bill and a Workers' Accommodation Bill were introduced straight away together with bills dealing with the inspection of scaffolding and machinery.

The Industrial Arbitration Bill and the Workers' Compensation Bill were at the very heart of Labor's industrial programme and had been among the legislative acts most sought in the previous twenty-five years. Theodore drew up the Industrial Arbitration Bill while Fihelly assisted Ryan with the Workers' Compensation Bill. In both cases, the archival records suggest that McCawley's role as Crown Solicitor was quite significant and that he took a leading role in drafting both bills. On 2 September Theodore moved the second reading of the Industrial Arbitration Bill in one of the best and clearest speeches of the session.⁸ The Bill was similar in intent to that of the Commonwealth and contained those better features of conciliation and arbitration that Mr. Justice Higgins was to outline in his article "A New Province for Law and Order" which the *Harvard Law Review* published in November 1915. Since the strikes of the 1890s, Labor had believed that a system of conciliation and compulsory arbitration would go a long way towards eliminating industrial strife in which experience had shown that the employees were the party worst affected in strikes and lockouts. To employers, on the other hand, such a system represented an attack on their economic freedom. Consequently, it was necessary that the Arbitration Court be given a high status and be backed by the full power of the State in the enforcement of its decrees. Theodore envisaged a system whereby unions would be recognized as an integral and essential party of any arbitration system; where an Arbitration Court, whose president would have the status of a Supreme Court judge, would consider factors such as cost of living, size of families and hours of work in making awards; where conciliation would play a major role with conciliation committees empowered to enter premises and examine paysheets and other documents; where government employees could form industrial

unions; and where a judge could grant preference to unionists in any industry if he thought it was required. To many unions this last point was the most vital in the Bill and Theodore went to great lengths to explain clearly that the Bill itself did not provide for preference to unionists but merely gave the Arbitration Court judge such power. The 1912 Industrial Peace Act had specifically prohibited such preferences.

Most Opposition speakers complimented Theodore on the thoroughness of his speech, but expressed complete opposition to preference being given to unionists in employment and to any alternation to the Industrial Peace Act which, they claimed, had provided for peace and harmony between employers and employees. Not surprisingly, Theodore's clear statement on preference to unionists was continually misrepresented and major amendments were proposed by the Opposition to eliminate this clause. The Liberals were worried that the granting of preference in employment would build up the power and finances of the unions and, consequently, the Labor party with which more unions were becoming affiliated. Theodore was adamant that the clause would stay. It was, he said, "one of the vital principles of the Bill". By now it was becoming apparent to the members of the Legislative Council that Ryan was not to be simply a Lib-Lab premier and that his Government proposed legislation which could upset the long-standing political and economic balance in the State. Consequently, they decided to leave consideration of the committee stage of the Industrial Arbitration Bill until their business and legal associates had fully studied it.

In the meantime Fihelly had introduced and moved the second reading of the Workers' Compensation Bill.⁹ His speech revealed a depth of research and an understanding of the principles involved which affirmed the confidence Ryan had placed in him by supporting his election as an assistant minister. McCawley had prepared a very comprehensive memorandum on workers' compensation and insurance, pointing out the advantages of compulsory insurance and outlining state insurance systems in Nevada and Washington in the United States which were currently proving that compulsory workers' com-

pensation insurance conducted by the state was more effective and cheaper to the employers than any other form.¹⁰ On 8 September, Fihelly outlined the main innovations of the Bill which included a schedule of payments for injuries, an increase in the rate of compensation, the ending of litigation between employers and employees over compensation payments, compensation for injury incurred going to work, at the place of employment or on an employer's business, and compulsory state insurance. The first three were acceptable to the Opposition, the fourth doubtful, but the last – anathema. Fihelly argued that the industry should bear the cost of compensation and that by the State's making this form of insurance a monopoly it would reduce overhead costs, secure immediate payments for all workers injured and benefit both employers and employees. Obviously its introduction would not benefit private insurance companies nor a company like the CSR, which had its own employees' insurance scheme. These were powerful financial institutions, not given to bowing before governments composed of members of the labouring classes. In addition they had board members and allies within the Liberal party and in the Legislative Council.

Opponents of the compulsory provision in the Bill and of the idea of a state monopoly on workers' compensation insurance lost no time in organizing a campaign against the Government. Deputations of Queensland insurance companies with head offices in London approached the Agent-General asking that the Bill be withdrawn.¹¹ Most of the business people in Brisbane received a pamphlet and circulars in the mail setting out the objections of the companies to the Bill and asking the recipients to write immediately to their members requesting them to vote for the insertion of the words "or other insurer approved by the Governor-in-Council" which would give the private insurance companies a slice of what promised to be a lucrative new insurance.¹²

Despite condemnatory opposition speeches, the Bill was passed by the Assembly, whereupon pressure intensified outside parliament. A deputation from the Queensland Employers' Federation waited on Hunter, who was acting for Ryan while

the latter was in Melbourne, objecting to the Bill, not on the grounds of state insurance, but on their opposition to the principle of state monopoly. They wished to have the words "or other insurer approved by the Governor-in-Council" inserted and compensation restricted to accidents which "arose out of and in the course of employment" as laid down in the 1905 Act.¹³ Insurance agents were also circularized warning them that if the companies were forced out of existence, then the agents also would lose their livelihood.

There was little doubt in Labor minds of the reception the Bill would receive in the Council. Nevertheless, Hamilton, who was to prove a competent, though not brilliant, Government Leader there, made it clear that it was the Government's intention to see the Bill made law, with its compulsory state insurance provisions, if not by a vote of the Council then by a referendum of the people as provided in the Parliamentary Bills' Referendum Act of 1908.¹⁴ However the conservative forces had marshalled their full strength in the upper house. Members of the Council who rarely, if ever, attended parliament appeared in the chamber to exercise their vote.¹⁵ Undeterred by the new faces, Hamilton struck back with determination. The measure, he said, had been placed before the voters and accepted. If the Council had power to emasculate the Bill then it was "an excrescence on the body politic." Such sentiments carried little weight in a chamber which, in representing the major commercial interests of the State, saw itself as being the true representatives of the people. The inclusions of the amendment "or other insurer approved by the Governor-in-Council" was carried easily.

The self-appointed leader of the non-government members of the Council was E. W. H. Fowles, a Brisbane barrister and leader writer for the *Courier*, who had been an unsuccessful Liberal candidate at the 1912 election. Fowles took his position seriously as a member of the Council and closely scrutinized all bills. It was very rarely that his colleagues voted against his amendments. When the Workers' Compensation Bill came to the Council, he proceeded to take charge and amended it so disastrously that Hamilton, who after a time ceased opposing

Fowles' amendments, said, "It matters very little now what went into the bill or what came out, because so far as the Government were concerned it was mutilated out of all recognition."¹⁶ Such protestations did not deter the eager Fowles who, in opening the debate on the following week "... fancied that the Council would be regarded as the bulwark of individual liberty in the State." The business community of Queensland, he added, was looking to the Council to do its duty in the present session.¹⁷ He then continued to carve up what was left of the Bill which was returned, unrecognizable, to the Assembly on 12 October.

While in Victoria at the Premiers' Conference in September, Ryan had approached the Liberal Chief Secretary of the State, John Murray, and asked for his opinion of the Victorian workers' compensation scheme which included state insurance and compulsory insurance but not a state monopoly. Murray wrote to Ryan informing him that state insurance had been profitable, concluding: "Had it been compulsory to insure with the State office alone, the result would have been that with the necessary expenses involved by competition removed, a material reduction in premium rates could have been made and insurance provided to employees at cost."¹⁸ These were precisely the arguments Ryan and Fihelly used when rejecting the Council amendments in the Assembly, adding that insurance companies should not make profit out of a compulsory scheme.

As the Bill returned a second time to the Council it seemed that the free enterprise system was going to be well defended and maintained by that body. However, A. J. Carter, an insurance director, insisted on taking charge of the Bill instead of again leaving it to Fowles to act for the non-Labor representatives. Carter did not pay the same close attention to detail as Fowles and, in the confusion caused by some members who were concerned with the Labor threat of the possible abolition of the Council and who wished therefore to come to some compromise with the Assembly, the consideration given to consequential amendments was thrown out of balance and inadvertently the original amendment "or an insurer approved by the Governor-in-Council" was omitted.¹⁹ Free enterprise having

been protected, it seemed, the Bill was returned to the Assembly on 2 November. Not all members of the upper house were sure it had been protected and so privately informed the Governor. However they preserved silence in the hope that when the Assembly rejected once more the Council's amendments, the Bill would be returned to the Council where the mistakes they had noted, too late, could be corrected.²⁰ In the Assembly, the Government seemed to have acknowledged the defeat of the Bill and to have been prepared to go no further.

During August, the cabinet faced mounting pressure from the caucus over the scarcity and high price of meat, and the increased unemployment among meatworkers through the closure of the meatworks. To facilitate the investigations of inspectors who were making an assessment of the cattle available and to prevent stockowners sending their cattle to the southern markets, proclamations were issued under the Meat Supply Act placing an embargo on sheep and cattle leaving the State.²¹ All of this seemed too slow for the men facing unemployment and John Gilday, member for Ithaca and president of the Meat Industry Employees Union, introduced a deputation from the union to Hunter on 19 August. The secretary, E. Jones, reported that there were 2250 meatworkers out of work in Brisbane alone and suggested that to break the combination existing among the meatworks, the Government should either take over the meatworks or fix the price of cattle on the hoof.²² Pressure was also mounting in labor newspapers for the Government to take over the meat industry, but when Ryan took the question up with the caucus and asked for some opinion regarding nationalizing the industry, seventeen members spoke, but no definite policy was agreed upon.²³

In the meantime the cabinet had decided, on the evidence from Robinson, from the reports from stock inspectors and from its own deliberations, to introduce legislation giving it power to take over and operate the meatworks in conjunction with the Meat Supply Act. However, the time taken to implement this decision seemed to the unemployed meatworkers to represent inactivity and indecision. A noisy meeting of meat-

workers at the Trades Hall threatened to march on the Premier's office to demonstrate against the Government's failure to control the Meat Trust. To avert this threat, Ryan decided to go to the Trades Hall to speak to the men. He argued that the Government had shown in regard to sugar and butter that it would not hesitate to use its powers to protect the interests of the people, but that before acting on the meat question it had to know what numbers of killable cattle there were in Queensland. While reason and explanation have their place in political meetings, a touch of stump oratory can often clinch the reasoned arguments. Ryan concluded by saying, "If the cattle were in the State, the Government would get them and if necessary the meatworks too." The men cheered this.²⁴ It was an unfortunate coincidence that Hunter introduced the Meatworks Bill into the Assembly two days after Ryan's visit to the Trades Hall. The timing led some credibility to the red herring produced by the Opposition of the Government's having introduced the Bill at the command of the Trades Hall.

In outlining the Bill, Hunter emphasized that wartime conditions necessitated such a drastic measure and that anything less than the powers sought would not be sufficient. Power was to be given to the minister to acquire not only meatworks but also any "other enterprise, undertaking, business or manufacturing concern in which natural products, foodstuffs or commodities are prepared." Owners were to be entitled to compensation as determined by the Land Court, in the form of government stock at four to five per cent. Cognisant of the fury such a bill was likely to arouse on top of the other examples of Labor legislation, Hunter emphasized the reasonable attitude the Government proposed to take and assured the Opposition that so long as those controlling the meatworks assisted in providing meat for the Imperial Government, at fair prices, their works would not be touched. There was no intention on the party of the Government, he said, to harass private industry, but they had a responsibility to the people and had received information which necessitated their having greater powers.²⁵ Whether or not the Opposition really believed that the Bill was the result of a Trades Hall demand, they made the best of this argument and

presaged a stormy passage for the Bill in the upper house. While Ryan was in Melbourne a deputation of bankers, meat company representatives, financial institutions and graziers waited on Theodore, as Acting-Premier, and Hunter asking for explanations regarding the purposes of the Bill. Theodore assured them that the legislation was necessary for the prosecution of the war and was not meant to confiscate or destroy any part of the meat industry.²⁶

To stem some of the opposition aroused by the Bill and to try to have its more important parts accepted, Hunter amended it in the committee stage to apply specifically for the period of the war and six months, an amendment which Opposition members found acceptable.²⁷ However, in spite of this amendment, the Council proceeded to emasculate the Bill. Their ire having been raised by threats of abolition from some Labor parliamentarians, Fowles and P. J. Leahy, a stockowner and his co-leader of the Council, seemed bent on having a confrontation with Ryan and his Government on where power was to reside. Now a second bill left the Council on 19 October bearing little resemblance to the one passed by the Assembly.²⁸ At first, Ryan had adopted an attitude of reasonableness regarding the Council. But now, two pieces of legislation, the Workers' Compensation Bill and the Meatworks Bill, both of which he had been personally concerned in preparing, having been slaughtered in the Council he hardened his attitude towards that chamber. When the Workers' Compensation Bill had been first returned in unrecognizable form on 12 October, Ryan was asked by the press what action he proposed to take if the Council rejected important Government bills. Wishing to avoid an early head-on clash, he said he preferred to wait and see what their specific reaction would be when the Assembly insisted on legislation being passed. "I would be sorry to take up a threatening attitude before giving opportunity for full and free discussion of any measure submitted to them"²⁹ With their complete destruction of the Meatworks Bill, the Council was obviously not reciprocating Ryan's attitude of reasonableness, but was obstructing legislation which the Premier believed was just and necessary. Consequently, at the caucus meeting on 21 October,

Fihelly was instructed to prepare a bill for the abolition of the Legislative Council.³⁰

Stung by the Council's cavalier attitude in destroying the Meatworks Bill, Ryan assumed control of the Bill from Hunter when the Council's amendments were being considered by the Assembly. This was the kind of parliamentary situation where he excelled. Normally Ryan as Premier was polite towards the Opposition and conciliatory in his attitude towards their proposals. Roused by the challenge of the Council's opposition, he stated his arguments clearly and concisely and brought to heel interjectors who introduced extraneous matters. Again, he went over the telegrams from Robinson to Denham on the necessity for the Government's having control of the meatworks and revealed Denham's comments about the American Meat Company's responsibility for raising the price of meat. For the first time he issued a direct challenge to the future of the Council. If that house again refused the essential powers sought ten months before by the Imperial Government, he said, "not only would those powers be carried by the people, but their honorable friends would go down with them." It was speeches such as this that kept Ryan's reputation high among all sections of the labor movement. But having driven this point home, he assumed a conciliatory tone and assured the committee that the Government would take a reasonable attitude towards the meat industry. The Assembly rejected all the Council's amendments.³¹ For whatever reasons – Ryan's threats, the evidence accumulating that Queensland meat was being shipped through the United States to Germany or the assurance that no existing mortgages would be interfered with – almost all of the Council backed down and did not insist on their amendments. Only Fowles persisted in rejecting the Land Court as the arbiter for compensation and insisted on inserting a new clause, "all such properties shall be acquired on just terms".³² This was completely unacceptable to Ryan who saw lengthy and expensive court cases over the interpretation of "just terms". The Council continued to insist on this amendment and the Bill was declared "lost", an expression meaning that the Bill could be put to a referendum under the Parliamentary Bills Referendum Act. On

28 October, the day before he left for a further conference of premiers in Melbourne, Ryan gave notice in the Assembly of his intention to introduce a bill for the abolition of the Council.³³

Not all of Ryan's first months as Premier had been taken up with questions of prices and parliament. The war had produced problems of its own, not the least of which was the question of the hours permitted for the sale of liquor. The Commonwealth Government and temperance organizations had become concerned, quite early in the war, at the consumption of alcohol by soldiers in cities near training camps. Almost as soon as he became Premier, Ryan had been asked by Fisher what steps had been taken in Queensland to restrict the sale of liquor during the war. He replied that none had been taken.³⁴ A strong temperance organization existed in Brisbane, which included Adamson and Barber from the PLP, Cuthbert Butler the librarian at the Museum, and Fowles from the Legislative Council. Early in August, a deputation from a section of the temperance group, called the Six O'clock Closing League, waited on Ryan to ask him either to close the hotels at six o'clock or to hold a referendum on the question as some of the southern states proposed. It must be said that on a number of political issues, Ryan held no strong opinions. Restricting the sale of liquor was one of these. Politically, the liquor issue was always fraught with danger; on the other hand, there was no evidence that he was an earnest supporter of prohibition or temperance nor was he likely to be under any obligation to brewing interests. His political philosophy did contain a strong belief that the people should be allowed a voice in the laws made for them. In its platform, the Labor party had a plank calling for the initiative and referendum, which Ryan supported. Consequently, his first reply to this deputation and his continuing reply to later ones, was that the machinery for holding such a referendum was contained in the initiative and referendum legislation being prepared and that as soon as this was passed, the temperance organizations could put it to use.³⁵ As so many more important pieces of legislation were necessary, the early closing of hotels was not in Ryan's view vital to the labor movement or to the war effort.

The re-opening of mines in north Queensland was. The British Government sought minerals for munitions, there were mines and smelters in north Queensland that were not working and Theodore, as a former miner and the representative of a mining seat, was anxious to solve the unemployment problem there. Ryan saw a link between the allied war effort and the re-opening of the Chillagoe copper mines on the Atherton tableland. The British company had closed the mine in 1914, but since then a connecting railway line had been opened and a nearby coal mine was working which could produce cheap coal for the smelter. In August, Ryan wrote to Fisher outlining his ideas regarding the Chillagoe mines and smelters. With characteristic self-confidence he said: "If you think it necessary in the interests of the Empire to increase the production of copper and lead, this Government will take steps either to compel the Chillagoe company to resume operations or to take control of the smelters and mines and work them as long as necessary as a Government concern."³⁶ At the time that Ryan was promising Fisher that he would take control of the Chillagoe mines, Thynne, the Chillagoe Company's Brisbane solicitor, proposed that the Labor Government should buy the mines and railways, as he had suggested to the previous Denham Government. Ryan rejected his proposal that the Government should buy the mines and smelters for £950,000 and when the matter came before cabinet in October, he cabled the Agent-General asking him for a report on the company in England. Robinson's reply indicated that the company was in a bad state and that the debenture holders were quite anxious to sell. Thynne, however, had begun to play an odd game. He led the English debenture holders to believe that the Government was anxious to buy the mines and railway, even though his interviews and correspondence with Ryan and Adamson had made it clear that the Government had no intention of buying the mine at his price. For some reason he even cabled London that an agreement had been all but concluded and then followed this in November with a further cable: "Inform trustees political turmoil Brisbane arrested progress at point of settlement." There was nothing to suggest to Thynne that the mine was even

close to being sold.³⁷ By this stage Ryan was making tentative plans to visit London early in 1916 when he intended to negotiate directly with the Chillagoe Company.

The 1915 episode was to spill over into the general area of Queensland politics. Ryan had never been an admirer of the type of corporation lawyer as represented by Thynne and Macartney. He was particularly unimpressed by their attempts to exert pressure on governments and to use their political positions for commercial ends. On the other hand, Thynne was one of the more powerful and respected men of Brisbane, with twenty years in Queensland politics and with no great love for a barrister like Ryan who had deserted his class to associate politically with the representatives of the labouring classes.

A part of Ryan's desire to acquire the Chillagoe mines for the Government and to set them working derived from his support for the allied cause in the war. He spoke on recruiting platforms and allowed his name to be used on recruiting posters. He attended the first commemoration of the declaration of war held in August 1915 as the principal speaker and commended the nation for what it had done already to bring the war to an end with an allied victory and to remind the audience that a great deal more remained to be done. When the Queensland War Council was formed in October to co-ordinate the war effort in the State and to look after returned soldiers, Ryan took the office of chairman. When possible he carried out the duties of this position, though often his friend, Hunter, stood in for him. In his support for the war effort he pointedly refused to allow Liberals in parliament to make derogatory remarks about unionists or unions and their contribution to the war. It was trade unionism, he said, that had brought about the conditions in Australia which had enabled the nation to send so many fine men voluntarily to the front; the prussianism of Germany would not have been possible under the system of trade unionism as it had grown in Australia.³⁸

While he defended the unionists who made up a large bulk of the volunteers, other forces were building up in the community who felt that the voluntary system was not sufficient. A branch of the Universal Service League (USL) was formed in Brisbane

in September 1915 and sought an interview with Ryan to interest him in its cause.³⁹ The league's manifesto stated:

It is now evident that the voluntary effort is not meeting these requirements [to send more men to the front.] Even if it were, its incidence is unjust and often harmful... Today Australia is being defended in the fields of Flanders and the hills of Gallipoli.⁴⁰

In September 1915, Ryan had enough work without becoming involved in the USL. In any case it is doubtful if he had formed any clear views on conscription, but if he had they were not expressed since few in the Labor party questioned the efficiency of the voluntary system.

In the labor movement, however, many unionists were becoming restive over the talk of conscription and were suspicious of any person who may have spoken, even vaguely, in favour of it. Consequently, when the War Census Act was passed to ascertain the number of fit males of military age, as well as other information, some of the more suspicious labor men saw this as the thin edge of the wedge for the introduction of conscription. The Brisbane Industrial Council [BIC], the central organization of unions in the capital city, wrote to the Federal PLP asking for an assurance that conscription was not to be introduced. The reply that the War Census Act was for defence purposes only did not allay their fear.⁴¹ Union leaders in Queensland were therefore anxious to know what the political leaders thought. Fisher stated that he was "irrevocably opposed to it", but said that before any change was proposed "the people to whom the members of the ministry owe their position would be given an opportunity to express their opinion on the subject." Ryan was in Sydney for a discussion on loans and for the launching of HMAS *Brisbane* when asked his views. He said:

I would be sorry to think that any action would be taken in that direction... until such action had become necessary and had been taken in Great Britain. Apparently that necessity has not arisen. Of course if you have conscription of the individual you must also have commandeering of wealth. It would be impossible to think of forcing an individual to sacrifice his life and not commandeer the wealth of the community.⁴²

Hughes had expressed his opposition to conscription in the debate on the War Census Bill but, like Fisher and Ryan, was not prepared to burn his bridges with an unequivocal and total rejection of conscription. Forces in the labor movement outside parliament would not allow the political leaders the luxury of maintaining this stance for long.

With Theodore, Ryan had been considering the problem of finances. The London market was closed for all borrowing except war purposes. A policy of caution and the curtailment of public expenditure was the advice of the Bank of England,⁴³ but how could land be opened for returned soldiers, how could wage increases be paid to public servants, how could state enterprises be developed or the unemployed absorbed in public works if budgets and loans were to be restricted? The Labor Government regretted that Denham had not agreed to participate in an advance of £18 million by the Commonwealth in 1914. Conferences with Fisher and the other premiers provided no easy solution, particularly as Fisher insisted that all borrowing be done through the Commonwealth and be limited to £10 million for all the states.⁴⁴ On 13 October, Theodore introduced his first budget with an estimated deficit of \$370,000 which he proposed to absorb by adjusting and increasing income tax on higher incomes and by imposing a land tax on freehold land of unimproved value exceeding £300. In neither case, he said, would the new taxes fall on those who were unable to pay. He outlined also some of the business undertakings that the Government was planning; these included state sawmills, coal mines and fisheries.⁴⁵ Not surprisingly, Opposition members were up in arms about the land tax and the increased income tax which were to fall largely on the shoulders of their friends and supporters. Tolmie painted the blackest picture. The new taxation, he said, would hit the producer and the small landowner, resulting in non-production! Income tax would affect the spending power of the workers, trades would suffer, industry would be affected; and all so that "the government may put this socialistic policy on the statute book of the State."⁴⁶

When his Government came under Opposition attack in these

terms, Ryan took upon himself the responsibility for its defence. He did not try to argue economic theory or practice; he was no economist and wisely left this field to Theodore. However, he was a good politician and his defence was a political, not an economic one. On this occasion he quickly turned defence into attack and brought cheers from the Government benches as he laid bare, one by one, the Opposition charges. Moreover Ryan was skilled in the art of parliamentary interjection where he cross examined each Opposition interjector as though he were in the witness box and reduced his opponents to a silent mass as he pugnaciously drove home each segment of his argument. In this and other debates, he was making it known that parliament was no longer a debating chamber for liberals and conservatives, but a place where the battle would be fought out between workers' and farmers' interests on one side and commercial and landed interest on the other. The latter were powerful, well organized and determined to resist any encroachment on their inherent power. Ryan again made it clear that capital would have to bear its burdens as other sections of the country were. The Government, he said, was not trying to frighten capital away from the State but in introducing new legislation and new taxes, it was trying to face its responsibilities fairly and reasonably.⁴⁷ Whether the Legislative Council would agree with his concept of what was fair and reasonable was another matter.

While the budget debate proceeded, the problem of how to contain prices remained unsolved. At each caucus meeting, the question was raised and members demanded to know what proposals the cabinet had. One of the major factors in beginning to control prices was acquiring the knowledge of the producing and marketing costs of different commodities. In the case of wheat, the Royal Commission had provided the necessary information. To find out more about the marketing costs of meat and to explore a new method of regulating meat prices, the cabinet decided in October to open a state butcher shop in Brisbane. Surprisingly, not all members of the caucus agreed that this should be done. Gilday in particular urged extreme caution in starting such a shop and the caucus appointed its

own committee to examine the scheme before giving its approval.⁴⁸

It had been realized quite early by Labor governments that it was extremely difficult to regulate prices in one state, while those in another were either not fixed, or fixed at a higher level. To control the price of bread in New South Wales, Holman had imposed an embargo on the export of wheat, while a similar embargo had been placed on butter and cattle in Queensland. Yet it remained quite obvious that the only effective means of regulating prices was by doing so at the national level. The Labor party had attempted to give such power to the Federal Parliament in 1911 and 1913 and was now prepared for a referendum, the "prices referendum", at the end of 1915. The non-Labor press, the business world and the Liberals were quite opposed to the holding of the referendum ostensibly because of the war and the need to abandon such contentious legislation during the war. However, in the labor movement, there was confidence that the referendum would be carried this time and, at the same time there was criticism of the Federal PLP for its delay in implementing the campaign.⁴⁹ The *Worker* and the *Daily Standard* in Brisbane, the *Australian Worker* in Sydney and the *Labor Call* in Melbourne were constantly pointing out the need for the referendum and urging the labor organizations to prepare themselves. But though the movement was enthusiastic there were many politicians who were not and whose lack of enthusiasm for the campaign was becoming obvious. However, Fisher had promised in July that "nothing short of an earthquake . . . would prevent the proposals being submitted to the people"⁵⁰ and his word as Federal Leader was accepted.

When the referendum was abruptly abandoned at the end of 1915, Hughes received most of the opprobrium from the labor movement and came to be regarded as the initiator of the movement not to hold the referendum. However Theodore, initially, and then Ryan and Holman were as responsible as Hughes in seeking to abandon the referendum and it is therefore of some importance that the role of the Queensland politicians should be examined more fully. Ryan had enthusiastically worked for

the success of the 1911 and 1913 referenda and was known to favour passing to the national parliament a number of areas of legislation which he believed could more effectively be handled at a national level. He accepted the decision of the Interstate Conference in May to hold the further referendum. However not all members of the Labor party accepted the decision so readily. Evatt relates that Holman before the first referendum in 1911 "became convinced that the Labour movement should hasten very slowly before committing itself to any wholesale extension of the powers of the Commonwealth parliament. He greatly feared that narrow and peculiar interpretations would be pronounced by the High Court."⁵¹ Something of this reasoning prompted Theodore to oppose the referendum and in June 1915 he prepared a memorandum for cabinet against passing power over labour and employment to the Commonwealth.⁵² His arguments were well documented and quite persuasive, but not a little prompted by the fear that his visions of a new society built on his own industrial and economic legislation could be destroyed by a successful referendum. In August, the Brisbane branch of the AWU wrote to the Federal PLP suggesting that the referendum should be dropped.⁵³ Federal members and senators returned to their own states in September to begin campaigning. No hint was given that discussions were going on behind the scenes to call the referendum off, and to produce some compromise that would be acceptable to the movement. While the official pamphlets were being issued, the premiers were meeting in Melbourne to discuss financial proposals. Also on the agenda was a motion inviting the Federal Government "to refrain from taking a referendum on the matter of amending the constitution by transferring to the Commonwealth certain powers thought to be required." Whereas all other motions gave the name of the mover, this one was simply reported in the passive voice, suggesting either collusion on the part of those present or that one of the five Labor premiers had been the mover. After some discussion, however, the motion lapsed and the conference decided not to recommend the postponement.⁵⁴

By this time Ryan had come to agree that the referendum

should not be held. His reasons were not those of Holman and Theodore since he continued to believe that the powers sought by the Commonwealth over labour, employment and monopolies should be handed over to that parliament. It was apparent from the lack of support in his own caucus that there would not be much enthusiasm for the campaign launched by the Labor party to ensure that the referendum was carried,⁵⁵ and Ryan was not one to enter willingly a losing fight. Though his early law practice had not been built about constitutional cases, it was clear from his High Court and Privy Council appearances in the following four years that he was a capable constitutional lawyer. It seems apparent that the subsequent agreement for the states to pass legislation handing over to the Commonwealth the powers sought, instead of holding the referendum, had emanated from Ryan. Section 51 (xxxvii) of the Commonwealth Constitution provided that one state or a number of states could refer certain powers to the Commonwealth. That Ryan had discussed this compromise with Holman during September is apparent from a telegram which the latter sent to Ryan on 5 October. Holman's telegram read:

Cabinet carefully considered result your conversation re referendum and are fully prepared sympathetically consider any overture made to them by the Commonwealth of Australia but are unanimous that it would be most injudicious for us to take any initiative in the direction indicated. Would urge you also consider carefully if wise to take initiative or act as convenor of preliminary conference. We think next stop should come from Commonwealth.⁵⁶

Whether at this stage a feeler had been put out to Fisher or Hughes is a matter of speculation. Fisher was to deny that he knew anything of the proposals to withdraw the referendum until he saw the news in the paper.⁵⁷ On the other hand, Sir Ronald Munro Ferguson, (Lord Novar) the Governor-General, was to report to the British Colonial Secretary: "Mr. Hughes had prepared the way to drop them a month before Mr. Fisher was appointed as High Commissioner."⁵⁸

During October, Ryan was too involved with his own State's problems of meatworks, the Legislative Council, the Workers' Compensation Bill and the budget to answer Holman directly.

The latter sent him a further telegram on 25 October seeking a reply to the earlier message regarding the referendum. Throughout October, preparations for the referendum campaign continued. Halls were booked and propaganda pamphlets printed in the labor press. On 26 October Fisher resigned to become High Commissioner in London and Hughes was sworn in as Prime Minister. Hughes said that he would open the referendum campaign in Melbourne on 11 November and in Sydney on 18 November. On the other hand, his first speech to his caucus as Prime Minister did not sound enthusiastic about the referendum, although he did not suggest abandoning it.⁵⁹ If he were a party to abandoning the referendum, he was playing well his role of the innocent.

There had been disagreements between the states and the Commonwealth over borrowing during the war. Holman, as Premier of the senior state, convened a further meeting of premiers in Melbourne on 1 November to continue discussions with the new Prime Minister. Ryan left Brisbane on 28 October and conferred with Holman in Sydney on his way to the conference. Three of the Labor premiers, John Earle of Tasmania, Scaddan of Western Australia and, conveniently, Holman were unable to attend and were represented by other ministers. David Hall, the New South Wales Attorney-General represented Holman. Victoria, the only state not controlled by a Labor government was represented by its Premier, Sir Alexander Peacock, and by its Minister for Public Works. Having agreed on the loan question, one of their members (he was not identified) introduced the question of the referendum and the proposal to defer the referendum until after the war, while passing the necessary legislation through the state parliaments to hand over the powers sought for the duration of the war. The premiers and ministers present agreed, unanimously. Scaddan and Earle were telegraphed for their approval, which was given. Hughes concurred with the proposal and at 10.35 p.m. on 4 November convened a special caucus meeting which agreed by fifty-one votes to six to repeal the Referendum Act and to accept the premiers' compromise.⁶⁰ Ryan telegraphed Theodore who announced the changes in the Legislative Assembly on 5

November.

Why there was such a strongly held belief that the six state parliaments would in fact pass the Commonwealth Powers (War) Bill remains a puzzle. If the referendum seemed likely to have been defeated, as Ryan thought, there was no reason why those in the non-Labor parties, commercial organizations and the press should be prepared to pass the same powers over to the Commonwealth by a different method, even if this was only for the duration of the war. Ryan's subsequent correspondence with Hughes, and with Holman and Peacock, would seem to indicate that he was serious in proposing the compromise. There is little doubt that he continued to believe, at least until early in 1917, that the powers should be passed to the Commonwealth Parliament. This was consistent with his national as opposed to states' rights view of politics. However, in Queensland, given his previous altercations with the Legislative Council, there was little reason to expect that Fowles, Leahy, Thynne and other non-Labor members of the Council, who were avid states' righters and opposed to any parliament being given these powers over commerce and industry, would agree to passing such a bill. Ryan must have been aware of this, but may well have thought as Hughes did, that their enthusiasm for the war would allow the Bill to pass.

Whatever the reasons, the referendum was cancelled and substantial sections of the labor movement outside the parliaments felt that they had been sold out. Ryan returned to Brisbane, explained the proposals and the reasons behind them to the caucus and received its approval.⁶¹ Despite Ryan's being publicly named later in the *Daily Standard* as the initiator of the compromise,⁶² it was to be Hughes and to a lesser extent Holman who were to be blamed by the labor movement for selling out to Labor's opposition. This attitude reveals not only something of the inconsistency of political feeling which appears in the labor movement from time to time, but also the fortunes which smiled on Ryan who was never to be blamed over the abandonment of the referendum. Even when a month later the *Daily Standard* reported Ryan as the originator of the schemes, it did so in an inconspicuous part of the paper and did

not magnify or comment on the report.⁶³

The Victorian and South Australian executives immediately sought a meeting of the Interstate Executive. Arch Stewart, Victorian and Federal Secretary, wrote to the other states asking for their opinion regarding such a meeting.⁶⁴ The CPE, which a month before had criticized the Federal PLP for its slowness in getting the campaign under way, now procrastinated. After a discussion, chaired by Ryan, it resolved to seek more information from the Federal Secretary. After two more meetings at both of which Ryan was present, the CPE decided that since it did not have full details of the circumstances which led up to the compromise no definite expression of opinion should be given.⁶⁵ Ryan had made the CPE his accomplice and had won convincingly over the movement.

Having outlined the Commonwealth Powers (War) Bill to the caucus and received its approval, Ryan proceeded to the Assembly where he sought to put all stages of the Bill through in one day, a tactic normally reserved for legislation of the greatest importance. His insistence that it was an important war measure had two aims; to reduce opposition from the patriotic states' righters and to challenge the Legislative Council in the area where he could argue from a position of strength. Two other bills recently and severely amended by the Council, the Trade Union Bill and the Workers' Accommodation Bill, were not the kind of legislation on which he could make a test appeal to the electorate over the head of the Council by using the powers of the Parliamentary Bills Referendum Act. He invited the Council to take up his challenge: "I should certainly leave no stone unturned if this proposal is refused either by this house or by another place . . ." At the same time he included a conciliatory note that he did not wish to make any remarks that would reflect on the Council's attitude to the Bill. But despite this sugar coating, the purgative pill was there: "I have come to the conclusion that the time has arrived when that other place must go. I shall consider that I have accomplished a great service if I can bring about that reform in the constitution."⁶⁶ The Assembly passed the Bill through all stages at the one sitting.

However, when it was received in the Council and Hamilton moved suspension of standing orders to pass the Bill through all stages in one day, the non-Labor members were unequivocal in their refusal to be hurried and they postponed consideration. They did not at this stage refuse to pass the Bill, but merely signified their disagreement with Ryan's haste.

Being in effect responsible for the Bill, Ryan was prepared to use the threat of abolition to bring the Council to heel. On the following morning, he moved that a bill be introduced to amend the Constitution by abolishing the Legislative Council.⁶⁷ The real government he said was not being carried on by the elected representatives of the people, but by persons who represented private enterprise. He based his case on the mutilation by the Council of the Meatworks Bill in particular but also of the Workers' Compensation Bill and the Industrial Arbitration Bill. The Liberal opposition in the Assembly supported the Council against Ryan's attacks not only for reasons of kinship, but because the Council had become the real parliamentary opposition to the Labor Government, having powers far in excess of any normal opposition. The conservative leaders in the Council, however, seemed quite undeterred by Ryan's threats, believing that the Parliamentary Bills Referendum Act of 1908 under which their fate would be decided in a referendum, was invalid. At its next sitting, the Council defeated the Commonwealth Powers (War) Bill at the second reading. Ryan telegraphed Hughes informing him that the Bill would be re-introduced under the Parliamentary Bills Referendum Act. The latter's cryptic reply was: "If it is rejected by the Legislative Council again your course seems to be plain, the Legislative Council has delivered itself into your hands."⁶⁸

The battle moved back to the Assembly on the following day when Ryan moved the second reading of the Constitution Act Amendment Bill to abolish the Council.⁶⁹ His speech had two aims; firstly, to show that the Queensland Parliament really had the power to abolish the Council and, secondly, to show why abolition was necessary. To many of his supporters the latter was the more important, but to the constitutionalists the former had first to be proved, since a great deal of discussion

had taken place in the press as to whether it was possible to abolish one house of parliament. He based his case on clause 22 of the Order in Council of 6 June 1859 which gave the legislature of the colony full power and authority "to make laws, altering or repealing all or any of the provisions" of the order in the same way as any other laws of the colony could be altered or repealed. On this rested the validity of the Constitution Act Amendment Act of 1908 which removed by a simple majority the proviso requiring a two-thirds majority of members on the second and third reading of bills altering the Constitution. This Act had cleared the way for the referendum which would have to be taken, under the Parliamentary Bills Referendum Act of 1908, to abolish the Council. Establishing this point was vital to the whole Bill, but if it could be shown that the Constitution Act Amendment Act of 1908 was invalid then the whole of Ryan's case would collapse. While he spoke in the house, outside a committee of prominent Liberals had been formed and money collected to fight the Bill through the courts.

Tolmie, who had replaced Macartney as Opposition Leader, had been well briefed and concentrated his reply, not on the refutation of Ryan's documentation of the Council's record of destroying legislation, but on the validity of the 1908 Act. It was obvious from his remarks that not only the people but also the courts should have a say in the Council's fate. Not wishing to see themselves and their influence removed from the Queensland Parliament, the Council members amended the Bill in the second reading, listing twenty constitutional, political and general reasons, submitted by Thynne, why the Council was and should remain a necessary part of the legislature.⁷⁰ Predictably the Assembly disagreed with these and the Bill was "lost".

That its future might have been in jeopardy did not deter the Council from continuing to amend and destroy bills that had been long-standing planks in Labor's platform and had been put before the electors at the elections. Ryan's Public Curator's Bill was passed, but a bill to provide for adult franchise in local government elections was rejected at the second reading; a public works bill to establish a permanent all-party committee of the Assembly to consider railway proposals was "lost" when

the Council insisted on an amendment to include some of its own members on the committee; Hunter's important Land Act Amendment Bill, which would have allowed the rents on grazing properties to be raised by more than fifty per cent at one time and would have brought them into line with selectors' rents which were three to four times higher than those of graziers, was "lost" when both sides refused to budge from their initial positions. Theodore's clear statements that preference to unionists could be granted only by an Arbitration Court judge, with which the former Attorney-General O'Sullivan agreed, could not convince the Liberal opposition or the Council that straight out preference to unionists was not in the Industrial Arbitration Bill, and another important bill was "lost". Council amendments to the Workers' Accommodation Bill and to the Trade Union Bill, were accepted reluctantly by the Assembly so that other important parts of the bills would not be lost.

There was speculation in the press that the Governor would be asked to appoint sufficient Labor members to the Council to give the Government a majority there. Ryan refused to be drawn into any public debate on this question, but in the caucus he indicated his support for this proposition. However, strong opposition from Theodore caused him to adjourn the debate. It was obvious from the remarks of those who spoke during the debate that the majority of the PLP wanted a clear cut defeat of the Council at a referendum and that in the meantime as little recognition as possible should be given to its existence.⁷¹ The necessity of taking a referendum on the Council's abolition was not therefore dependent on the interpretation of the 1908 Act, as Melbourne suggests,⁷² but reflected the high degree of ideological and democratic fervour which still marked the Queensland Labor party in 1915. The Governor reported to his superiors in London that he fully expected a major constitutional crisis at any time. It was, he thought, only a matter of a definite issue arising.⁷³

In early December, a definite issue did arise when the Council amended the Income Tax Act Amendment Bill despite a ruling from its chairman that it did not have the power to amend money bills,⁷⁴ and a judgment from the Privy Council in 1885,

during Griffith's premiership, that while the Council could reject money bills it could not amend them.⁷⁵ There was, however, no clause in the Queensland Constitution which specifically limited the Council's power over money bills. The Assembly's rejection of the amendments proposed by the Council, on the grounds that it was an infringement of the power of the lower house, was rebuffed when the Bill was returned to the upper house. Tension in the two houses mounted as Ryan sought a means of overcoming the deadlock. Clearly the Council had overstepped its constitutional rights, but with the Government facing a deficit of £370,000 some means had to be found to salvage as much of the original Bill as possible. Wild talk of ignoring the Council was of no value, nor could Ryan really expect the Governor to agree to swamping the upper house when the latter was not in sympathy with a cabinet which he reported had taken no practical steps to curtail expenditure and was pursuing a policy of further borrowing, taxation and expenditure.⁷⁶ It was necessary therefore for the Government to back down and seek the best compromise. There existed outside the Constitution a rarely-used method of resolving differences between the two houses when the Assembly wanted a piece of legislation passed to which the Council objected but on which both houses agreed to compromise. This was a free conference, under which each house appointed two or three managers who met and hammered out a settlement which both houses tacitly agreed in advance to accept. A free conference was held on the Income Tax Bill and a settlement agreed. The constitutional crisis was averted but the ultimate question of whether the popularly elected Assembly or the nominated Council would rule the State was left unresolved.

From the Labor viewpoint, though the session had produced much advanced and necessary legislation, the Council had won on points, scoring heavily with its rejection of the Meatworks Bill, the Commonwealth Powers (War) Bill, the Industrial Arbitration Bill and the Workers' Compensation Bill. Labor spirits revived on 15 December when Fihelly announced that the Council's amendments to the Workers' Compensation Bill, which had apparently lain dormant since 2 November, would be

accepted. The Opposition thought it had secured another victory, but retreated to a stony silence as Fihelly stated that the amendments were of no consequence, were mere surplusage and in no way affected the vital principle of the Bill, viz compulsory workers' insurance under a state monopoly. When the Bill had been returned from the Council, Fihelly had scrutinized the amendments and, like some members of the upper house, had suspected that the Council's message did not reflect its real opinion and that, in fact, the Council had unwittingly allowed the state monopoly provision to stand. As Ryan was in Melbourne, Fihelly sought the opinion of counsel. Feez and John Woolcock, parliamentary draftsman, gave a joint opinion on 3 November that the Council's amendments would not affect the principle of the scheme or the working of the Act. McCawley concurred with their views.⁷⁷ All that was needed was for Ryan to consider the amendments on his return. He too agreed with Fihelly and the Bill was brought back to the Assembly for concurrence with the Council's amendments and passed on to the Governor to sign.

Now the appeal for reasonableness came from the Council. A motion to ask the Assembly to return the Bill so that the errors could be corrected was debated in most conciliatory terms, members of the Council being sure that the Assembly was not desirous of taking advantage of the Council's inadvertent mistakes.⁷⁸ Fihelly, no great respecter of forms or traditions, accepted the message but refused to reply. The Council prepared for war and declined to continue the debate on the Appropriation Bill until a reply to its message was received. Goold-Adams quietly intervened and, though he agreed that the Bill could not be returned to the Council, asked Ryan if he would send a reply to the Council's message.⁷⁹ Ryan, more tactful than Fihelly, had already discussed the matter with Hamilton who attempted to smooth matters over by denying any discourtesy on the part of the Government. A message was then sent on Ryan's insistence informing the Council that the Bill could not be returned.⁸⁰ The State Insurance Office had begun.

While the Government had achieved a major triumph in

having the Workers' Compensation Bill passed, it was running into strife in other areas. In so far as it provided meat at a far cheaper price than any other shop in Brisbane, the state meat shop in Roma Street showed signs of being an outstanding success. But it did not in itself solve the meat problem. The Government held to its view that high meat prices and the shortage of meat were being caused by stockowners sending their cattle to the southern markets. Its embargo on stock crossing the border brought constant criticism in parliament and in the press. This opposition took another form in November when writs were taken out against the Queensland Government in the High Court by Reynolds and Son, a Melbourne meat company and by the Flemington Meat Preserving Company, also of Melbourne, claiming that the embargo on cattle and meat being exported from the State was a breach of section 92 of the Commonwealth Constitution and that the Meat Supply for Imperial Uses Act was *ultra vires*.⁸¹ A similar case in the High Court *Foggit Jones v. New South Wales*, was then pending.

Some stockowners were not prepared to fight the Government in the courts and simply took their stock across the border in defiance of the embargo. Ryan retaliated by using the powers contained in the Sugar Acquisition Act to issue proclamations giving the Government power to acquire all cattle and meat in, and coming into, the State.⁸² Not only did the stockowners and meat companies object to this, but Hughes also saw it as an infringement of the Constitution and a reason for the high prices and scarcity of meat in the southern states. Ryan had no desire to deprive Queensland stockowners of legitimate profits or to deprive other Australians of meat, but he saw his responsibilities as being firstly to the Imperial Government, that is, to supply its troops with as much meat as was available at the lowest price; and secondly, to the people of Queensland. He was still prepared to supply as much meat as was available to the southern states, but wanted to prevent speculators making a profit from an acknowledged shortage.

One of the reasons motivating the attack of graziers and meat companies on Ryan's embargo was the higher price paid for New South Wales beef exported to Britain, which at a penny a

pound extra for 100,000 tons represented a large cut in meat companies' profits. As the Queensland Government was the negotiating and buying authority for the Imperial Government under the Meat Supply Act, the meat companies were anxious that the Government should either raise the Queensland prices of export meat or lift the embargo. They argued that if New South Wales and Queensland prices of export meat were the same this would obviate the necessity for the restriction on cattle crossing the border.⁸³ Negotiating through correspondence or through an agent was never satisfactory for Ryan and late in 1915, when Robinson suggested that he should come to London to deal personally with the British Government on meat supplies, finance, the Japanese and other questions, he agreed. The cabinet decided that his visit should be used to seek a guarantee of local supplies from the meat companies in return for a higher price for Queensland export meat.⁸⁴ In these negotiations, Ross was invaluable with his knowledge not only of the meat trade itself, but also of the meat companies' profits and methods of operation. The final agreements signed early in 1916 reflected his worth to the Labor cabinet.

While these negotiations were proceeding there remained the problem of the validity of the Meat Supply for Imperial Uses Act; it was on the extent of the power of this Act that the negotiations rested. Upon receipt of the High Court writs and the challenge in the High Court of the New South Wales Meat Supply Act – similar in all respects to that of Queensland – Ryan and McCawley conferred earnestly on the Queensland Act. McCawley was of the opinion that the Act was *intra vires* and that the Government's exercise of its power was correct and should be continued.⁸⁵ Ryan agreed. This did not necessarily mean that the High Court would also agree. The seriousness of the position was increased by the number of other actions pending which, if the Queensland Government lost the cases, would involve considerable sums of money as well as ruining the whole foundation of the provision of cheap meat to the allied troops. On 30 December, Ryan cabled Robinson asking him to approach the Colonial Secretary to have an imperial act passed validating the Meat Supply for Imperial Uses Act and the action

taken by the Government under the Act. His request indicated the seriousness in his estimation of the meat companies' challenge.⁸⁶ Throughout January 1916 cables passed back and forth as Ryan explained what actions the Government had taken and the nature of the writs. It was a relieved Ryan who received a cable on 9 February stating that the Crown Law Office in London considered that the Act was not *ultra vires* and that in their opinion the High Court action must fail.⁸⁷

In view of the fact that the Act was passed at the instance of the British Government and that it had already saved that Government £500,000, Ryan requested Britain to indemnify Queensland for costs in the court action. He stressed that it would assist tremendously his negotiations with the meat companies if it could be announced publicly that not only did the Crown Law Office consider the Act valid, but that the British Government would indemnify the Queensland Government in any action.⁸⁸ At the same time he sought an opinion from Professor W. Harrison Moore, one of the leading constitutional authorities in Australia and Ryan's former teacher, on the validity of the Act. Moore suggested that the Queensland Government should pass an act making the Government not liable for any bona fide action arising out of the condition of the war.⁸⁹ After consideration by the Treasury, the British cabinet agreed to meet any expenses incurred by the Queensland Government in defending the action, but the Colonial Secretary, Bonar Law, was not prepared to bring a validating bill before the House of Commons unless requested to do so by the Commonwealth Parliament.⁹⁰ Nevertheless, even without this, Ryan was in a much stronger position to maintain his embargo in the face of opposition from the meat companies, the southern premiers and the federal cabinet.

When the session of parliament closed in December, the Government could look back on a fruitful if turbulent first session. Negotiations were in progress for an adequate supply of meat for the State, the sugar growers now had legislation which protected their interests and gave them an idea of what income they could expect each year, amendments to the Railway Act had removed the guarantee principle from new lines thus saving

farmers many thousands of pounds, and plans had been laid for introducing a small number of state enterprises. On the personal side, Ryan managed to squeeze in replies to letters from his electorate, interview constituents who visited Brisbane and answer numbers of letters from people seeking jobs or loans. He had brushed with the Chief Justice, Sir Pope Cooper, over Ryan's holding the Chief Secretary's and Attorney-General's portfolios and over the remission of sentences by the executive.⁹¹ Despite accusations of Catholic influence in the cabinet and broad hints and appeals by his friend Archbishop Duhig for state aid for Catholic schools, none was forthcoming. But it was in caucus meetings that Ryan's ability was appreciated. Through quiet suggestions, listening to caucus members and, above all, giving the impression that neither he nor cabinet would try to dominate the caucus, he achieved complete loyalty and respect. At the end of the session, the PLP presented him with a case of pipes for his leadership of the party and his services to the labor movement in placing so many important Labor planks on the statutes.⁹² In the unions there was no indication of suspicion that the PLP members were not attempting to implement the platform. Occasional pinpricks came from the militant BIC, but even if the industrial movement was not wholly satisfied with the results of the session, it showed no indication of blaming Ryan for this.

Any restiveness and dissatisfaction within the unions was the result of the war, not of State politics. As in August 1914, the labor movement in Queensland was behind the Australian and allied war effort. Adamson and Hardacre represented the Government on the State Recruiting Committee and the labor press regularly published recruiting speeches by Labor members and reported favourably on British military advances. At a special recruiting meeting in November, in seconding a resolution of loyalty to the Empire and determination to defeat Germany, proposed by the Governor-General, Ryan reflected what was still largely the feeling of the labor movement. He urged that men capable of going to the front should enlist and thought that when the urgency of the occasion was realized

they would join up and double the number of recruits.⁹³ However, by mid-November signs of disillusionment and dissatisfaction with the war were appearing in some of the unions; this was directed largely at Hughes who bore the brunt of the criticism for dropping the prices referendum and for promulgating the War Census Act which was interpreted as being the first step towards conscription. Among those who were vocally anti-conscription were many who were also anti-war. These belonged to unions associated with the BIC and the Australian Peace Alliance which the BIC had resolved to support in September 1915.⁹⁴ To these, Hughes' offer of 50,000 men to the British Government, a few days after he had assumed office, "looked like conscription, smelt like conscription and was conscription in a most insidious form" and they would have none of it.⁹⁵

Hughes came to Queensland in November to campaign in the Wide Bay seat rendered vacant by the resignation of Fisher. As losing the seat would have been a blow to the prestige of both the Federal and State Governments, Ryan and Hughes took an active part in the campaign. Ryan had injudiciously said that a defeat in Wide Bay would be regarded as a condemnation of Fisher's war policy by the people of Queensland.⁹⁶ While he was in Brisbane, Hughes agreed to meet a BIC deputation on the question of conscription, but when he was in Maryborough the BIC held a special meeting and resolved to advise unionists in Wide Bay not to vote for the Labor candidate unless Hughes "repudiated the objectionable clauses in the recruiting scheme."⁹⁷ When the news reached Ryan, he wired McDermott to contact Gilday immediately and ask the BIC to withdraw the resolution. He said he did not think it represented Labor opinion, as it gave the wrong impression of the Federal Government's scheme and would certainly affect the by-election.⁹⁸ Gilday immediately contacted the officers of the BIC without success. It was not surprising that when Hughes met the BIC deputation at his hotel on the following night he was far from conciliatory. In fact, the meeting probably worsened relations on both sides.⁹⁹ The differences were further exacerbated when Fisher's seat, which had been held by Labor since Federation, was won by the Liberal candidate.

Relations between Ryan and Hughes were friendly and both agreed that the powers sought in the abandoned referendum should be passed across to the Commonwealth Parliament with the states retaining concurrent powers.¹⁰⁰ Ryan called the State Parliament together in January as required by the Parliamentary Bills Referendum Act, to consider the Commonwealth Powers (War) Bill. The Council again rejected the Bill; however Ryan would not commit himself to promising a referendum on it. The Labor defeat in Wide Bay and his own impending departure for England were two of the factors deterring him. It is also very probable that his own political judgement now was that a referendum on such a bill was likely to be defeated, which would be of no advantage to himself or his Government.

Prior to Ryan's leaving for England the eighth Labor-in-Politics Convention began in Rockhampton on 28 February. No Labor politician in Queensland, particularly a premier, could afford to neglect the party organization or its supreme body, the triennial convention of delegates representing WPOs in the State electorates. This particular convention took on its own importance being held nine months after the State election. The PLP were anxious that the convention should not upset any of their plans by demanding impossible legislation or by evolving a completely new platform,¹⁰¹ consequently there was a greater percentage of politicians at this convention than at any previous one. Ryan represented Carnarvon, allowing a local man to represent Barcoo. As the Brisbane delegates and members of parliament were on their way to Rockhampton, news came that Dave Bowman had died. Ryan returned to Brisbane to the funeral of one of the most popular and respected men of the Queensland labor movement.

Ryan was elected chairman of the convention with Billy Demaine, owner of the Maryborough labor paper the *Alert*, being vice-chairman. His presidential address on the third day showed his mastery of the art of politics. The enthusiasm for the war was slowly beginning to wane in the movement. However, Ryan believed that the allied cause was just and that the war must be fought and won. It was only by winning the war,

he believed, that the world would be led to “the emancipation from Prussian militarism and the bonds of capitalism.” Moving on to local politics, he said that the Labor Government had done a great deal more in one session than had been done by any Liberal or Labor government in any of the states of Australia, but that it could not do everything. To defeat the speculators and to be successful in controlling the cost of living, “they must get down to the bedrock of the principles of the Labor party.” Phrases like this were music in the ear of the labor radical, yet here was a lawyer, looking prosperous in his well-cut suit and trimmed moustache, using the words and phrases of a stump orator. He proceeded to outline in detail what had already been accomplished, reaching a high point with the mention of the action proposed against the Council which he said “had got to go, and a few legal technicalities would not stand in the way”; he then went on to state that with Labor united and showing “the spirit of dogged determination which had characterised the movement’s history we will reach our final victory and achieve that goal to which Labor is pressing forward – the co-operative commonwealth.” First the war had to be settled, and international arbitration introduced to replace war, “when swords shall be beaten into ploughshares, and spears into pruning hooks, then and only then shall equity and liberty and fraternity prevail.”¹⁰² The convention cheered him in a standing ovation: Ryan believed in these sentiments, but more importantly for him as a Labor leader, the movement felt that he believed them and was not simply playing up to their egos.

The convention changed little in the platform, but passed a very definite motion against conscription and any attempt to introduce it.¹⁰³ Its main business was to alter the basis of representation on the CPE and at the convention in order to give the unions affiliated with the party direct representation on both of these bodies. Eleven delegates were still elected to the CPE from convention; the PLP representation there was reduced from two to one and unions were to have proportional representation beginning with one delegate for 2000 members.

The convention over, it remained for Ryan to tidy up the details of the meat agreement before leaving for England. A

round of farewell dinners was arranged by the Queensland Irish Association, by a citizens' committee headed by the Mayor and by the labor movement in Brisbane. From the Irish Association he took a message to John Redmond, leader of the Irish Nationalists in the House of Commons, congratulating him on his struggles for Home Rule and hoping that Home Rule would come with the termination of the war. There may have been some irony in the fact that the three principal speakers at the Mayor's farewell were the presidents of the Chamber of Commerce, the Chamber of Manufacturers and the Brisbane Traders' Association. All disagreed with Ryan's politics, but granted that he was a man of ability and that he would represent the State well in England. The reports of the labor farewell reinforced the impression of the convention; Ryan dominated the Labor party in Queensland as no man had before. Whereas Kidston, the leader closest to Ryan in ability, at the height of his power gave rise to suspicions of "Bonapartism", Ryan's domination was not flaunted, but was exercised with diplomacy and accepted with trust.

In March Ryan and his wife, with McDermott, McCawley and a messenger from the Justice Department to act as a personal assistant, left for San Francisco on their way to England. Theodore was to act as Premier during his absence, but it was Hunter who was named as advisory trustee under a will Ryan made before leaving,¹⁰⁴ and who was to take charge of his two children during his absence.



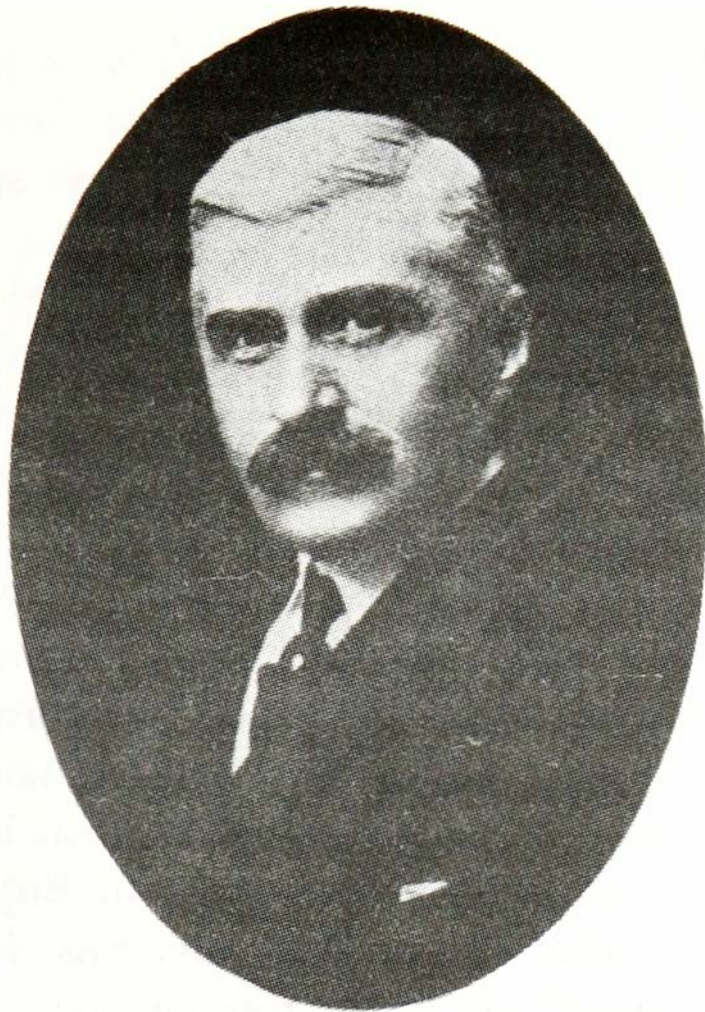
William Lennon [John Oxley Library,
Brisbane]



Lewis McDonald [John Oxley Library,
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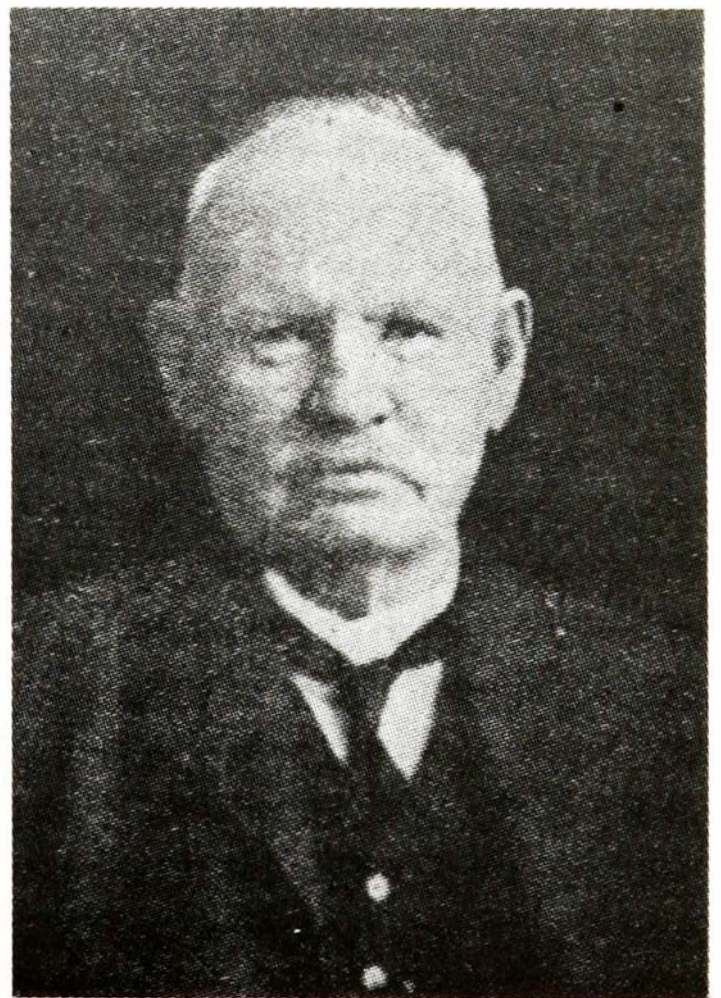
Billy Demaine [*Men of Queensland*,
John Oxley Library, Brisbane]



Governor Hamilton Goold-Adams,
[From M.J. Fox: *The History of
Queensland*, Vol. 1, John Oxley
Library, Brisbane]



Thomas McCawley [John Oxley Library,
Brisbane]



Peter McDermott [John Oxley
Library, Brisbane]

7 England

Ryan anticipated that he would be away from Queensland only for the parliamentary recess. He hoped to return early in August by which time supply would have been exhausted and parliament would have to be called together. Allowing for travelling time, he would have only two months in England to finalize negotiations on meat, sugar and minerals with the British Government; to discuss with the foreign office the question of Japanese settlers in Queensland; to confer with a long list of commercial and governmental officials; to appear before the privy council in the *Eastern*¹ and *Bacon v. Purcell*² cases and, in addition, to visit the troops at the front and find time to travel to Ireland and Scotland. His decision to travel via the United States was motivated by a number of different factors. He hoped to settle through direct negotiations a contract for the supply of steel rails to Queensland which the Denham Government had arranged sixteen months before, but which the American company had not fulfilled. Although he had no love for the trusts which seemed to be choking the United States, Ryan had a great admiration for the English-speaking democracy across the Pacific Ocean. He had studied its legal and constitutional system; he admired the strength of the democratic traditions there and the power of the industries which had been built up in the nineteenth and early twentieth centuries. He dreamt of a closer alliance between the two countries, believing that they had similar interests in the Pacific area and accepted that, in the event of any future Japanese military thrust into the South Pacific, Australia would be able to count on the assistance of the United States.³ While travel-

ling through the United States, he hoped not only to see something of the great cities and industries, but to promote closer ties between the two countries by inducing the Oceanic Steamship Company and the United States Government to run a direct service from San Francisco to Brisbane to expand Queensland-United States trade after the war.

In San Francisco, Ryan made use of his brief stop over, before boarding the train to New York to begin preliminary discussions on the direct shipping service. The shipping company was mildly interested, but since the question of mail subsidies was involved, further negotiations with the United States Post Master General were required before any definite commitment could be given. Ryan was more successful with the steel rail contractors and, despite their pleas of a scarcity of shipping, arrangements were made for the delivery of the rails in mid-1916.⁴ In New York, Ryan found the war the major topic of conversation and the Americans with whom he spoke at the end of April 1916 expected a rupture between Germany and the United States at any time, even perhaps before his party reached England. McDermott wrote to his wife that feelings in New York appeared to be very strong against the Germans.⁵ However, on the eighth day out from New York on the voyage across the Atlantic, while some of the passengers slept strapped in their life belts and others slept not at all, it was not the rupture of Germany and the United States that was to shake the Empire and, indeed, the allies – it was an armed rising in the capital of England's oldest and longest-suffering colony, Ireland.

Despite the editorials and the poems written in the nineties and later about Australia's being a new land removed from the ills of the old societies of Europe, the World War demonstrated clearly the extent to which Australia was bound by trade, culture, race, religion and history to the old world. Caledonian societies, Orangemen's lodges, Irish associations, and Catholic clubs attested to the presence of old world traditions in the new land. Indeed, it was really impossible for Ryan, or any other Australian, to be free from links with Europe or the British Isles. The long-standing problem of Ireland had produced debates and partisanship on the vexed question of Home Rule

and, as Ryan's party sailed for England, the centuries' old feeling of repression in Ireland boiled over once more as the Sinn Feiners rose in rebellion. In April 1916 its significance for Ryan or for Australia could not have been foreseen but, as much as the war itself, the rising was to show how deeply Australia was tied to the old world.

Irish Catholic leaders in Australia were shocked by the events in Dublin which they saw as ill-timed and unnecessary and as a blow to Home Rule which had seemed more likely than ever to be granted after the war. In Brisbane, Archbishop Duhig, the Catholic *Advocate* and Irish-Australians such as Mick Kirwan, Labor member for Brisbane and a leading officer of the Queensland Irish Association, were unanimous in their condemnation of the Sinn Fein action, in their sympathy for Redmond and in their belief that Sir Roger Casement was an arch conspirator and deserved to be brought to justice.⁶ Other influential Irish Catholics throughout Australia expressed similar opinions, but like Archbishop Duhig, they hoped for clemency for the rebels. It was the British reprisals, applauded by some Ulster lodges in Australia and by newspapers like the Melbourne *Argus*⁷ which alienated Irish Catholic support in Australia for Britain and turned opposition to the rebels into a sympathy bordering on support. Duhig wrote to Dr. N. M. O'Donnell of the Celtic Club in Melbourne:

Irish Queenslanders who have loyally and generously supported the cause of Empire and the allies are grievously disappointed and saddened by the hasty executions. The Imperial Government should know that Lieutenant General Maxwell's execution policy is calculated to do immense injury to recruiting at a most crucial time . . . People are already contrasting the wholesale death sentences on the Irish revolutionary leaders with the clemency extended to rebels and mutineers elsewhere in the Empire.⁸

The Catholic *Advocate's* editorial "Outdoing Cromwell" recalled one of the most loathed names in Irish history.⁹

Ryan's arrival in Liverpool on 1 May coincided not only with the Irish uprising, but with the debate on military conscription in the British labour movement and throughout the British nation. A secret session of the House of Commons had been

held on 25 April to enable Asquith to introduce a bill for compulsory military service if sufficient volunteers were not forthcoming. Leave to introduce the Military Services Bill was sought on 27 April and then withdrawn.¹⁰ It was again introduced on 3 May, passed, and came into operation on 25 May. While there was a large consensus in the House of Commons in favour of universal military conscription, a section of the parliamentary Liberal party, numbering thirty or forty and known as the Simon group after its leader Sir John Simon KC, was opposed to any bill imposing conscription. Within the Labour party and the trade union movement there was a division about conscription and a split in the parliamentary party was avoided only by a meeting on 2 May when it was decided that there should be a free vote of Labour members on the Conscription Bill.¹¹

Although Ryan, as a political leader, was barely known in Britain, the importance of the colonies and the self-governing nations of the Empire in supplying men, food and minerals for the allies was not lost on the British press. Consequently, there was a large turn-out of journalists to measure this latest Labor leader from Australia. Till that time, all that the British people knew of Ryan was that his Government had established a state insurance office and a state butchery, and seemed bent on introducing a whole range of Government business enterprises and restrictions on the profits of private commercial undertakings, which ran counter to all that was holy in British economic and political practice. Ryan was willing to explain the reasons for such extensive state intervention. The State, he said, was required to take action to prevent high prices and high profits being made by shipowners and those concerned with the food trade. The state enterprises in Queensland could deal with the latter but he sought, most strongly, state ownership of shipping in Australia to combat the "scandalously high" freight rates being charged. As was his normal practice, having made his strongest point, Ryan concluded on a conciliatory note. Making it clear that he wanted the profits on capital to be limited, he acknowledged the need for capital to be invested in Queensland and made the first of many pleas for British capital to come to Queensland, after the war, to finance the building of new rail-

ways which would open up further country for settlement.^{1 2}

Both Fisher and Robinson met Ryan in Liverpool and accompanied him on the train to London, where, on his arrival, he had a lengthy conference with the Australian Prime Minister Hughes, and with Bonar Law, the Colonial Secretary. While they settled down to considering the problems of meat and munitions, Ryan and Hughes attended a special dinner arranged by the Empire Producers Association. This organization had been founded after the outbreak of war to foster trade between various parts of the Empire and to promote reciprocal and preferential arrangements of duties and tariffs so as to establish the economic independence of the Empire. This was particularly important in regard to sugar since, before the war, British free trade policies had enabled heavily-subsidized sugar from Europe to be landed in Britain at a much cheaper rate than Empire sugar. This had almost ruined the refining industry in Britain and the sugar industry in the West Indies.^{1 3} There was no disagreement among Hughes, Ryan and the sugar producers about the need for Empire tariff protection. In a speech in Glasgow prior to Ryan's arrival, Hughes had already promoted the idea of a special Empire tariff with which Ryan had agreed. He also agreed that it was the first duty of governments to provide the conditions whereby men of their own race were guaranteed employment in the sugar industry.^{1 4} With the support of the Premier of the largest sugar-producing state in Australia and also of the Australian Prime Minister, the Empire sugar producers had good grounds for approaching the British Government for an Empire tariff which was eventually provided in 1919.

Meat was the commodity about which the real problems were associated. Since the passing of the Meat Supply for Imperial Uses Act in 1914, the British Government had a guaranteed supply of meat and had been saved some £500,000. The possibility of these advantages being lost, which had caused Ryan to seek a validating act from the British Government, was increased shortly after his arrival by the Australian High Court's declaring invalid the New South Wales Meat Supply Act.^{1 5} Although the writs against the Queensland Government by Reynolds and Company and the Flemington Meat Preserving

Company had been withdrawn, there were other bodies, such as the Pastoralists Association, which still wished to challenge the Act. Bonar Law was moved by the High Court's decision to act speedily and to ask the Commonwealth Government if it would consent to a validating measure which the Colonial Office thought desirable.¹⁶ Theodore was in Melbourne when a copy of the cable was received in Brisbane. Hunter immediately cabled him to see Pearce, the Acting Prime-Minister, and Hugh Mahon the Acting-Attorney General, to convince them of the importance of agreeing to the British action.¹⁷ Theodore's conference with the Commonwealth ministers revealed a new source of conflict for the State Government. The Commonwealth Government believed that the Queensland Act, though administered in good faith, was *ultra vires* and not working in the best interests of the Commonwealth. It further believed that the War Precautions Act gave it sufficient power to control the price of meat and rejected completely the interpretation of the British Crown Law Office together with any proposed validating legislation.¹⁸ Mahon went a step further and reiterated the determination of the Commonwealth to defend the principle of interstate free trade by testing in the High Court the validity of the Queensland meat legislation.¹⁹ There was nothing more that Theodore could do save reply to Ryan that, unless the Imperial Government went ahead with the validation, the price of meat to Britain would probably rise and the quantity available fall.²⁰

Receiving an evasive answer when he talked to Hughes on the validation question, Ryan cabled Theodore suggesting that he advise the Governor to recommend to the Colonial Office the passing of the validatory bill.²¹ Goold-Adams sent the cable, but Bonar Law was adamant in his refusal to go against the wishes of the Australian Federal Government in such an important constitutional question. He informed Ryan that the British Government would, however, completely indemnify Queensland in respect to any expenses incurred by them in connection with actions brought against them under the Meat Supply Act or the Sugar Acquisition Act.²² This blanket promise had been occasioned by the additional actions being brought against the

Queensland Government in June and, in particular, by a writ taken out in the High Court by the solicitors of the United Pastoralists and Grazing Farmers Association of Queensland on behalf of Mrs. Laura Duncan of Mooraberrie Station. This case, the Stock Embargo case, was to test the validity of the Meat Supply for Imperial Uses Act. In July the Commonwealth Government took out a similar writ which, in addition, brought into question the validity of the Sugar Acquisition Act. On hearing this, Ryan sought out Hughes asking him to modify his position, but again Hughes provided only an evasive reply. Confident of his own ability to win the case, Ryan cabled Theodore suggesting that the case should be postponed until his return.^{2 3}

While the future of the meat supply to Britain was under consideration, Ryan pursued with the Board of Trade Robinson's idea of a government monopoly of the overseas meat trade and the establishment of competing Government-owned butcher shops in England. Shortly after his arrival Ryan had begun discussions with a representative of the Board of Trade whereby Queensland meat not required for the army would be returned to the Queensland Government Offices in London, which would undertake to retail the meat and so deprive the middlemen of their excessive profits. Ryan's main complaint about the retailing of meat in England concerned the high charges that the consumer was forced to pay through the Government's unwillingness to regulate retail as well as wholesale prices. He proposed to find a sufficient number of retailers who would accept a fixed rate of profit and who, by competing with other retailers, would bring down the price of meat. The representative of the Board, whom Ryan interviewed, showed none of the zeal and idealism of the Queensland Premier, nor was he prepared to recommend a confrontation between the British Government and foreign meat companies. The Board's representative doubted the existence of any meat ring and thought it reasonable that retailers should exact what the consumer would pay. While he admitted that the British Government required all the meat it could buy, he felt it unwise to try to acquire all the meat coming into Britain in the way that Australian and New Zealand meat had been acquired. Despite

the Board's admission that the Government was at the mercy of the foreign companies who were charging higher prices than those of Australia, their representative was quite unenthusiastic about Ryan's solution.²⁴ Ryan continued to press the matter, investigating the availability of shop sites, agents and so forth. Despite his and Robinson's persuasive arguments, the problems of administration loomed too large in the eyes of the Board of Trade; Ryan had to be content with supplying the Imperial Government the cheapest meat available.

Despite his being only a state premier and not the Commonwealth Prime Minister, Ryan confidently conducted his business negotiations with British representatives quite independently of Hughes and the Commonwealth authorities. Early in May, he began discussions with the British Government's munitions committee in regard to Queensland's capacity to furnish additional minerals. Queensland and Australia had already been manufacturing shells; however, by May 1916, Britain was not in urgent need of shells, but required more metal for manufacturing them. On this basis Ryan began negotiations firstly with the British government to buy Queensland copper and, secondly, with the Chillagoe debenture holders to sell their mines and railway to the Queensland Government. The British Government indicated that it was prepared to enter into a contract with the Queensland Government for 1000 tons of copper a month for the following two years, the price to depend on the quality of the copper.²⁵ Since the Commonwealth controlled the export price, this meant a guaranteed price of £100 a ton. Theodore cabled that Queensland copper mines were already producing 1450 to 1500 tons a month which was expected to rise to 2000 to 2500 tons by January 1917. Mines and smelters like those at Chillagoe would be capable of producing a further 2000 tons a month if the capital was available to get them going.²⁶ In addition to providing metals for Britain, Ryan wanted to see his own State make a profit out of this export. When the British Government further indicated that it was prepared to support Queensland's taking possession of idle mines like Chillagoe, Ryan began his negotiations with the trustees of the Chillagoe Company in London.

Having only the cables of Thynne to provide them with information on attitudes in Queensland, the trustees were rather shocked to find that the Queensland Government was not in fact pressing the Chillagoe representatives in Australia in an effort to buy the mines, as Thynne had suggested, and certainly not for anything like £700,000.²⁷ They were possibly surprised also to find a Labor premier who could negotiate so firmly and who understood so well the subject under negotiation. Since there had been no dividend for over ten years, Ryan held the upper hand and the debenture holders agreed to his offer of £450,000 which included the purchase of the mines, smelters and railways, the last mentioned currently showing a running profit. Though the negotiations took six weeks to complete and delayed Ryan's departure for Australia, the deal had been a bargain for the State. Besides assisting the war effort, the assured market of copper for two years would gross £2.4 million, adding to the State's revenue and providing employment in an area affected by the war.

In the midst of these negotiations over meat and copper, Ryan appeared before the Privy Council for Purcell in the *Bacon v. Purcell* case and for the Queensland Government in the Eastern case. In the former case the Supreme Court in Queensland had found in favour of Bacon, while the High Court had set aside this judgment in favour of Purcell. The Privy Council restored the Supreme Court judgments and ordered Purcell to pay costs.²⁸ The Eastern case had arisen out of the stranding of a vessel, belonging to the Eastern and Australian Steamship Company, in the port of Brisbane. The company was by law required to have a pilot on board a vessel entering or leaving the harbour, but there was doubt as to whether the Government or the underwriters were liable for negligence in the event of a vessel running aground. Both the Supreme Court and the High Court had found against the Queensland Government, the High Court ordering £56,000 compensation to be paid. Other claims totalling considerably more than £250,000 were contingent upon the Privy Council decision. The case had arisen even before O'Sullivan became Attorney-General in 1908, with one action being settled by the Government's paying £5,000 com-

pensation. McCawley, when only the Chief Clerk in the Justice Department, had taken an interest in the case and had later drawn O'Sullivan's attention to the fact that neither the British Government nor any other Australian state government was liable for the negligence of a pilot. O'Sullivan agreed that an appeal to the Privy Council should be instituted.²⁹ When Ryan became Attorney-General, McCawley went over the case with him and both agreed on the appeal. The Privy Council upheld Ryan's appeal with costs against the company.³⁰ The £56,000 damages reclaimed more than compensated the State for Ryan's and McCawley's expenses in going to England to fight the case.

While addressing the Privy Council in the Eastern case, Ryan was called away to an audience with the King at Buckingham Palace; this caused comment in the Brisbane press and particularly the defensive Catholic press where his Irish Catholic perentage became important in demonstrating that Irish Catholicism, despite the Sinn Fein rebellion, was not synonymous with treason or disloyalty to the Empire.³¹

As a visiting premier, Ryan was a guest of honour at several dinners in London given by the Irish Nationalists, the Royal Colonial Institute and similar organizations. At the dinner given by John Redmond and some of the Nationalist organizations. At the dinner given by John Redmond and some of the Nationalist members of parliament, Ryan presented Redmond with the special message from the Queensland Irish Association. Ryan earnestly believed in Home Rule though he could never have been described as being passionately or emotionally devoted to this or any other cause. Since the morale of the Home Rulers had been so visibly affected by the setback at the Eastern Rising, he used his skill as a politician to rouse their spirits. To an audience accustomed to fine oratory, he delivered what McDermott termed an electrifying speech.³² Whereas it had been argued in many British circles, he said, that the uprising had provided an argument against Home Rule, Ryan saw it as a conclusive argument in favour. He contended that an Irish parliament would not have been caught napping by the Sinn Fein and would not arouse the hostility that the British suppressions had. In reply, a dispirited Redmond confessed that

he thought the uprising, coming at a time when the Irish cause had been practically won, had struck what might prove to be a death blow against Irish freedom.³³ Despite the setback to their hopes by the uprising, the Nationalists were cheered by Ryan's speech and decided to publish it and the Queensland message to Redmond and circulate these throughout Ireland to counter the anti-loyalist influences.³⁴

Ryan used the other dinners to make public his views on the war, Empire trade and the post-war settlement of soldiers, and to seek a greater voice for the Dominions in the policies of the Empire. These speeches were given good coverage in the Australian and the English press. Believing that if a politician had something worthwhile to say he should say it over and over, he emphasized the significance of the Australian contribution to the war in comparison to her size and attributed this jointly to the Labor policy of compulsory military training and to the healthy independent manhood that strong trade unionism had built. He was anxious that, after the war, soldiers from Britain should be given the opportunity of filling the empty spaces in Australia, and particularly in Queensland. To assist this the Queensland Government was opening a million acres of land for soldier settlement but required British capital for the railways. To equip the ex-soldiers with some capital Ryan proposed that either a grant be made to each by the British Government or that each soldier's pension should be commuted to provide the capital. Like Hughes, Ryan was a nationalist and as such was concerned that at the peace conference Australia should have its own voice and not merely be a part of the British Empire delegation.³⁵

While in England Ryan and his wife made a special point of entertaining and meeting all wounded soldiers. This was not mere politicking. Ryan had offered to enlist in 1915, but had been informed that, as a premier, his job was at home. Later, in the conscription referenda, this was twisted to suggest faint-heartedness on Ryan's part. He was predominantly a humanitarian and his talking to the soldiers, contacting their relatives on his return and seeking the troops' opinions on the war and reinforcements all accorded with the character of the man. Un-

doubtedly the subject of conscription, then being debated in England, was also discussed with these troops. At the beginning of June he left for the western front where General Birdwood took him among the units near the front to enable him to see and speak to Australian soldiers in the trenches. After twelve days in France he returned to England to entertain more wounded soldiers before embarking on a visit to Ireland. Despite Ryan's Irish heritage and deep sympathy for Redmond and the Home Rulers, he could do no more than spend a day in Dublin and a day in Belfast before crossing over to Glasgow, visiting the North Sea Fleet and returning to London. Hughes had left for Australia before Ryan returned to London and Ryan, too, was anxious to be on his way home. During his visit, the Conscription Bill had been passed by both the Commons and the Lords, providing Ryan with a preview of the military and philosophical arguments for and against conscription that were to be used in Australia. In addition, he had the first-hand views of Birdwood, who favoured conscription, and of the troops, many of whom did not. Perhaps, like the official war historian C. E. W. Bean who likewise mixed with the troops at the front and in the hospitals, Ryan was able to glean something of the reasons for the opposition to conscription among those whom conscription was intended to assist. Bean later wrote:

Beyond question the most general motive among the soldiers for opposing conscription was one not without nobility. They themselves when they enlisted had not known the trials and horrors of war, and, now that they did know, they would not, by their voices, force any other man into those trials against his will.³⁶

One of the staunchest opponents of conscription in England had been Sir John Simon who was to appear for the Queensland Government in 1916 and 1917 in two Privy Council cases: *Commissioner of Stamps v. Queensland Meat Export Company* and *Australian Alliance Assurance Company v. Attorney General of Queensland*. It seems reasonable to suggest that he and Ryan, both liberal politicians and both concerned with the fate of the war, should have talked about the conscription question when discussing the two cases for which Simon was

being briefed. It was Ryan's political style to weigh these arguments and those presented at home before deciding which he would support.

The cabinet in Queensland suggested that he delay his departure until the negotiations with the Chillagoe Company and the British Government over copper had been concluded. The British Food Commission at this time also sought his evidence regarding price regulation, so it was not until 8 July that Ryan left England for New York. On his arrival in New York, Ryan interviewed the United States Post Master General regarding a rearranging of mail time-tables to allow a direct San Francisco—Brisbane steamship service. After further discussions with the Oceanic Steamship Company it was agreed that Ryan's suggestion was feasible and reasonable without government subsidy. One of their captains was sent back to Brisbane with Ryan to consider the question further. At President Wilson's invitation Ryan spent a day conferring with him in Washington. On 25 July, he left the United States for Sydney.

It was to a different Queensland and Australia that Ryan was returning. The Labor Government in Queensland had found in the battle with its capitalist opponents that the latter were not content to use normal parliamentary means, but were prepared to challenge legislation through all the courts and to spare no expense in fighting these and any new challenges to their entrenched position. When the labor movement had opted for constitutional political action as against revolutionary or direct action in its fight with capitalism, it had thought that the power of the State would be sufficient. It underestimated the strength and tenacity of its opponents who, having lost the political battle, were well able and prepared, to take up the legal battle with a sympathetic law fraternity.³⁷ It was fortunate for Labor, when it came to power in Queensland, that it had in Ryan a leader whose legal capabilities were more than a match for the best that capitalism, could put into the field. The Government's "contentious legislation" had been subjected to its first court battle while Ryan was in England. In the Full Court the Alliance Assurance Company contested the validity of the Workers' Compensation Act only to have the Court declare its central

principle valid though some of its regulations were *ultra vires*.³⁸ The company thereupon appealed directly to the Privy Council. Other legal tussles were mounting. Following the High Court decision against the New South Wales Meat Supply Act in *Foggit Jones and Co. v. New South Wales*, further writs had been taken out against the Queensland Government by Mrs. Duncan challenging the Sugar Acquisition Act. This case, the Mooraberrie case, was to become one of the most important and most notable of Ryan's legal battles.

In the sugar industry, while the acquisition of the sugar crop and the introduction of cane prices boards had satisfied the growers and stabilized the industry, the CSR soon revealed that this forced limitation of its profits was not to go unchallenged. Before Ryan had left for overseas, a hint of the problem to come had been given when growers supplying a CSR mill near Mackay had complained that they were not receiving full payment for their cane, payment in some cases being up to five shillings a ton below the set price.³⁹ The manager of the CSR blamed the delay on the Cane Prices Board Act which had "for the time being abolished our contracts." He would hand over the money to the growers only if the Cane Prices Board would agree to certain conditions.⁴⁰ The CSR was prepared to go a step further and upset the whole cane prices legislation by making the local boards unworkable. When the local Innisfail board met at the beginning of April 1916, Sir Edward Mitchell KC had been briefed to appear on behalf of the CSR which owned mills in the area. For nineteen days he argued before this board that the proclamation under the Sugar Acquisition Act had not fixed the price of cane and consequently the local board had no authority to act.⁴¹ Though the local board ultimately fixed a price acceptable to miller and grower, it was an unsatisfactory prospect to have senior counsel appearing in a tribunal established primarily to allow grower and miller to sit down together and decide on a mutually agreeable price. Difficulties were further encountered with the CSR when Higgs, the Federal Treasurer, was informed that the company was unwilling to refine the 1916 Queensland sugar crop. Again the trouble revolved about the sugar cane prices boards which the company

claimed had so fixed prices as to reduce the company's profits, presumably to the benefit of the growers – the whole purpose of the legislation. To ensure that the intentions of the Regulation of Sugar Cane Prices Act were fulfilled it was necessary to have finance for the central board to operate and to pay sugar chemists to enter the mills to check the quality and quantity of raw sugar. The 2d. a ton levied on cane received at each mill was opposed by the CSR and other milling companies and writs were issued against the Central Sugar Board. A further writ was issued against the Government on the question of sugar chemists entering the company's mills. Both writs were awaiting Ryan soon after his return.

The sugar industry was to be further troubled with an award to sugar workers handed down by Acting-Judge Dickson. Under the Denham Industrial Peace Act, still in force, there was provision for only one judge of the Industrial Court. When the one judge, MacNaughton, was busy with other awards, acting-judges could be appointed for short periods, and with the volume of work coming before the court, Dickson was reappointed an acting-judge. In 1915 Judge MacNaughton had granted wage increases to sugar workers in the fields and in the mills, but as awards under the Industrial Peace Act were valid for only twelve months the AWU applied for a further increase in 1916. Dickson was to hear the case. With great thoroughness he began taking evidence at Cairns in early May and moved down the coast, concluding in Brisbane two months later. During that period he accumulated hundreds of pages of evidence on wages, accommodation, food, hours and the profits of milling companies. He heard evidence from every part of the industry: the AWU, the Australian Sugar Producers Association (ASPA) representing, principally, millers but also some growers, the United Cane Growers Association (UCGA), (a purely growers' organization which had broken away from the ASPA) the CSR, the Fairymead Sugar Company of Bundaberg and the District Sugar Manufacturers Union – these last three were represented by counsel – and from the Treasurer as the Minister-in-Charge of the Central Mills.

Those directly involved in the industry on the employer side

asked that no changes be made in the award, while the Government said it could not afford to pay more than five per cent increase in wages and asked that no departure be made from the forty-eight hour week or from the provisions of the Workers' Accommodation Act.⁴² Dickson considered the evidence for five weeks before delivering his judgment which covered 100 typewritten pages. He found that the industry had recovered from the worst of the drought and that its prospects had greatly improved under the new method of selling sugar. Estimating the cost of living at a pound a week more than Arbitration Court judges in Sydney and Adelaide had found, and using the recorded profits of the millers as a guide, he granted a fifty per cent increase in wages to all employees, set out a schedule of food to be provided, and ordered that lights, stretchers and mattresses should be included in the accommodation, but declined, in view of the war, to reduce hours from forty-eight to forty-four.⁴³

From the evidence presented to the court, Dickson's award, though markedly generous, was not unreasonable. In estimating the capacity of the industry to pay the rises, however, he appeared to have relied more on the balance sheets of the millers than on those of the growers, some of whom were badly hit by the award. The sugar industry was not one with a history of all-round reasonableness. The millers, though fewer in number, were in a position to hold up the whole industry if they were prepared to take direct action against the Dickson award. Angus Gibson, a member of the Legislative Council and president of the Bundaberg Sugar Manufacturers' Union was the first to suggest publicly that the mills might close down. Other mills did close down and soon growers, caught up in the stream of protest of the millers, joined in and threatened a strike. It was at this stage that Ryan arrived back in Brisbane to become the focus of attack by the sugar industry. But it was not over the sugar question alone that problems had arisen.

During Ryan's absence the new CPE had been elected, and for the first time contained delegates representing the affiliated unions. Before leaving for England, Ryan had been elected pro tem chairman until the unions had held their ballots. On 26

June, when Lewis McDonald announced that all these had been completed, it was decided to proceed with the election of officers. Sumner and Gillies nominated Ryan for president, while Collings and Ernie Lane nominated Billy Demaine, who had a reputation and a history in the party going back to his secretaryship of the ALF in Wide Bay during the 1890 strike. Though the CPE consisted of twenty delegates, only thirteen were present that day; seven of these voted for Demaine and six for Ryan.⁴⁴ On the surface it seemed that the industrialists had gained control of the CPE and had ousted the politicians, but as with most simplifications of Labor ballots, the reality was quite different. Sumner defeated Collings for the vice-presidency, while the closeness of the presidential ballot considered in relation to the fact that among the seven delegates absent at least five were Ryan supporters, reflected the truer position, namely that the political leaders, Ryan and Theodore, continued to dominate the party not simply because they were politicians, but because they were capable men able to use their extra political knowledge and experience to advantage. Though radicals like Lane, Tim Moroney, of the Queensland Railways Union (QRU), Collings and Charlie Collins, a former AWA organizer and now member for Bowen, made most of the running in the CPE, they could not take the party too far beyond where Ryan and Theodore wanted it to go. In any event it was probably better for Ryan and the Labor party that he was relieved of the duties of president. It is when the Labor party is out of office that the organization is forced to play a greater role and at such times the leadership of a strong parliamentary leader can be of advantage in achieving a return to power.

In the months of Ryan's absence, the war, conscription and censorship became issues which provoked heated debates, and brought forth two opposing sides in the community. As the morning papers published their long casualty lists, the recruiting committees noted despondently the declining number of recruits. Monthly enlistments throughout Queensland had fallen between January and June 1916 from 3886 to 1083.⁴⁵ Reasons and scapegoats were sought. Was the State Labor Government

really pulling its weight? A deputation from the State Recruiting Committee tackled Theodore. He agreed to have posters and other recruiting material printed by the Government Printer, but also pointed out that the railways were assisting with recruiting trains, and public servants were being placed at the disposal of the State Recruiting Committee during their working hours. Other reasons were sought. At a special conference of provincial recruiting committees held in Brisbane on 24 June, discussion revolved about the "disloyal undercurrent working in the community" who were preventing and discouraging the nation from sending its full number of men to the front.⁴⁶ Talk of such an underground conspiracy was heightened by Senator Pearce's suggestion that German money might have been involved.⁴⁷ It became all too easy throughout the war to blame any national mishap on powerful subversive forces and to play this up when only the flimsiest evidence was available.

By June 1916, 301,000 men had enlisted, seventy-five per cent of the total number to enlist by the end of the war. But there was no questioning by the recruiting committees of the reported number of men available in Australia for overseas service, nor of the number needed for home defence and the maintenance of essential home industries. The war census report of November 1915, which showed that there were 600,000 "fit" men of military age in Australia, gave no indication of how many of these would satisfy army medical standards nor how many would be required for Australian industries and home defence. The announcement by Hughes in November 1915 of a new army of 50,000 men plus 9500 reinforcements a month was accepted by the recruiting committees as a realistic target. By not conceiving that this figure might in fact have been unrealistic, members of the various recruiting committees had little option when considering the declining success of their efforts but to see conscription as the only solution. In an atmosphere where blood-curdling posters glared down at each passer by, where churchmen, politicians and civil and business leaders daily preached war and where jingoism was mistaken for patriotism, it was not difficult to become emotionally convinced of the correctness of conscription and to put aside any

clear rational appraisal of the situation.

Throughout July the debate on conscription in Australia widened. To the USL, now established in Brisbane, the case was simple: voluntaryism had been given a clear opportunity to provide recruits but had become exhausted. The *Courier* took up the League's argument:

It [voluntaryism] has ceased to be able to produce the men, and no amount of artificial stimulation will bring back its used up power. Either it must give place to compulsion that is conscription, or we shall have to confess to the world that we cannot maintain our divisions at full strength, and tell the brave men who are at the front that the manhood of Australia has deserted them.⁴⁸

If such clear pronouncements assisted the conscriptionists' cause, they also provided the fuel for a growing anti-conscriptionist movement. Regular articles appeared in the labor press setting out the arguments against conscription. At the Eight Hour Dinner in May, Jim Page, federal member for Maranoa, assured the unionists present that not only would all the Labor politicians from Queensland oppose any conscription bill but that it would not pass through the Federal Parliament.⁴⁹ Page was no radical. He was, if anything, as much of an imperialist as Hughes. He had fought in the Sudan War, had been discharged from the British army with the rank of sergeant and was one of the keenest supporters of recruiting in Queensland. Yet he was opposed to conscription and in his speech reinforced the stand on conscription made by the AWU and the BIC.

Of the cabinet or the PLP, only Adamson had publicly stated his support for conscription and had taken office in the USL. Other members of the cabinet had refrained from committing themselves publicly on the issue which was better left dormant until the return of Ryan and Hughes. To the radicals in the party however, conscription was assuming an importance which transcended all other issues. Though Adamson was the only Labor member in Queensland to favour conscription, the presence of Holman, J. C. Watson and Hector Lamond, managing editor of the *Australian Worker*, among the national officers of the USL indicated that there was support for conscription

among the party's leaders. The 1916 Rockhampton convention had been quite clear on its rejection of conscription but, with the fear of others joining Adamson, the more militant CPE delegates sought a clear restatement of the party's attitude. At the first meeting in August, the CPE reaffirmed, in a resolution of Lane and Collings, "the political labor movement's complete opposition to conscription" and sent a copy of this to all state and federal Labor members.⁵⁰

Hughes had been back in Australia a fortnight when Ryan arrived in Sydney. The views of both men on the war and conscription were eagerly sought by the press and by the Labor party. Both men had spoken to the troops and had seen conditions in the trenches, both had held discussions with General Birdwood, Lloyd George and other cabinet ministers and both had expressed some opposition to conscription before leaving Australia. Both had heard the debates in England and had seen legislation passed there introducing conscription. Though Ryan had been entertained at a wide range of functions and had visited important centres in the British Isles, he had not been feted as Hughes had nor had he been subjected to those influences which seemed to have turned Hughes' head.⁵¹ It should be expected that the arguments of Simon, Philip Snowden, leader of the anti-conscriptionists in the British Labour party, and of Redmond against conscription influenced Ryan more than Lord Northcliffe's praises for the measure.

What Ryan's views on conscription were when he left England, no one in Australia knew, though his keen support for reinforcing the troops was never doubted. It is very likely that he was not sure of his own views as yet; moreover, with the introduction of conscription in Britain one of his earlier and principal objections had become no longer valid. With this degree of uncertainty about Ryan's attitude, Adamson decided to steal a march on his detractors in the party and hurried to Sydney to meet Ryan and accompany him back on the train. Only conscription could have been of sufficient importance for him to consider such a step.

Like Hughes, Ryan was cautious in his first press conference after his arrival. He had been absent for four and a half months

and, though Theodore and Hunter had kept him informed of political developments, he had first to make his own assessment before committing himself to any course. He spoke of the huge profits being made in England out of foodstuffs and of the money that seemed available for war loans. On conscription he said:

Conscription in England seems to have been adopted rather as an instrument or shall I say a temporary arrangement to win the war – rather than as a principle of sound reform. There was a section of course that was opposed to conscription and there was another large section who held the opinion that there should contemporaneously be a conscription of wealth, or at all events that there should be no such thing as extra war profits.⁵²

Nothing of his own attitude to conscription was disclosed. Yet from a speech at an Anzac buffet in the Domain that night, those closely scrutinizing the words of all political leaders might have assumed a tacit endorsement of conscription by Ryan when, after a cheery welcome by the soldiers, he assured them that the arrival of each one was being awaited with eagerness by the men in the trenches. “The greatest and most welcome gift,” he added “that Australia could send her men at the front was reinforcements.”⁵³

Conscription, if it was to be introduced, would have to be considered in relation to the circumstances pertaining at the time. It was, after all, essentially a problem to be solved by Hughes and the Federal PLP. Ryan had problems enough of his own with the Legislative Council to be faced once more, two Supreme Court writs pending from the CSR over his sugar legislation, further negotiations with the CSR regarding the refining of Queensland sugar and a High Court case over the meat embargo. His visit to England was soon very much a thing of the past.

8 “Rocks ahead”

There were others, apart from the members of the Labor party, waiting to welcome Ryan home. In Sydney, the pastoralists thanked him personally for providing them with an additional £200,000 through his assistance in having more Australian wool sold in London; merchants in Brisbane were pleased with the apparent success of his negotiations in the United States for a direct shipping link with San Francisco, while relatives of soldiers stationed in France and England felt that his meeting the troops in London and at the front, his wife's visits to hospital and his calling for reinforcements meant that the men at the front were not being forgotten.¹ However, there was not the same pleasant spirit shown by deputations from the Six O'clock Closing League who met him at the Toowoomba and Ipswich railway stations seeking an immediate referendum on the early closing of hotels. Ryan's suggestion of the use of the Initiative and Referendum Bill to be introduced during the coming session of parliament did not suit the deputationists who were primarily concerned with restricting the sale of alcohol, not with abstract political theories. Ryan tried to show them the possibilities which such a bill would provide and to seek their support in having the Council pass it. There was little enough pressure he could apply to the Council and consequently every organization that he could enrol against the upper house assisted his fight. The League, however, was unwilling to become such a pressure group. There were the greater problems of sugar and meat facing Ryan and it was to these, rather than to hotel closing hours, that he directed his attention.

There were now three CSR writs against the Government over the operation of the Regulation of Sugar Cane Prices Board Act. The first sought an injunction restraining the Central Cane Prices Board from authorizing and directing its chemists to enter the company's mills and use its laboratory apparatus. The other two writs referred to two CSR mills – Goondi and Victoria – where it was claimed that as the local boards had not been constituted for 1916 their awards were invalid.² As Attorney-General, Ryan appeared for the Crown in each case. The first blow to his sugar legislation came on 15 September when the Full Court found in favour of the CSR in the case concerning the right of chemists to enter and use the company's laboratories.³ The remaining cases did not begin until the middle of October. In both of these the Full Court found in favour of the Government.⁴

Whereas the CSR represented a problem which could, in time, be settled by constitutional and legal means, no such grace was allowed with Acting-Judge Dickson's award. With millers refusing to crush and growers therefore unable and, in many centres, unwilling to harvest, it looked as though the sugar industry was going to come to a halt unless the Government could avert this.⁵ To the growers, millers, chambers of commerce and non-Labor members of parliament, there were a number of simple solutions; pass an act cancelling the Dickson award, grant a re-hearing before the permanent Industrial Court judge, MacNaughton, or grant an appeal to the Supreme Court against Dickson's decision.⁶ Neither of the last two was possible under the Denham Industrial Peace Act, while the first was quite impossible for a Labor Government which was bent on introducing a successful system of arbitration and which had a large section of the caucus belonging to the principle union involved. There were other options open to the Government. Ryan and Theodore could hope to ride out the storm until the growers were forced to harvest or lose everything; they could try to persuade the AWU, unilaterally, to accept less than the award or they could try to have the price of sugar increased to pay the new award. As a set of alternatives these did not really look any brighter. With the Labor party pledged to assist the

sugar farmers the first proposition offered no solution. Secondly, the labor movement had sought arbitration as one of its political goals and any attempt to interfere with an award made to the advantage of the employees would destroy the unions' faith in the whole arbitration system. The only solution, therefore, seemed to be to induce the Commonwealth Government to increase the price of raw sugar.

Ryan sent a telegram to Hughes informing him of the new award, of the closure of several mills and of the probability that the production of sugar in Queensland would cease unless some action was taken.⁷ Theodore left immediately to confer with Hughes. He placed two propositions before Hughes: that the Commonwealth increase the price of raw sugar or that it take control of the industry from the fixing of wages to the regulating of the price of refined sugar. While Hughes thought that the award was an impossible one and that the wage rates could not be permitted to stand, he declined to raise the price of sugar, claiming that this would break faith with the jam manufacturers, the confectioners and the consuming public merely to benefit employees in the sugar industry. He further declined the second proposition on the grounds that the Commonwealth had enough problems in hand without acquiring sugar; however, he said he was prepared to consider the second proposal if Queensland would pass the Commonwealth Powers (War) Bill.⁸

These answers were a blow to Ryan's hopes. Theodore recommended calling together all interested parties and trying to find an acceptable solution around the conference table. There was no enthusiasm in his own AWU for such a conference which might recommend a reduction in the Dickson award. As letters continued to pour in from sugar centres, Ryan had to stall for time by assuring the writers and the public that the Government would do everything possible to see that the sugar industry was not damaged in any permanent way. The situation soon reached an impasse with no party prepared to give way. Critics among the employers were quick to point out the damage that the arbitration system was doing to the sugar industry despite the Labor claims that arbitration would lessen industrial strife. At the same time, the crisis produced a

dilemma for Labor parliamentarians from sugar seats. Sugar growers were part of that group of primary producers whom Labor now considered part of its fold. It had based its sugar cane prices legislation on the thesis that to pay good wages the grower must receive a good price for his cane. Now in a conflict between grower and worker arising out of an arbitration decision, on whose side should the member stand? For Ryan and for his colleagues representing sugar seats the answer was that they represented both. To hold this view in a complicated situation required tact and a wariness about making absolute pronouncements in public.

That the question was extremely complicated was not evident in the correspondence of the ASPA president, Thomas Crawford, who complained to Ryan and to the press of the "ruinous loss", "wantonly oppressive conditions" and "gross injustice of the award" which made the "immediate collapse [of the industry] inevitable". Suspension of the award, he said, was the only effective remedy, "for a government to remain passive at such a juncture would be . . . an admission that the days of statesmanship are past". The employers, he said, would be willing to consider the five per cent increase recommended by the Treasurer during the court hearing, but, failing a settlement by the middle of September, "all harvesting operations will inevitably be suspended" and the resulting financial crisis would "disastrously affect the whole of the private and public capital of Queensland".⁹ While Ryan was conscious of the element of truth in these and similar statements in the press, he was not to be influenced by threats nor was he prepared to enter into a public debate on the award. Fortunately, the AWU also kept silent and prevented a full scale slanging match developing, which could have damaged the negotiations.

The opening of the new session of parliament on 22 August served as a temporary diversion from the problems of the Dickson award as the Governor's speech gave promise of a busy and eventful session. The abolition of the Legislative Council was listed first among the bills to be introduced. Additional state stations were planned to supply meat for the state meat shops, the State Insurance Office was to be extended to cover

all classes of insurance and a commission appointed to operate existing government business undertakings and those planned for the coming year. Also included among the thirty bills to be introduced during the session were the Meatworks Bill, the Commonwealth Powers (War) Bill, the Land Act Amendment Bill, the Industrial Arbitration Bill and others lost in the previous session.¹⁰

In the Council a different set of priorities existed. Several members there wanted the first item of business to be a referendum on hotel closing hours. To this end a resolution was introduced and passed on the Council's second day of sitting. For those in the Council genuinely concerned with six o'clock closing, the tactic of trying to browbeat Ryan into a referendum and refusing even to consider the Initiative and Referendum Bill, was politically, poor. All it achieved was that it forced the Government into a position where the acceptance of a resolution from that chamber could be taken as a tactical victory for the upper house — something that a premier in Ryan's position could not permit. In the Assembly too, the Opposition had different priorities and Dickson's award soon came under fire in an adjournment motion by Swayne.¹¹ But in recommending some alleviation of the award, or an appeal against it, Swayne and other Liberal members were caught in a net of their own making. The Industrial Peace Act under which the award was made specifically ruled out any appeal except to the judge who made the award. Given the thoroughness of Dickson's investigations, there was little hope for the sugar industry in appealing to him.

One of the traditional formalities of parliament that seemed to take up a lot of valuable time was the address in reply debate, which in previous parliaments had been completed before other business was begun. Though they outwardly regarded it as of little value, Labor backbenchers were not prepared to abolish it and rob themselves of an opportunity to speak in the house. To accommodate their wishes, much to the chagrin of the Council and the Opposition, Ryan allowed the debate to run on as a time filler for five weeks while his ministers introduced some of the more important bills.

On 1 September Huxham introduced the Popular Initiative and Referendum Bill, one of the most fundamental of the Labor planks in the pre-war period.^{1 2} Ryan often spoke about the right of the people to govern themselves and accepted the Labor article of faith that adult suffrage at all levels of government would bring a new social system into being. While parliamentary government based on adult suffrage was limited to an expression of the people's choice once every three years, the Initiative and Referendum Bill would have provided a continuous avenue for the people to express their wishes irrespective of the existing political parties. Under the Bill, provided sufficient signatures could be obtained for a petition and provided no vote of money or change in taxation was involved, a referendum on the legislation sought would have to be held and, if successful, the legislation would automatically become law.^{1 3} Though it provided the machinery for changing the hours of selling liquor, the Liberal opposition and the Council were also aware that it could be used to abolish the upper house and were not convinced that such broad powers should be put in the hands of the people. Nor did they feel that it was necessary to pass such a piece of pernicious legislation to give effect to six o'clock closing when the Government could pass a special bill for this or for a referendum on the subject. The Bill was given little chance of passing.

In quick succession the Land Act Amendment Bill, the Meatworks Bill and the Commonwealth Powers (War) Bill were re-introduced with brief second reading speeches by the ministers. Only Theodore, when re-introducing the Industrial Arbitration Bill, reiterated fully the substance of and reasons for it, and patiently explained once more that this bill did not grant preference to unionists but allowed the court to do this if it thought preference was desirable. The attitude of other ministers was that these were bills familiar to all members and therefore did not require lengthy explanations or defence. However, when Tolmie charged Ryan with discourtesy for not explaining the new demand for the Commonwealth Power (War) Bill, Ryan deigned to give a fuller explanation, emphasizing that he wanted the whole Bill passed, not merely that part which would deal

with the sugar industry. The bait of reasonableness was again held out to the Council which Ryan felt would not want to reject the Bill and “turn down an opportunity to place the sugar industry on a sound basis”.¹⁴ As it was obvious that the Government wished to put these bills through quickly and proceed with new legislation, the Opposition stonewalled with speaker after speaker. An angry Ryan took charge of the business of the house and, though normally courteous to the Opposition and conscious of parliamentary conventions, he applied the gag time after time to Opposition speakers and began the committee stage of the Industrial Arbitration Bill at three thirty in the morning, concluding the debate at two o'clock that afternoon.

Before the Council had an opportunity to reject any new legislation, Ryan for a second time moved the second reading of the Bill to abolish the upper house.¹⁵ His speech was more a formality to abide by parliamentary practice than a fresh argument for abolishing the Council, omitting any constitutional arguments and rehashing old charges concerning the Meatworks Bill, the Land Act Amendment Bill and certain railway proposals. It was clear that when the provisions of the Parliamentary Bills Referendum Act had been complied with, a referendum would be taken.

Ryan's visit to England had not only sharpened his awareness of the need for government control of the meat industry, but had given him a clearer picture of the export side of the industry. From his observations he concluded that the only solution that was fair to both consumers and stockowners was to have every pound of meat that went on board ship owned by the Government which would make certain that it was disposed of at a fair price.¹⁶ Passing the Meatworks Bill was therefore an essential part of the Government's scheme for ensuring supplies of cheap meat to the troops as well as to the British and Australian consumers. The power to operate the meatworks would have been valueless without the power to acquire meat.

Transcending all other aspects of the meat trade was the High Court case about to commence to test the legality of the Meat

Supply for Imperial Uses Act. The case was far from simple. Ryan, McCawley and the British Crown Law Office were of the opinion that the Act was valid, yet it had been a recent High Court decision declaring a similar New South Wales act invalid that had brought on the present case. The British Government's need for meat and their willingness to support a validation measure had the Commonwealth agreed, indicated clearly the importance they attached to the case. The Pastoralists Association, which was fighting the case for Mrs. Duncan, had made it clear in interviews with Ryan and Hunter that it wanted another penny a pound for export meat and the same price for local beef.¹⁷ The case therefore involved not merely the £25,000 damages but the whole future of cheap meat for the allied troops. The Commonwealth's involvement on the side of the pastoralists further complicated matters.

At the case of *Foggitt Jones and Co. v. New South Wales* in May, the five-man bench of the High Court had held that, as the New South Wales Act merely prevented stockowners from moving their cattle across the border but did not actually acquire the meat for the State, it infringed section 92 of the Federal Constitution and was therefore invalid. Griffith C. J. and Barton, Isaacs and Rich J. J. had agreed on this opinion with Duffy J. expressing some doubts.¹⁸ When *Duncan v. Queensland*, the Stock Embargo case, opened in Melbourne on 21 September, Higgins and Powers were also on the bench. Feez, Mann and Douglas appeared for Mrs. Duncan, Starke and Gregory for the Commonwealth and Ryan, Sir Edward Mitchell and John Latham for Queensland. In opening for the defence, Ryan argued that the court should reconsider its decision in *Foggitt Jones and Co. v. New South Wales*. He said that the meaning of the word "free" in section 92 could not be properly determined without ascertaining the matters in respect of which the freedom was to exist and the circumstances existing at the time the Act was passed. In this case, he said, the court had to consider the necessity of obtaining supplies of meat for the allied armies.¹⁹ During the case, Robinson cabled to say that the British Government wished the Meat Supply Act to operate for the rest of 1916 and that it was contemplating asking for an

extension of the legislation to cover the whole period of the war.²⁰ Sir William Webb, then assistant to McCawley, relates that on the receipt of the telegram Ryan read it to the court in support of his case and to play up to the British patriot in Griffith. Webb felt that Ryan’s gesture probably had some effect on the Chief Justice though he also believed that Ryan should have been ordered from the court or charged with contempt.²¹

Ryan was not able to remain for the conclusion of the case and, after conferring with Hughes and Higgs on the sugar problem, returned to Brisbane on 29 September. McCawley kept him informed on each day’s developments including the reactions of the judges and the arguments used by counsel for Mrs. Duncan and for the Commonwealth. At the conclusion of the case he confessed that there was “no way of seeing the result.”²² Mitchell on the other hand was more optimistic and thought that the Queensland Government would win by at least four to three. He wrote to Ryan that if the court reversed its decision it would be because of Ryan’s initial address which, he said, had brought both the Chief Justice and Higgins round to Ryan’s interpretation of section 92.²³ The judgment delivered on 16 October was even better. By a majority of five (Griffith C. J. Higgins, Duffy and Powers and Rich J. J.) to two (Barton and Isaacs J. J.) the court declared the Queensland legislation valid, holding that since acquisition of a commodity had been held as valid in *New South Wales v. Commonwealth*, the Wheat case of 1915, the holding of meat in the State pending acquisition was also valid.²⁴ The Queensland Government could continue to prevent stock from crossing the border and through the Sugar Acquisition Act could continue to acquire meat for the British Government. In so far as the *Foggitt Jones and Co. v. New South Wales* judgment was reversed, both Griffith and Rich had altered their earlier positions, Duffy had maintained a consistent view in favour of validity and Barton and Isaacs had also maintained their previous interpretation of section 92. Isaacs particularly was annoyed at the majority decision and “at great length and with much vehemence and rhetoric, protested against what he regarded as the most obvious and direct viola-

tion of section 92.”²⁵ His opportunity to rectify what he regarded as a serious breach of the Constitution was to come in another case in 1920 again concerning the State of Queensland.²⁶

Ryan jubilantly cabled Robinson and asked that the Secretary of State for Colonies cable for publication a reply to the High Court decision.²⁷ The latter sanguinely refused. Ryan had won his legal battle, but if he thought that this concluded the issue, he sadly underestimated the tenacity of Hughes and the determination of the Pastoralists Association. The latter's next challenge, in the Mooraberrie case, was to open in the Supreme Court in Brisbane in March 1917 and to conclude in the Privy Council in April 1919.²⁸

There were several reasons for Ryan's having left Melbourne and returned to Queensland before the case concluded, not the least important of which was the conscription issue and its ramifications for his Government. Where the Stock Embargo case and other High Court cases were to test fully Ryan's capacity as a constitutional barrister, conscription was to provide the most stringent test of his capabilities as a politician and political leader. His method of dealing with the immense problem posed by conscription was to be typical of his general attitude to similar intractable issues. He required time to think, to weigh the alternatives and to consider the consequences; he would not be forced into a precipitate decision; he would try to have others also give the same judicial consideration to each side of the question; finally, when the decision was made, he would abide by it faithfully, and cogently and logically defend it in public.

The labor movement had waited expectantly during August for Hughes to make his decision on conscription. It was extremely likely that any conscription proposals would cause a split in the party even if some sort of free vote was allowed as in the British Labour party. Finally, after numerous cabinet meetings, a majority of ministers recommended that a nation-wide referendum be held. In view of the even numbers in the federal caucus, for and against conscription, and since the question was

not to be referred to an interstate conference this decision was probably the best and seemed the least likely to split the Labor party and the nation. At the crucial federal caucus meeting in Melbourne on 24 August, the referendum was agreed to by only twenty-three votes to twenty-one, not exactly a vote of confidence, but sufficient to have the Referendum Bill introduced and passed.²⁹

When Hughes announced the referendum on 30 August neither political group in Brisbane greeted it with favour. The *Courier* expressed its “sense of disappointment that he [Hughes] had not travelled the whole way and declared straight out for immediate conscription”.³⁰ After a few days’ thought however, it conceded that the referendum offered “the most practical method of dealing with the situation.” The *Daily Standard* needed no time to contemplate the matter:

The labor movement has been betrayed. You will find that the Government has declared for Militarism . . . Its policy will split the federal Labor party forthwith. It will rend the labor movement. It will disrupt Australia from end to end. The biggest and most bitter and momentous fight the labor movement has ever undertaken beings in earnest today.³¹

As prominent people in the State commented on the referendum, the two sides already forming began to take more definite shape and the press eagerly sought to know where each public figure stood. No man was allowed the indulgence of a middle position. On the other hand the non-labor newspapers, the Liberal party, the Anglican church, many Protestant ministers and most businessmen formed the core of the conscriptionists, while the CPE, the AWU, the BIC, the Metropolitan Council of WPOs with the *Daily Standard*, the *Worker* and the majority of the provincial labor press constituted the core of the anti-conscriptionists. No definite attitude was expressed immediately by the Catholic church or by the PLP. Though the *Daily Standard* eagerly sought an expression of opinion from Ryan after Hughes’ announcement he declined, claiming he had a serious chest illness.³² Even when he had returned to work he still declined to make any public statement until the caucus had fully discussed the issue.

To many sections of the labor movement, defeating conscription and smoking out the conscriptionists in the Labor party had become more important than anything else. To men like Ryan, Higgs and Page, having a broader view of the labor movement and of Australian politics, and a fuller appreciation of the consequences of a split in the labor ranks, this was a luxury that could not be afforded. Ryan's aim from the start was to prevent two intransigent sides forming in the community and within the Labor party. He therefore avoided any inflammatory statements which could be used to incite a split. He saw more clearly than those who spoke often and most loudly about solidarity that a split over conscription could cause irrevocable damage to the unity of the Labor party and prevent its implementing the policies evolved in the previous thirty years. Ryan had discussed with Fisher in London the possible effects of the introduction of conscription in Australia, and had already witnessed the effect of a split in the Labor party during the Kidston era. There was no guarantee that the party would recover so quickly from another split, which in this case had far more disastrous implications than that which had occurred with Kidston's defection when only an individual, not a principle, was involved. There were, he warned, "rocks ahead".³³ It was far better to hold the party together than to divide it on an issue that was marginal to state politics. There was little a state government could do about conscription, and in September 1916 there were more important matters confronting the Government. When Ryan was approached to adjourn the house for three weeks to allow members to assist in the recruiting drive, he declined. There was too much business of importance to the house to consider.³⁴

Like Canute, Ryan could not hold back the tide. His endeavours to stave off an internal dispute before the referendum and its ramifications had been coolly and fully discussed by the party had some influence in the PLP, but only some. Even before the PLP's attitude to the referendum had been debated, Adamson had been given a week by the caucus to resign his vice-presidency of the USL.³⁵ At the CPE meeting on 4 September, Page, the Federal PLP delegate advised that

Hughes proposed what was really an unofficial interstate conference in Melbourne where he desired to discuss conscription with six delegates from the CPE and from each of the other states. There was no desire for compromise by the executive. Hughes' offer was rejected and the Federal PLP, especially its Queensland members, were condemned for allowing the question of conscription to be submitted to a referendum. The Federal Executive was also censured for not meeting to discuss conscription before the Federal PLP considered it. Adamson, elected a delegate to the CPE at the 1916 convention, explained his reasons for accepting the vice-presidency of the USL and was immediately informed that membership of the League was not compatible with membership of the Labor party.³⁶

With its attitude to conscription already clearly defined, the CPE began planning its campaign. Following two special CPE meetings at Parliament House, chaired by Ryan, it was decided to invite Page to submit a full report of the federal caucus meeting and to form a joint committee of the AWU, BIC, CPE, PLP and Metropolitan District Council of the WPOs to conduct and control the State's anti-conscription campaign. The question of whether Ryan tacitly supported conscription as one senior public servant held,³⁷ or whether he was still debating within himself the attitude to adopt was overshadowed by the unanimity in the unions and the labor movement on the question. He had no intention of becoming another Kidston and fully appreciated that successful political leaders sometimes march with their troops. While these special meetings were being held, the PLP met to decide, independently, its own attitude. If there was to be any split in the Labor party in Queensland, it would come through the PLP. Considering the later defections in the federal caucus and in the other state PLPs, it is reasonable to assume that within the Queensland caucus there was a large group in favour of conscription.

A special meeting of caucus was held on 6 September to consider a motion by McCormack that the PLP initiate an immediate campaign to defeat the referendum.³⁸ McCormack was developing into a special force in caucus where his prestige as Speaker and his experience as a union organizer cast him in

the role of champion of the rights of caucus against the cabinet. Perhaps this was due to his frustration at being outside cabinet and, since his actions were sometimes hasty and not always properly considered, it required tact by Ryan to ensure that he was not so repressed as to form an anti-Ryan group in caucus or erode the guiding influence of cabinet. Though caucus met for several hours, no conclusions were reached. McCormack pressed for a decision to be made then and there, but with eighteen members absent, including Theodore and Adamson, Ryan persuaded caucus to adjourn the meeting until 11 September. A hasty vote at that stage could have proven difficult to reverse at a later meeting. Adamson was once more absent from the adjourned meeting. McCormack again pressed for a quick decision, stating that the Labor organizations should be told of the stand adopted by the PLP. Others such as Hardacre and Barber who favoured conscription were more cautious and wanted to avoid any precipitate action. In all, sixteen members spoke before Coyne moved an amendment, generally opposing conscription, but omitting any reference to a campaign against the referendum. The differences existing in the federal caucus were being mirrored in Queensland. Ryan, Theodore and Winstanley, the Whip, favoured a further adjournment to hear Page's report and to study Hughes' manifesto which was due to be published on the following day. McCormack, however, was opposed to any further adjournment and used the lunch break to organize sufficient numbers to defeat the adjournment by twenty-two votes to eighteen. In turn, Coyne's amendment was defeated as was a similar one moved by Bertram. A further attempt to amend McCormack's motion by reaffirming the convention decision of March that year was defeated by twenty-two votes to ten, Ryan, Theodore, Hunter, Huxham and Hardacre from cabinet being among the ten and Lennon and Fihelly among the twenty-two. Finally, after six hours of tense debate during which Hardacre from the conscriptionists and McCormack and Larcombe from the anti-conscriptionists warned of the split that conscription would bring, an amendment by Dave Gledson – a miner and one of the small unions' delegates on the CPE, providing for a PLP committee to co-

operate with the CPE – was accepted by McCormack and passed. The committee consisted of Fihelly, McCormack, Theodore and J. M. Stopford, a former AWU organizer from Mt. Morgan.³⁹

When asked by the press for a statement after the meeting, Ryan remained cautious and reasonable. He expressed the hope that the recruiting campaign would be successful and offered to grant pairs to any members of the Assembly who wished to assist with the recruiting campaign. The *Courier* mistook his unwillingness to be dogmatic or partisan as fence sitting. “He has expressed neither approval nor disapproval of the party decision. He had not said whether he will personally support Mr. Hughes or work against him.” However, the *Courier* had completely misunderstood Ryan’s actions. The Labor party in Queensland had adopted a policy on conscription and this Ryan accepted. There were no doubts in the party as to where he stood either on conscription or recruiting. But he was also engaged in delicate negotiations with Hughes over sugar and would gain nothing for the industry by openly precipitating a quarrel with the Prime Minister. Further, he had two cabinet ministers and five other caucus members who favoured conscription, but who could probably be held in the party if it was clear that Ryan and the Labor party still supported an energetic prosecution of the war. In any case, until Hughes’ manifesto was published, it was politically wiser to wait and see what it contained. What Ryan hoped for in Hughes’ manifesto was some indication that conscription of life would be accompanied by an increased tax on profits together with a stringent control of prices. Only then could military conscription be accepted in the labor movement and a serious division in the nation averted. Ryan earlier had favoured an increase in pay for soldiers in the AIF, who were receiving six shillings a day compared with the civilian rate of ten shillings. He considered that the sacrifice of men at the front was out of all proportion to that demanded from the owners of wealth. The aphorism “the last man and the last shilling”, he said should be reversed to “the last shilling and the last man”.⁴⁰ It was very likely that had Hughes made some attempt in 1916 to increase the taxes on wealth, some, at least,

of the opposition to conscription could have been averted. The mistrust caused by his abandoning the 1915 prices referendum exacerbated his conscription problems.

Page delivered his report to the CPE on 13 September. Ryan also attended. So as to be quite clear of what he was saying in his report Page handed to Lewis McDonald a prepared statement and read this to the meeting. Federal Labor members, Page said, who were caught between resolutions of their state conferences and their own feelings on the need for conscription, were sheltering behind a resolution of the Interstate Executive of 6 January 1916 which read "decisions of any [state] Conference of the Australian Labor Party shall not be binding on the Federal Labor Party or the federal government unless endorsed by an Interstate Conference". He supported Hughes' holding a referendum on the grounds that, had Hughes not done so, Joseph Cook the Liberal Opposition Leader, would have carried a resolution favouring conscription in the House of Representatives and even possibly in the Senate where a number of senators had become very subdued since the double dissolution. Hughes had also promised conscription of wealth which neither Cook nor Sir William Irvine, the principal advocate of conscription, would offer. Page asked the CPE to keep an open mind on the referendum for, if the party and Hughes divided on the question and Hughes was forced to resign, what, he asked, would have been gained in putting the Labor Government out. He concluded by reporting that Hughes had promised full and free expression to both sides and that the Prime Minister could not understand the opposition from Queensland to the holding of a referendum when the Government there was introducing an Initiative and Referendum Bill.^{4 1}

Despite Page's efforts to stave off an open confrontation on the holding of the referendum, the majority of the CPE, accepting that, in a referendum at that time on such a question, a "yes" vote was highly likely, determined that the only effective way to prevent the introduction of conscription was to defeat the referendum in the Federal Parliament. Resolutions were passed pressing Queensland federal members to oppose the Bill and refusing endorsement to any member who did not oppose

the Bill, by vote, in parliament. The Federal Executive was asked to call a special Interstate Conference to consider conscription. The tragedy for the Labor party in 1916 was that this conference, when it was eventually held, came after the referendum and not before. Had a conference been called immediately after Hughes returned to Australia and broached the conscription question, and a policy been determined before the Referendum Bill had been drafted and before the debate became bitter and personal, subsequent history might have been different.

Ryan did not enter into the debate on Page's report. He and Page were friends of long standing and with similar views, but since the CPE was obviously opposed to any compromise, both accepted this. Nine delegates nominated for the six Interstate Conference positions and McDonald, Page, W. J. Dunstan (AWU secretary), Demaine, Larcombe and Mat McCabe (Waterside Workers Federation secretary) were elected (in that order of votes); Moroney, W. Forgan Smith (the member for Mackay) and Lane were the other three nominees. The election of these men as delegates was an indication of the closeness of the industrial and political labor movements in Queensland and the impossibility of arguing a politician versus industrialist thesis at this stage. Collings, McCabe, George Lawson (secretary of the Carters Union) and McDonald were elected CPE delegates to a special meeting called for 14 September to form an anti-conscription campaign committee;⁴² here Theodore was elected chairman, R. Mulvey (president of the BIC), vice-chairman and McDonald, secretary.

When Ryan left to attend the Stock Embargo case in Melbourne on 16 September, the labor movement had resolved to oppose conscription and, apart from Adamson, whose future still had to be settled, there was near unanimity among the members of the PLP, those favouring conscription agreeing to abide by the majority decision. Furthermore, there seemed no reason why the obvious desire and intention of the Labor party to prosecute the war would not also bring Adamson into the same category as Hardacre and Barber, provided that nothing occurred to upset the delicate balance.

During the fortnight that Ryan was in Melbourne the whole conscription picture in Queensland changed. Hughes' manifesto, published on Monday 18 September contained no proposals for conscripting wealth and thus hardened labor opposition. It made the arguments of Ryan and Page for a reasonable attitude towards conscriptionists more difficult to accept. It also became more obvious that Hughes' promise to Page of free expression was just not to be fulfilled. Censorship was not new to the labor movement, it had experienced it well before 18 September. It was common knowledge among anti-conscriptionists in Brisbane that the *Australian Worker* in Sydney and the *Labor Call* in Melbourne were being censored. Henry Boote's wife wrote to her brother in Brisbane about several occasions during August when Boote had difficulty in bringing out the *Australian Worker* after the censor had been through it. He had been instructed that neither "conscription" nor "anti-conscription" were to be mentioned nor could any personal reference be made to the Prime Minister.⁴³ Reports in the *Daily Standard* of the congress of fifty-six trade unions in Brisbane on 26 and 27 August dealing with conscription were heavily censored, their manifesto and all references to a proposed general strike if conscription was introduced being struck out.⁴⁴ What further aggravated the position for the labor papers was that under the War Precautions Act, they could not reveal to their readers which reports had been censored. Frustrated by the heavy bias of the censors, J. S. Hanlon, editor of the *Worker* wrote:

Hughes is not playing the game . . . and there is not wanting evidence that censorship in Australia . . . has been used to deliberately mislead the people . . . Information that would be of any service to the enemy . . . no one would dream of printing. No one wants to prejudice a solitary man from voluntary service. So far as the anti conscriptionists are concerned there is no necessity to throw mud and there is no intention of so doing. What is wanted at this stage however is a clean fair fight.⁴⁵

Others in the community were not particularly concerned about the fight being clean or fair. In Queensland the solidarity of the political and industrial labor movement, the prestige of Ryan following his visit to England and the weakness and dis-

sension of the non-Labor political groups were obvious drawbacks from those campaigning for a “yes” vote in the State. Since there was no visible weakness in the anti-conscription side, apart from Adamson who was keeping quiet, a break had to be engineered. Unwittingly, two members of cabinet, Fihelly and Lennon, provided the opportunity.

Fihelly, a protege of Theodore and one of the most brilliant members of caucus, had had a meteoric rise in the Labor party since his election to the Legislative Assembly in 1912. In the house he had his material thoroughly prepared, his wit was quick and biting and he made little attempt to conceal his contempt for a weak opponent. There was none of Ryan’s courtesy or reasonableness about him and none of Theodore’s willingness to explain points over and over to the Opposition. Fihelly enjoyed the power his office gave him; he was reckless with his tongue; he was openly anti-British and pro-Irish, and one whom the Brisbane press and non-Labor members of the State parliament would have dearly like to see humbled. Though equally pro-Irish, Lennon had two sons at the front, was more moderate in his remarks and was not personally disliked by the Liberal opposition.

At a special meeting of the Queensland Irish Association early in September called to provide funds for the refugees in Dublin, Fihelly made an impassioned speech on behalf of his fellow Irishmen, condemned the British authorities and linked opposition to conscription in Australia among Irish-Australians with opposition to “the mail fisted policy of Prussianism operating in Ireland”. He quoted Lloyd George as having said: “Lord deliver us from cant. England was the home of cant, humbug and hypocrisy” though in all the subsequent arguments about the speech, it was never acknowledged that, in using the sentence “England was the home of cant, humbug and hypocrisy”, Fihelly was quoting Lloyd George. Finally, he criticized Redmond for not having pressed strongly enough for Home Rule during the war, yet he made it clear that he had no sympathy for the Sinn Feiners whom he described as misguided.⁴⁶ Lennon, following, complimented Fihelly on many of his statements but disagreed with him specifically on

Redmond. Neither man expressed any disloyalty to the British Crown nor any objection to the Australian or British participation in or attitude to the war. Neither speech was different from what many other people were saying. A condensed version of both speeches was reported in the *Catholic Advocate* on 7 September, but in no other paper. In the meantime, the PLP had declared itself opposed to conscription, Fihelly had become a member of the anti-conscription committee and Adamson, by being isolated in the Labor party, had been to a large extent neutralized.

Among the conscriptionists some recognized the worth of Fihelly's remarks. On 15 September, the former Treasurer, W. H. Barnes, a leading Brisbane Protestant, wrote a letter to the *Courier* accusing an unnamed minister of the crown of making disloyal statements. Nothing more was heard for three days until the *Courier* reported briefly that Lennon and Fihelly were the ministers referred to and dropped the matter as stale news. It was left to its morning rival, the *Daily Mail* to demonstrate the worth of Fihelly's speech to the conscriptionists. Since the war had begun, the *Daily Mail* and the *Advocate* had been carrying on a running battle over Irish Catholics in Australia and their contribution to the war effort. The Irish Association meeting provided the *Daily Mail* with an opportunity to score heavily. It published a special edition on 19 September reproducing the two speeches in full. Having had the way prepared for them, the Liberal Opposition patriotically took up the challenge in parliament. At question time on 20 September, Godfrey Morgan, a country Liberal member who had brushed with Fihelly several times in the debates, asked Fihelly if he proposed to continue to be adviser to the King. Fihelly's reply was suitably terse: "Since there was nothing in the speech conflicting with his being an adviser to the King, he would continue to remain in his present position while he possessed the confidence of the proper authority."⁴⁷ But now all the hounds were unleashed. The *Courier* and the *Daily Mail* both tried to pin the blame for Fihelly's remarks on to the whole cabinet. If Fihelly, obviously disloyal, remained, then by implication the cabinet and the PLP supported disloyalty. Not

to be outdone, the Opposition moved a want of confidence motion, charging Fihelly with disloyalty and the Government with failure to assist the Empire in time of war.

The political weakness of the Opposition plus the obvious haste in which they compiled their arguments prevented their exploiting the opportunity presented. Instead of concentrating on Fihelly's alleged disloyalty and thereby bringing Adamson over to their side, they attacked the Government's war record, forcing Adamson to defend the Government and to rebuke Tolmie for resigning from the War Council and not assisting in recruiting. Macartney, an Ulsterman with little sympathy for the Home Rulers, focussed a personal attack on Ryan for being continually absent from the State thus also bringing Adamson into the debate to defend one whom he regarded as a close and trusted friend. Theodore answered for the Government's war record, while Fihelly went through his Irish Association speech point by point and invited the Opposition to show where it was disloyal. When the motion of no confidence was defeated the Opposition rose and sang “God Save the King.”^{4 8} Throughout the two referenda campaigns conscriptionists developed a penchant for singing “God Save the King” at the oddest times!

Though the quality of the debate was poor, it nevertheless served its purpose. Henceforth the issue in Queensland was made to seem simple. On one side were the loyalists – Protestants, British and conscriptionists – on the other the disloyalists – Irish Catholics, trade unions and anti-conscriptionists. To split the Labor forces the English Protestant clergyman, John Adamson, was made to personify the virtues of the former and the blackguard Labor Irishman, Fihelly, those of the latter.

Within the caucus there were many who were dismayed at Fihelly's lack of tact. The harmony which Ryan had striven to maintain seemed about to be shattered while the only person capable of healing the difference was absent at the High Court in Melbourne. Theodore, though a competent Acting-Leader, was too close personally to Fihelly to act as a mediator and, not being the party Leader, lacked that extra element of prestige needed on such an occasion. At the caucus meeting on 26 September, Herbert McPhail, a Methodist temperance advocate

from Windsor, gave notice of a motion expressing concern at the indiscreet utterances of Lennon and Fihelly and disapproval of their actions in probably embroiling the party in a bitter sectarian controversy.⁴⁹ A full-scale brawl was emerging. Ryan sent a telegram to Theodore and Barber urging the party not to come to any decision which might result in danger to its solidarity until he returned.⁵⁰ McCormack, never one to delay matters, on this occasion supported Ryan and stressing the need for solidarity, successfully moved Ryan's telegram as a resolution. He then moved that Adamson be dealt with, but Theodore and Ryan's trusty supporters Hunter and Larcombe suggested that, because of the grave issues involved, this too should wait until Ryan returned.

Choked up with a cold, Ryan arrived back in Queensland on the night of 28 September and was met at Ipswich by Adamson who accompanied him to Brisbane. Adamson was in a dilemma. He felt that conscription was right and that he should support it, but he also wished to remain in the cabinet and in the Labor party. But not even his friend, Ryan, could achieve the impossible, though he advised Adamson not to resign from the cabinet. After leaving the train, Ryan went straight to the Exhibition Ground where an anti-conscription rally was being held with himself billed as the major speaker. He could hardly have had a less auspicious meeting for his first public speech on conscription. Apart from his illness and lack of preparation, the meeting was more than half over when he arrived. In addition, a group of soldiers counted him out and began organized heckling as he rose to speak. Ryan's approach to the subject was logical and unemotional. He would not become a conscriptionist but neither would he adopt a pacifist stance. He dissociated himself from those who said they would rather be conquered than conscripted. Each citizen, he said, was bound to follow the light as he saw it without being subjected to any charge of disloyalty. When he related that the soldiers he had interviewed in England and France wanted reinforcements, not conscription, the group of soldiers present counted him out a second time, while his own supporters replied with three cheers. His requests for calm and coolness, not excitement, in considering the question

counted for little. He was the only premier opposing conscription and, as such, a source of either praise or anger to his audience. He again appealed to Hughes to introduce conscription of wealth. “If proposals were brought down to commandeer the wealth of Australia, then I would see more reason in the desire for everyone to give his life . . . I will never give my vote to compulsorily send men from these shores when I see that people are allowed to make extra war profits. The people who wanted compulsion should have some compulsion applied to them.”⁵¹

Following Ryan’s return, a special meeting of caucus was held to discuss the position of Adamson. The latter addressed the caucus on his views on conscription and remained to hear what other members thought. After several caucus members had spoken, Ryan asked for a specific resolution and George Pollock, who had won Hamilton’s old seat of Gregory when the latter went into the Legislative Council, read a prepared resolution which seemed to have been drawn up by Ryan and the senior members of the cabinet. After referring to the Labor-in-Politics Convention decision on conscription and the need for preserving the solidarity of the movement, the resolution expressed the party’s appreciation of Adamson’s work for the labor movement, but asked for his resignation from cabinet and from the Labor party. Despite his adherence to conscription, Adamson was still well regarded by many in the caucus and Larcombe made a last unsuccessful appeal to him to resign from the USL. Before the resolution was put to the vote, Adamson intimated that he would like to discuss the matter further with Ryan and would resign if the Premier thought this necessary. The caucus adjourned for Ryan to consult with Adamson and the Governor.⁵² Ryan’s usual affability with the journalists from all newspapers together with Adamson’s cheerful demeanour as he left the caucus meeting suggested to the *Courier* that both Adamson and Fihelly would remain in the cabinet.⁵³

Sometimes as a last resort political surgery has to be performed and after an executive council meeting of Ryan, Huxham, Theodore, Hamilton and Gould-Adams, Ryan asked Adamson to resign when parliament met on 3 October. Even

though the party had not been held together entirely, Ryan's handling of the Adamson episode and his easing him out without any public and personal recriminations prevented any large split from developing. But while the Adamson question had been quietly settled, the storm over Fihelly was only just being brewed.

In the Legislative Assembly, both sides were using the extended address in reply debate to voice their opinions on conscription. Some Opposition speakers, supported by the non-labor newspapers and people personally antagonistic to Ryan, went beyond the political issue of conscription and used their time for attacks on Ryan's character. If Ryan could be shown to be disloyal or unpatriotic, this would change the whole anti-conscription campaign and assist the conscriptionists. The most malignant of these attacks concerned Ryan's not enlisting in the army. When the war census cards had been issued in 1915, Ryan had signified his willingness to enlist. How many other members of parliament had done likewise was never revealed. However, some months later, after a conversation in the Premier's office between Thynne, who was also chairman of the State Recruiting Committee, and Ryan, Thynne had written to Ryan that his card had been withdrawn, "owing to the fact that the importance of your intended visit on public matters to England is so great, your services on this latter expedition is of more value to the Empire than as an enlisted soldier". There the matter rested until six months later when W. J. Vowles, a solicitor and vitriolic Liberal member for Dalby, used the letter to accuse Ryan of having funked in withdrawing his enlistment card.⁵⁴ Though not a member of the State Recruiting Committee or of the War Council, Vowles had been given access to correspondence and minutes to associate the tag of disloyalty with Ryan. To clear himself Ryan made copies of the correspondence between himself and Thynne available to all newspapers from which it was clear that he had offered to enlist, but had been informed, as was to be expected, that as State Premier his offer was not accepted. Further letters, which revealed nothing new, were written to the newspapers by Thynne and others. These were designed to obtain maximum propaganda from the affair.⁵⁵

Editorials followed suggesting by innuendo that Ryan was a captive of disloyal elements and, if not disloyal himself, was simply naive. To his claim that conscription was unnecessary, the *Courier*, with authority, replied: “the prime minister and the Federal government, who know all the facts intimately, and are in constant communication with the Imperial Government say that it is necessary”.⁵⁶ Subsequent history hardly justified such simple faith.

After question time on 3 October, Ryan announced Adamson’s resignation. In a personal explanation on why he had resigned, Adamson devoted much of his speech to praising Ryan as a man and as a friend, and defended him against the insinuations of Thynne, the press and the Opposition. But not even personal friendship could survive long in such a poisoned atmosphere. The conscription debate had become so heated by the beginning of October, and pressure from the CPE and the unions so strong, that Ryan reversed his earlier decision and agreed to adjourn the house for a fortnight from 13 October to enable members to take part in the referendum campaign. Labor politicians were in demand all over the State to address anti-conscription meetings and to assist local anti-conscription committees.

On 1 October, Hughes arrived in Brisbane to address a meeting at the Exhibition Grounds on 4 October. As they were on opposite sides on conscription, Ryan did not officially meet him at the station but later had a long discussion with him at his hotel on the sugar problem. Hughes’ meetings coincided with a one-day strike called by the Brisbane unions for 4 October, the day of the proclamation calling up single men for military service. A procession of unionists made its way from the Trades Hall to the Domain where Ryan, Theodore, McCormack and other political and industrial leaders delivered speeches and moved resolutions opposing conscription. Ryan addressed a large crowd in one part of the Domain, congratulating them on the size and orderliness of their protest. His remarks, based on anti-conscription pamphlets which were being turned out in numbers, questioned the validity of Hughes’ claim that, at 16,500 men a month, single men only would be conscripted.

Further, he asked, since Hughes had gone back on his earlier word about sending men overseas against their will, was he to be trusted in this instance? To Hughes' list of Haig, Birdwood and Briand supporting conscription, Ryan countered with Kitchener and Hamilton to show that conscription was dangerous and not advisable for Australia.⁵⁷

Though he addressed anti-conscription meetings whenever asked to do so by the State committee, Ryan did not try to become the anti-conscriptionists' leader in Queensland. There were other areas where his abilities were equally required. He had to try to restrain the over-righteous members of the CPE who wished to expel Higgs for not opposing the Referendum Bill in parliament. Higgs had also tried to hold the Federal PLP together and prevent a split over conscription. He not only failed here, but earned himself the reputation of a "fence sitter".⁵⁸ In addition, it was urgent that some solution be found to the strike of sugar growers and millers. During September letters had continued to arrive from sugar areas seeking Government relief or asking that the award be set aside. While in Brisbane, Hughes refused the request of a deputation headed by Crawford to use the War Precautions Act to set aside the award, but told them in unequivocal terms that if the State Parliament passed the Commonwealth Powers (War) Bill, he would immediately appoint a tribunal to review the industry.⁵⁹ On the following day, the deputation approached Ryan who soon found that the members were not prepared to apply pressure to the Council to have the Bill, currently before that house, passed. Instead, Crawford maintained his theatrical approach and placed all the blame on Judge Dickson, and on the Government for reappointing him:

We feel that if the court think they ought to pass sentence of death upon us and upon this great industry they might have relieved us from some of those conditions and allow us as sugar growers to die with some degree of comfort. It seems to us that we are sentenced to death by crucifixion. The court has gone out of its way to impose conditions upon our industry such as have not been imposed upon any other industry.⁶⁰

Ryan would not do anything to undermine the principle of arbitration. He asked the deputation to have further talks with the AWU and to return on the following day.

The AWU was not prepared to compromise and, in fact, had begun to issue summonses for back wages. A break in the wall of opposition appeared when growers at Bundaberg and Mackay indicated that they were prepared to cut their cane and Powell, president of the UCGA, agreed to ask the Council to pass the Bill and transfer power over the industry to the Commonwealth.⁶¹ But the ASPA stood firm. It was not prepared "to coerce the Council to do something that in their judgment they should not do".⁶² To break the impasse, the ASPA had taken the initiative itself and applied to the Supreme Court for an order declaring Dickson's award wrong in law and asking that it be set aside. After several days' argument before the Full Court, a majority of the judges held that on several counts Dickson had overstepped his jurisdiction, but that the award in its other and principal respects still stood.⁶³ The ASPA then appealed to the High Court where the case was heard early in January 1917. (This case is discussed in Chapter 10.) In the meantime, when several compulsory conferences of growers, millers and the AWU proved unsuccessful Ryan tried once more to provide a solution by having the Commonwealth Powers (War) Bill passed through the Council. Again he failed. By the end of 1916 an all-round impasse had again been reached and a Commonwealth increase in the price of raw sugar seemed the only possible chance of providing an early solution to the problem.

While Ryan and Theodore wrestled with the problems of the sugar industry, a more explosive drama was being played out about Fihelly. There was no doubt that, whether Fihelly had been in the right or not, his speech had embarrassed the Government and the Labor party. A special meeting of caucus was called to discuss McPhail's motion disapproving the actions of Fihelly and Lennon in embroiling the party in a bitter sectarian controversy. To reduce the severity of McPhail's motion, Coyne moved an amendment to dissociate the party from Fihelly's published utterances. Coyne's standing in the Labor movement

was as high as that of any other member of the PLP. He was not a brilliant man but had a good record in the labor movement; like Lennon, he had a son at the front and was well regarded personally by the anti-conscriptionists and the pro-conscriptionists in the PLP. Before a lengthy and perhaps acrimonious debate could begin, Ryan, who had discussed the matter previously with Fihelly, addressed the caucus. He did not support Fihelly or his statements which, he said, had caused embarrassment to many members of the Labor party. Nevertheless, he did not wish to have Fihelly dismissed from the cabinet, and since Fihelly was prepared to make a statement at the first opportunity that his remarks at the Irish club had been made in his capacity as a private citizen and not as a member of the Labor party or the cabinet, Ryan asked that the matter be left there. The caucus accepted Ryan's solution and both the motion and the amendment were withdrawn.⁶⁴ That was on 5 October. The members of the PLP had not forgiven Fihelly however and when, a week later, the election was held for a new minister to replace Adamson, which Fihelly on seniority should have won, Coyne defeated him easily by twenty-eight votes to fifteen.

Fihelly duly made his public statement at a meeting in his electorate of Paddington on 10 October. However, no paper except the *Daily Standard* reported it and so far as the rest of Brisbane was concerned the earlier remarks still stood. A more significant and dangerous development was to come when Goold-Adams attended the executive council meeting on 13 October. Privately, some days before the meeting, when Ryan and the Governor had discussed Fihelly, Goold-Adams had asked for a public withdrawal by Fihelly and had refused to attend executive council meetings with him until this was done. Ryan, who had gained the respect of Goold-Adams, agreed and informed Fihelly of this but, so far as Fihelly was concerned, his public statement at Paddington should have been satisfactory. Having missed meetings for the previous three weeks and being no great respecter of persons, he sat down at the table at the executive council meeting on 13 October and refused to retire when Goold-Adams asked him to do so. The

Governor immediately left the meeting.⁶⁵

The newspapers hummed with the expectation of a first-class political crisis, two weeks before the referendum. The *Daily Standard* suggested a possible resignation of the Government, but Ryan was more concerned with healing the breach quickly than with indulging in heroics. Letters poured in from Labor organizations supporting Fihelly, and from non-Labor groups, among them many Protestant churches, demanding his resignation. A special CPE meeting called on account of the Governor's action agreed that Ryan was the best man to avert a crisis and gave him a free hand to act on behalf of the party.⁶⁶ Ryan held several conferences with the Governor to reach some compromise. On the one hand, the business of the State could not be conducted if the Governor refused to attend executive council meetings, but, on the other, Fihelly was a highly competent minister and to remove him from office would seem to indicate that the Premier and the Labor Government had buckled under to the forces of conservatism. After several hours' conference, the Governor agreed to close the matter if Fihelly would write a letter to Ryan, to be approved by the Governor and published in the press, dissociating his statements from his office as a minister. Ryan spoke to Fihelly and had him write the letter which he gave to the press at his daily news conference on 19 October. At the executive council meeting on the following day, Lennon, Fihelly and Goold-Adams attended and the matter officially was closed. Unofficially, and publicly, it remained open with a new word “fihellyism” appearing, which signified disloyalty to the British crown, Sinn Fein association and pro-Germanism.

As the polling day for the referendum drew near it was obvious that the censorship was being used more stringently against the labor press and, in a most amazing example of officialdom-gone-mad, a telegram from Ryan to the Queensland Agent-General in London concerning conscription was refused transmission by the Commonwealth Censor.⁶⁷ The cable was sent through the Queensland Government by the anti-conscription committee, the latter bearing the cost, to Phillip Snowden asking him to place the attitude of the Australian

labor movement to conscription before Australian soldiers in London.

When Finlayson later sought information in the House of Representatives about this unusual interference with a communication between a Government and its Agent-General he was told that the Deputy Chief Censor had withheld the cable because it contained "misleading and inaccurate statements, the publication of which would have been an offence under the War Precautions Regulations".^{6 8}

Having concluded the Full Court cases against the CSR and having resolved the Fihelly question, Ryan agreed to devote his time to the referendum and to use his prestige to weigh the balance against the conscriptionists. At a succession of meetings he emphasized the opinions expressed to him by leaders in England and the United States that Germany could not win the war and reminded his audiences that married men would be called up, as they had been in England, soon after conscription was introduced. In the final week before the poll, when both sides were striving to the limit in their last desperate efforts, Ryan made a special tour of the southern half of the State, beginning at Rockhampton on the Saturday, extending to Roma in the south-west and concluding at a mass rally in Brisbane on the night before the poll.

At Rockhampton he produced his finest speech of the campaign. It was a pity for the morale of the anti-conscriptionists that they had to wait till the last week to hear it. He asked for tolerance by both sides whose aim of winning the war was the same but whose methods were different. Despite these conciliatory introductory remarks, Ryan had committed himself to the anti-conscription cause and was determined to win and, while he used soft words to calm emotions, he appealed with rhetorical skill to the soul of his audience. His recalling his visits to the battle cruiser *Australia*, to the wounded Australians in London, to Birdwood and the Australian troops in France, gave him all the authority to spell out, point by point, what Australia had already done in men, money and machines. "We are doing all that we are prepared to do and more, but we are not prepared to do what these [conscription]

proposals asked us to do”. Ryan continued that he was opposed to conscription for two reasons. Firstly, it was wrong in principle, a principle that the allies had united to destroy; secondly, it was not necessary. Making effective use of rhetorical questions, he asked whether the allied war effort would stop if Australia did not provide her 32,500 men plus 16,500 reinforcements a month. His experiences in England, he said, had convinced him that what the allies wanted most were food and munitions. On a population basis, he said, Australia had already done more than any of the other belligerents and could increase its contribution more fruitfully by providing a guaranteed supply of copper at an agreed price and by continuing to provide thousands of tons of meat at a lower price than could be purchased on the world market. Australia, he continued, could not provide these if she were denuded of her manhood. Ryan had discussed conscription with Fisher in England and, like Fisher, he feared the division of the nation that conscription would bring. “The conscription proposals” he said “would tend to split and divide the country instead of uniting it.” Fisher in fact thought that conscription would bring about revolution in the country.⁶⁹ Ryan’s words were different but the substance was the same. They could not carry conscriptions or enforce conscription he concluded, unless they had the general consent of the people, but there was no general consent with regard to conscription in Australia.⁷⁰

While Ryan was away from Brisbane, Holman arrived to balance the influence of Ryan and boost the panel of conscriptionist speakers. As with Hughes’ meeting, his was by ticket only with the audience working themselves up to a patriotic fervour by singing “God Save the King” over and over again, prior to Holman’s appearance. From Roma on 25 October Ryan issues a final appeal for the labor press. It consisted of a precis of his two main campaign points: Australia could best assist the allied war effort by developing her natural resources and placing them at the disposal of Britain; and the loyalty of all the Australian people, so amply demonstrated till then, would continue to the end of the war.⁷¹

With a huge final rally in Brisbane on the Friday and the last

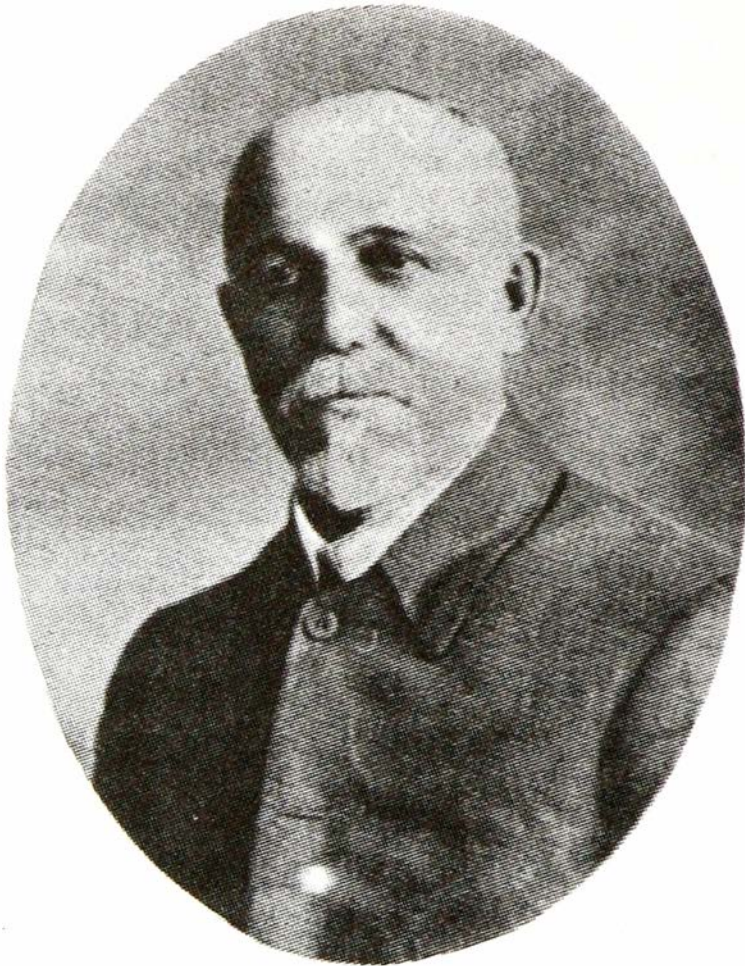
minute resignation of Higgs, Senators Albert Gardiner and Edward Russell from Hughes' cabinet, the anti-conscriptionists in Queensland awaited the results with some added confidence. On evidence available prior to the campaign, the conscriptionists expected to win, but the contrary influences, Ryan's maintenance of party unity plus the weakness of the Liberal organization, gave neither side much scope for accurate forecasting. When progress figures were published on 31 October giving a "no" vote a small lead, Ryan refused to make any comments until the final result was certain. His comments then were not those of the crowing victor but rather those of the statesman anxious to heal a deep division and get on with the prosecution of the war:

There is no doubt that Australians are unanimous in their desire to do everything possible to bring the war to a successful issue. Their loyalty is unquestioned. The one thing that has been proved is that Australians will not submit to anything in the nature of militarism, they will have no dictatorship.⁷²

Queensland with a "no" majority of 158,051 votes to 144,220 was one of the three states to contribute to the defeat of the conscription proposals. On 4 December its delegates assembled in Melbourne with those of the other five states to declare that conscription for overseas service was opposed to the principles embodied in the Labor party's platform and to expel those who supported conscription.⁷³



Edward G. Theodore [John Oxley Library, Brisbane]



John Adamson [John Oxley
Library, Brisbane]



John Fihelly
[John Oxley Library,
Brisbane]

9 Under Attack

Conscription had split the Labor party, soured the nation's politics and destroyed the unanimity of purpose which had marked Australia's entry into the war. When the Queensland Parliament resumed on 31 October for the second half of the session there was a noticeably bitter attitude permeating the Legislative Assembly as Government and Opposition members sniped at each other across the chamber. Ironically, each side felt that it had been assisted politically by the conscription referendum. For the Government, the result seemed to vindicate their attempts to provide progressive social and industrial legislation; for the Opposition, in the Assembly and in the Council, there was a new hope that Labor in Queensland would be torn apart and discredited over its attitude to the war, as they felt the party in the southern states had been.

Two of the more contentious pieces of legislation happened to be before parliament when the two houses resumed. While the Council continued its debate on the Commonwealth Powers (War) Bill, which it again defeated on the following day, the Assembly considered the Council's pre-conscription amendments to the Industrial Arbitration Bill. Theodore once more patiently explained that the clause referring to preference to unionists did not grant preference, which was to be left solely to the Arbitration Court. Ryan, somewhat exasperated at the repetition and the lengthy debate ensuing, interjected twice that the Court would have power to grant preference to unionists whether it was put in the Bill or not.¹ His remarks went unnoticed.

Theodore's second budget which had been delayed by the

referendum was introduced on 1 November. It provided further changes in taxation with new resting places in the taxation scale and a super tax of twenty per cent on incomes over £400 a year and increased deductions for children under seventeen. To make up for the financial losses caused by the Council's previous rejection of part of his first budget, the new rates were to be retrospective. It can hardly be imagined that he expected his political opponents to look with approval on this latest attempt to extract more money from the rich. On the same day, he introduced additional bills dealing with industrial questions. A Factories and Shops Act Amendment Bill provided for new hygiene standards for shops and factories, the marking of furniture manufactured by Chinese, and machinery for reducing hours of work. A new Wages Bill was to repeal the 1861 Master and Servants Act and to establish new laws regarding employment contracts, the payment of wages and the deduction from wages for food and other supplies. Both Vowles and Macartney criticized the introduction of such legislation at a time when the war, not social amelioration, should have been the main concern of the Government.

Ryan was becoming unusually angry, not merely with this type of criticism of his Government, but also with the degree of personal abuse he was receiving. This stemmed from his lone stand on conscription, which conscriptionists felt had prevented the anti-conscriptionists being routed, and from a growing feeling among Protestants that, under Ryan, a Catholic conspiracy existed to take over the politics and Public Service of the State.² In addition the personal antipathy, bordering on hatred, of Opposition members like Macartney, Vowles and Morgan increased; this had begun with their belief that Ryan was not really a labor man, but rather an ambitious barrister making the most of a lucrative political brief³ and had been exacerbated with their frustration at not being able to match him in parliament. An intense campaign began to ruin Ryan publicly. In March 1916 when the state butchery seemed as though it would have to close through having no meat to sell except limited quantities of overpriced beef bought at the Enoggera sale yards, Ryan's grazier friend, Thomas Purcell, sold the state 600 head

of cattle from Galway Downs. His price of £12 a head compared favourably with the £15 a head being asked at Enoggera.⁴ Now, nine months later, Macartney accused Ryan of having received a commission for the sale. Ryan was stunned. On the following day, Macartney went a step further and claimed that Ryan had received £1500 for the deal and that, in addition, he was using his position as Attorney-General to provide himself with large fees for Government work. Spoken under parliamentary privilege, these innuendos of corruption required no production of proof by Macartney, yet the full and well-placed press reports of the allegations indicated that a wider audience than the Legislative Assembly was intended. Ryan listed the previous Attorneys-General who had taken crown briefs and accepted payment for these, together with the amounts paid. It was in fact an accepted practice.⁵ His defence did nothing to deter the parliamentary muckrakers.

Frustrated at Macartney's using parliament as a cover for accusations he would not repeat outside, and sickened by Thynne's continued intrusions into his attempts to settle the purchase of the Chillagoe mines and railway, Ryan introduced the Constitution Act of 1867 Amendment Bill to "disqualify for membership of Parliament, persons or attorneys or solicitors for monopoly companies or alien companies".⁶ The hastily composed Bill became known as the "Thynne and Macartney Disabling Bill" and achieved little except to allow both Thynne and Macartney to pose as wronged persons fighting to clear their good names. After a brief though stormy period in the Assembly, it was defeated in the Council and not returned to the lower house. Ryan achieved nothing; his action served to demonstrate how poisoned the political atmosphere in Queensland had become.

Since the resumption of parliament after the conscription referendum recess, the Council, if anything, had shown itself less willing to treat sympathetically those bills from the Assembly which would in any way affect the economic status of its members or their commercial associates. A bill to amend the Regulation of Sugar Cane Prices Board Act was a good case in point. Lennon had written to all the growers' organizations

asking for their suggestions on improvements to the Act.⁷ On the basis of the replies, together with the evidence and judgments in the court cases on the Act, he drew up an amending bill which was well received by Swayne, the Opposition spokesman on sugar. When the Bill went to the Council, a different attitude prevailed. C. F. Nielson, a member of the Bundaberg and District Sugar Manufacturers Union and a director of the Fairymead Sugar Company, successfully moved for a select committee to consider the Bill, at the same time making no secret of his own opposition to the legislation. The witnesses called and the evidence these presented would hardly suggest that they were representative of cane growers or that they were sympathetic to the cane prices boards or to any legislation which interfered with free enterprise.⁸ The select committee's recommendations slashed the Assembly's Bill removing not only most of Lennon's amendments, but also clauses from the original Bill. The Council adopted the committee's report, and not even a free conference could induce it to relent. The Bill was declared "lost". It was soon joined by the Meatworks Bill.

The Industrial Arbitration Bill, too, might have been lost had not the Government compromised at a free conference. It was finally passed without the preference to unionist clause and omitting domestic and agricultural employees (except in sugar) from its application. The Government was similarly pressured into accepting a watered-down Land Act Amendment Bill, and to preserve the best parts of the Factories and Shops Act Amendment Bill, Theodore was also forced to accept the Council's amendments.

While the resentment against the Council built up inside the cabinet and the caucus, and the determination to do something to overcome its veto on important pieces of legislation increased, the Council continued on its unyielding course. For a second time, Fowles and Leahy forced through amendments to the Income Tax Bill against the chairman's ruling that the Council had no power to interfere with money bills. Their amendment removed the retrospective clauses in the Bill which Theodore had found necessary to recoup the taxes lost by the

loss of his first bill.⁹ A free conference could not produce any agreement and the Bill was declared "lost". Other bills passed by the Assembly to abolish the death penalty, to establish state public hospitals as the first step towards a free nationalized hospital system, to provide adult franchise in local government elections and to alter the method of land valuation, were all held by the Council and not returned to the Assembly. They were therefore regarded among the bills defeated by the Council and, in terms of the Parliamentary Bills Referendum Act of 1908, they were technically "lost". In a fit of pique over a disagreement between the two houses on the publication of regulations regarding State insurance, the Council refused to pass the Appropriation Bill thus preventing public servants from being paid before Christmas. When Ryan's Popular Initiative and Referendum Bill also joined the legion of lost bills, there was a renewed determination within the Labor party to press on with the Council's abolition.

The Constitution Act Amendment Bill to abolish the Legislative Council which the Assembly had passed in September, was so amended in the upper house in December as to negate the Assembly's intention and was not returned to the lower house. Nevertheless, the requirements of the Parliamentary Bills Referendum Act had been fulfilled and the Bill could now be submitted to a referendum. In rejecting the Bill on this occasion the Council set out fourteen constitutional, political and general reasons for maintaining a bicameral system of Government and ordered this to be forwarded to the Governor for transmission to the Secretary of State for Colonies and the King.¹⁰ The Governor sent Ryan a copy of the Council's message with a request for advice as to whether the message should be forwarded to the Colonial Secretary.¹¹ The Cabinet advised against any such action pending the completion of the procedure laid down in the statutes regarding rejection of legislation by the Council.¹² Goold-Adams, however, had already informed London of the likely developments with regard to the Council. He felt that, had the Council not opposed important Labor policy bills immediately the session opened, the Government would not have pressed so early for its abolition; never-

theless, he believed that a referendum would be defeated and told Ryan that he thought it unlikely that the British Government would agree to the abolition of the Council in one state of the Commonwealth unless all the states agreed to a similar proposal.¹³

The decision to abolish one of the houses of parliament was not only momentous, but also had tremendous constitutional and political consequences. Ryan and the majority of the cabinet were therefore understandably reticent about acting with too much haste. The Labor party at its conventions had certainly made clear its intention of removing the upper house, but it was significantly easier to pass resolutions at conventions than to have to carry out these decisions in Government. The question facing Ryan was how this could be surely effected. Two notices of motion were submitted to caucus at the end of November on the machinery for abolition. One from Pollock sought to form a committee of six to arrange ways and means of taking a referendum and a second from Larcombe asked that all previous abolition resolutions be rescinded and the Governor be asked to make sufficient nominations to the Council to provide the Government with a majority there.¹⁴ These reflected the two main questions being debated among the members of the PLP and the officials of the labor movement with whom they spoke. Pollock's motion reflected the views of Theodore, Fihelly and one half of the cabinet, while Larcombe's seems to have reflected that of Ryan, Hunter, Hardacre and possibly Coyne. Cabinet discussed both motions and since there was no large degree of agreement, decided that a special meeting of caucus should be held to decide the party's action.

At the same time there were other matters disturbing caucus which required firm, though tactful, handling by Ryan. Collins, and those of a more radical bent, wanted the Agent-General, Sir Thomas Robinson, replaced by a member of the PLP when his term expired at the end of 1916. Their motives were understandable since few members of the caucus, apart from Ryan, Theodore and Hunter, appreciated the work of the Agent-General and, more particularly, the services that Robinson was

rendering the Government in its negotiations on meat with the British and Australian Governments. Nevertheless, there was considerable support for Collins' proposition and had it been put to a vote it might well have been carried. Instead of opposing it directly, Ryan outlined to the caucus the assistance Robinson's knowledge of the meat trade had been and suggested that, while the meat negotiations were in progress, Robinson could be retained as Agent-General on a three or six months' notice of termination. The radicals were satisfied. But there was dissatisfaction brewing in another section of the caucus. While the party was prepared to consider a referendum to abolish the Council, the temperance advocates and liquor reformers in the PLP were becoming restive about the absence of any reference to a referendum on hotel closing hours or any plans to implement the party's policy on nationalizing the liquor trade with the ultimate aim of prohibition. This plank was another example of the ease with which a resolution was passed at a convention which contrasted sharply with the constitutional and other difficulties involved in implementing that policy in government. Ryan pointed out the impracticability of nationalizing the liquor industry at that juncture while another of his central Queensland friends, J. C. Peterson, from Normanby took up his argument against a referendum bill to provide six o'clock closing. The temperance members temporarily agreed to allow the matter to drop.

When the caucus reconvened to consider the motions on the Legislative Council, Larcombe for some reason was absent. Nevertheless, a long debate was held. Ryan did not take part in the debate but at the end summed up much as a judge would have done in addressing a jury. He sided with neither Larcombe's nor Pollock's motion, but listed all the factors to be considered by the caucus in deciding what tactics would bring the best results for the party. He included here the constitutional aspects and mentioned a previous offer made to him by the Governor to appoint some Labor representatives. Having summed up, he asked the caucus not to vote on it then, but to consider the issues further so as not to come to a hasty decision. He used Larcombe's absence and his own immediate departure

for the Premiers' Conference as further grounds for adjourning the debate. McCormack immediately opposed any postponement and asked that a vote be taken straight away on Larcombe's motion, which if defeated would clear the way for the referendum. Ryan, however, had the numbers comfortably, and the debate was adjourned.¹⁵

With the majority of the caucus apparently favouring a referendum to abolish the Council, Larcombe took his case to the CPE which passed a resolution urging the PLP to obtain a majority of Labor supporters in the Council to secure its immediate abolition.¹⁶ The CPE's resolution caused a furore in the PLP where a lengthy debate took place on the propriety of the CPE's passing such a motion when the PLP were still considering the question. It was probably a bad tactic on Larcombe's part and did not assist his case in the caucus. Ryan was still not certain of the best course to adopt, and was not happy about the referendum. There were clearly "rocks ahead". If the referendum was defeated, which was a distinct possibility, the upper house would be strengthened in its claims to represent the wishes of the people in continuing to reject "contentious" legislation. On the other hand, if Labor could continue in office for a second term, a Labor majority could eventually be obtained in the Council through additional appointments and by replacing deceased members of the upper house with Labor supporters only. The question at the end of 1916 was whether Labor could be guaranteed a sufficiently long period of rule. Again Ryan asked for an adjournment of the debate, but the caucus was anxious to have a decision either for swamping or for a referendum. Larcombe's motion was put and lost. The PLP decided that a referendum should be taken to abolish the Legislative Council.¹⁷

With the death of Sir Arthur Morgan, president of the Legislative Council, on 20 December 1916, the cabinet had to recommend a new president to the Governor. At the caucus meeting to elect the nominee, Hamilton easily defeated Albert Hinchcliffe and so the shearer who had been jailed in 1891 for his part in the strike became the senior dignitary among the pastoralists, merchants and businessmen who inhabited the

“House of Fossils”. The labor movement had indeed come a long way in twenty-five years. Normally the president of the Council was also the Lieutenant-Governor, but Goold-Adams drew the line at Hamilton and the more conservative Chief Justice, Sir Pope Cooper, was made Lieutenant-Governor. Who was to replace Hamilton as Government Leader in the Council? No member of cabinet was prepared to volunteer, although Hunter, Lennon and Hardacre were willing to nominate for the Agent-Generalship to be filled when Robinson was recalled. Eventually six backbenchers nominated for the Council position and Alf Jones, a former miner from Maryborough, won the ballot. At the following meeting Hunter defeated Lennon for the Agent-Generalship while a week later the forgiven Fihelly defeated Tom Jones, a close friend of Henry Boote and one half of the meat packing firm, Foggitt, Jones and Co., for Hunter’s place in the cabinet.^{1 8}

On the abolition of the Council referendum, both Ryan and Theodore favoured taking the poll on the same day as the Senate elections. It was not until 1920 that the High Court was to rule that no state poll could be taken on the same day as a federal election. Holding it on that day would save the State £3,000 but there were other reasons which suggested this would be a good opportunity. At the 1913 and 1914 federal elections and at the 1915 State elections, the Labor vote in Queensland had been high; moreover the “no” vote in Queensland in the conscription referendum suggested that the voting pattern would continue at the coming federal election. Other cabinet members and the caucus agreed. As the parliament went into recess for Christmas, a Ways and Means Committee had been formed and had begun planning the campaign.

As the only premier to reject conscription, Ryan did not enjoy the same cordial relations with Hughes at the end of 1916 as he had had at the same period in 1915. But it was not only conscription which now divided them, nor was it to be simply their differences on conscription that were to produce the most publicized events of the 1917 referendum. The problems associated with meat, sugar, industrial disputes and coastal

shipping all added to the breach, but it was the issue of the export of meat to Britain at the end of 1916 that was to cause strife between the two governments and strains between the two leaders.

The judgment in favour of Queensland in the Stock Embargo case not only validated the actions of the State Government, but also prevented the meat companies from negotiating outside the State for the sale of meat to the British Government and confirmed the Queensland Government as the negotiating authority. The Commonwealth was most anxious to take control of all meat exports when the current agreement between the British Government and the meat companies expired at the end of 1916. Hughes claimed that the method under which one state (Queensland) controlled the purchase and disposition of export meat was unsatisfactory to the rest of Australia and had resulted in shortages and high prices in other states.¹⁹ This request placed the Board of Trade in London in a difficult position. It cabled Hughes that it would raise no objection if the Commonwealth Government arranged with the states to take over the purchase and control of Australia's meat exports.²⁰ At the same time, it informed Robinson that the imperial meat scheme had been handled successfully by the Queensland Government and that it desired no change.²¹ Anxious that the benefits of price and supply gained for the British Government under the Meat Supply Act should not be lost, Ryan cabled Robinson a summary of Griffith's judgment in the Stock Embargo case setting out the advantages to Britain of continuing the current Imperial meat scheme and asking that negotiations be concluded for the 1917 supplies.²² Robinson made good use of these cables in his negotiations with the Board of Trade. In fact, a three-way conspiracy had developed between Ryan, Robinson and the Board of Trade as the conspirators, and Hughes the outsider. The Board of Trade handled all correspondence on the matter carefully and without any hint of disfavour to the Commonwealth Government. Yet it clearly did not wish to pass over a meat contract so favourable to itself and asked Robinson to arrange for the Queensland Government to supply meat for the duration of the war and three months thereafter.²³

On receipt of this information, Ryan began negotiations with the meat companies on these terms. Word of this was leaked to Hughes who again despatched cables to the British Government stressing the necessity for the Commonwealth to be the only meat exporter in Australia.²⁴ With stockowners in the south applying pressure on Hughes,²⁵ Prime Minister by the grace of the Liberal party, it was essential that Ryan be given a free hand by the British Government and that Hughes be held at bay until the negotiations were almost complete.²⁶ Throughout the period of the negotiations, Robinson therefore, by courtesy of the Board of Trade, kept Ryan informed of "any Commonwealth manoeuvres."

By the end of November, Ryan was able to cable Robinson that the more important parts of the agreement had been concluded²⁷ and on 1 December, the Secretary of State for Colonies, in his politest terms, cabled Hughes pointing out that their negotiations with Queensland since the beginning of the war had been carried out for business reasons only without their realizing that constitutional issues were involved. He concluded "the supply . . . and prices compare very favourable with those the Board have to pay elsewhere and the Queensland government have now secured from the meat companies in that state promises to continue present prices for the duration of the war and three months thereafter. The Board are perfectly satisfied."²⁸ Robinson notified Ryan of the cable and passed on to him the Board of Trade's thanks. Hughes had been outmanoeuvred – a feat in itself for any politician – and was unlikely to accept his defeat with equanimity.

At the Premiers' Conference in Melbourne in mid-December, Ryan held further discussions with Hughes on meat and sugar, but though they were in agreement on the CSR's refining the 1916 crop, an agreement which Hughes had settled, the Prime Minister was not prepared to concede defeat on the meat question. He merely bided his time. This conference was concerned mainly with finance and the repatriation of soldiers; the Commonwealth wanted the states to reach some uniformity on how repatriation and soldier settlement should be handled. J. C. Watson, the former Labor Prime Minister and now chairman of

the Commonwealth War Council which was responsible for repatriation, commended Queensland for already doing a good job, though his commendations did not extend to all the other states.²⁹ On several other points, Queensland stood apart during the conference. Ryan had sought the inclusion of recruiting for voluntary enlistment on the agenda.³⁰ During discussions on means of improving recruiting between the premiers and Donald MacKinnon, a Victorian member of the Legislative Assembly and the newly appointed Director-General of Recruiting, Ryan had his protest recorded against any attempt to introduce conscription in the future though he indicated that he was prepared to assist recruiting in other ways. There was again a difference of opinion between Queensland and the other states when a Commonwealth board was suggested to supervise soldier settlements. Both Ryan and Hunter refused to allow Queensland to be brought under such a board.³¹ This was partly due to a reluctance to retard the State's soldier settlement schemes and partly to a growing unwillingness to give the Commonwealth Government power over Queensland land laws.

One of Ryan's main points during the conscription campaign had been the need for Australia to supply minerals for munitions, and specifically copper, for which he had negotiated the favourable deal with the Chillagoe Company. Since his return, the Mines Department and the Railway Department had been preparing reports on the availability of ore, the condition of the smelters, the presence of cheap coal and the state of the railways in the mining areas. Ryan's negotiations with Thynne when he came to finalize the sale in Brisbane were far from cordial. When Thynne learned that Ryan had negotiated with the trustees in London for a complete sale of mines and railways for £450,000 against the £900,000 for the mines only, which Thynne had originally told the trustees the Government was willing to pay, he had written to Ryan accusing him of being like a "bad Irish landlord" and stating that he doubted "whether the records can produce so bad a case of oppression."³² Thynne's view of the role of government as being that of the protection of capitalism and the creation and

maintenance of an environment in which capital could prosper and reap large profits contrasted with Ryan's view of the role of the state as that of equalizing opportunities and protecting the employee, the farmer and the consumer.

Despite these personal clashes, Ryan concluded the negotiations and, having received the departmental reports, introduced the Chillagoe and Etheridge Railway Purchase Bill on 8 December. Ryan felt that the legislation should be enacted as soon as possible so that the maximum time could be given to produce the much-needed copper for the British munitions factories. He also revealed that he had held discussions with the directors of the Mt. Elliot mine to supply copper to the British Government at £80 a ton.³³ Both projects promised the additional benefits of increasing State revenue and reducing the unemployment caused in the north Queensland mining areas by the outbreak of war.

Since he would be at the Premiers' Conference when the second reading of the Bill took place, Ryan gave the parliament all the information available in the introductory stage including the details of earlier negotiations between the Company and the Government, the initial approaches of Thynne and the final negotiations with the trustees in London and with Thynne in Brisbane.³⁴ Coyne took charge of the second reading. However, some members of the Opposition were not convinced that it was such a good bargain. They claimed that there was not much copper in the mines and that the Government should buy only the railways which were showing a profit. Theodore answered for the Government. He had unbounded enthusiasm for the State's developing the mine and indeed was the driving force behind Ryan's negotiations with the company.³⁵ He had information that with cheap coal now available at nearby Mt. Mulligan, the Company itself believed it could work the copper mines at a profit.³⁶ An Opposition amendment to refer the Bill to a select committee was defeated. The essence of success with the project was to cash in on the guaranteed British market while the copper was still needed. It was unlikely that a similar opportunity would exist after the war.

The Council was not moved by the same sense of urgency.

Leahy successfully moved that it be referred to a select committee. This committee heard evidence from Theodore, Thynne, the government geologists, the Commissioner for Railways and others. Much of the evidence sought seems to have been directed at allowing Thynne to refute charges of trying to bring undue pressure on Ryan to buy the mines for £900,000 instead of £450,000. On the other hand the evidence of the Government officials about the long-term prospects was not enthusiastic. Yet there was some rationality in Ryan's view that the mines should at least be worked for the duration of the war when there was a guaranteed price for copper. If the price of copper fell after the war and the Government in the meantime had at least broken even financially, it would not matter if the mines were later closed. Their primary function in 1916 of supplying copper for British munitions would have been fulfilled and wartime unemployment overcome. Time was the key factor. The majority report, based on political as well as economic considerations, concluded: "The evidence did not satisfy the committee that payable reserve ores exist in sufficient quantity to justify the State in embarking on what may be considered a speculative enterprise."³⁷ Hamilton submitted a contrary minority report, but the Council adopted the majority report and ordered the Bill to be read again in four months, a polite way of defeating it.

Part of the Council's cavalier treatment of the Chillagoe and Etheridge Railway Purchase Bill and other Government legislation reflected an unconcealed belief among Queensland conservatives that the Labor party's attempts at socialism would be rejected at the following election and that sense and normalcy would return to the State. The national shattering of the Labor party over conscription reinforced this belief and the widespread opposition he was arousing, it was felt, would bring about Ryan's downfall. At this time also Hughes, in his Unlawful Associations Act, had begun an onslaught on those underground groups which it was claimed had been responsible for defeating conscription and who were suspected or "known" to have links with the Labor party. Specifically the IWW was being outlawed, but the Act was also aimed at any person who could

be thought favourable to Germany or to the Sinn Fein.

To cap this, the weapon of sectarianism was being perfected and used with little concern for truth. The Government provided the sectarians with bullets to fire when it constituted the bench of the Arbitration Court following the passing of the Industrial Arbitration Bill. If arbitration was going to be successful the president of the court had to be a man of great legal ability with a genuine concern for the system of arbitration. Such a man was McCawley, the Crown Solicitor, who was appointed a judge and then president of the court with a salary of £2,000 a year and the status of a Supreme Court judge, and above Judge MacNaughton who had been the Industrial Court judge since the passing of the Industrial Peace Act in 1912. McCawley was also a Catholic. The Anglican bishop, Le Fanu, charged that McCawley had been appointed because of his religion.³⁸ A similar attitude was developing in Melbourne where Hughes felt that the opposition of Irish-Australians had defeated conscription.³⁹ His friend and ally, Munro Ferguson, was more precise in his accounting for the "no" vote in New South Wales and Queensland. He wrote: "The Irish Roman Catholics . . . are particularly strong in New South Wales and Queensland, the Government in the latter State being in their hands."⁴⁰

Once begun, the sectarian campaign opened out in several directions despite Ryan's earlier appeals for tolerance on both sides. Adamson at a meeting in January to launch the League for the Maintenance of Civil and Religious Rights, (labelled "The Black Hand Gang" by the *Daily Standard*) said " . . . alarm was felt throughout the State, occasioned by the several questionable actions of the Ryan government, indicating undue influence of the Roman Catholics in Parliament, in the public service of the State . . . and in other organisations, thereby constituting a real menace to the Commonwealth." Adamson was supported by a Baptist minister, with the unlikely name of Pope, who said that Protestants stood for toleration, right and justice while Catholics stood for themselves.⁴¹ A newly-published newspaper in Brisbane, the *National Leader*, the official organ of the Returned Soldiers, Sailors and Patriots

National League and claiming a circulation of 6000, came into the debate. also: "... bigoted as most sectarians usually are, they cannot compete with the Ryan Government when it comes to bigotry and sectarianism..."⁴² With the formation in January of a "win the war party" which Ryan correctly said "savoured of a 'win the election' party" the divisions brought into the Australian nation with conscription were all too glibly and easily drawn. Protestants, loyalists and conscriptionists were the true patriots who were for God, King and Empire while the others – Catholics, unionists, strikers, the IWW and Sinn Fein sympathizers, were disloyalists who would sell Australia out to the Germans. In arguing against this oversimplification, Labor party members were to find the support of Victoria's Archbishop Mannix of doubtful value.

When the Legislative Assembly resumed at the end of January 1917 after the Christmas recess, Tolmie, bolstered by what seemed a popular swing away from the Government, launched a no confidence motion.⁴³ The Labor caucus met on the morning of the debate and confidently resolved that Ryan only would speak for the Government and that no gag would be applied to the Opposition.⁴⁴ They could talk themselves out.

Tolmie modelled his motion on that of Ryan in 1914, giving fifteen grounds for the want of confidence. In trying to encompass so many points ranging from interference with the free trade of the states, discrimination in the prices of meat, injudicious embarking on state enterprises, to failing to halt rises in the cost of living, he made the same mistake as Ryan had in 1914; he overloaded his speech and was not impressive. Tolmie was not the sort of politician who introduced personal venom into his speeches; he kept his attack on a political level. Not so Morgan, who seconded the motion; he attacked Ryan personally and used a statement of Adele Pankhurst, a pacifist with no love for the reformist Labor party, and then lecturing in Australia, to show that Ryan was not a Labor man but a capitalist, drawing rents of more than £20 a week from property acquired since he had become Premier.⁴⁵ There was no truth in Morgan's allegations.

Ryan had the dinner adjournment to work up his reply.

Rising at seven o'clock with the galleries full, and the press waiting, he delivered a polished address. Ignoring Morgan's personal attacks, he scored his first point by noting that as there were no charges regarding the Government's conduct of the war the Opposition were evidently satisfied with this. He accepted it as a compliment. But it was on meat prices and the meat embargo that he was able to score heavily. Did the Pastoralists Association, he asked, really want to supply meat more cheaply to the Imperial Government and to the Australian consumer? Some stockowners had said they would prefer a price of 4³/₄d. a pound all round than 4 7/8d. for export beef and 3¹/₄d. or 3³/₄d. a pound for local. Ryan repeated his offer to accept this if the pastoralists would, but the Opposition refused to take the bait. Amid cheers from the Government members he considered each point of Tolmie's motion, concluding that the Government's attack on capitalism had prompted the debate, but that adult franchise and the democratic enlightenment of the people of the State would frustrate the attempt of the Opposition to return to government. His amendment congratulating the Government on their capable administration was carried at the end of the debate.⁴⁶ It had been a well-delivered mid-term policy speech. Both the PLP and the CPE resolved to have 25,000 copies printed and distributed through the State.⁴⁷

Although the Legislative Council had frustrated the Government's attempt to implement all its legislative programme, the Government could fairly claim, when its second session closed in mid-February, that it had achieved a great deal. Within the labor movement, there had been no criticism from the unions of any unwillingness to confront employers nor any complaint that Ryan's attempts at reasonableness with the Council or other bodies had indicated political weakness. The three major business undertakings – insurance, retail butchery and stations – had all been financially successful and were achieving their other goals of providing information on working costs and competition for private enterprises. There remained a fundamental chasm between Labor and Liberal thinking on the matter of government enterprises competing with private enterprises, which resulted in the postponement of the first attempt

to rationalize the policies of state enterprises by placing these under a Commissioner for Trade. State enterprises continued to be established but by the same back door methods as before.

Ryan could hope for little respite with the end of the session. There was still a war going on 13,000 miles away and it was increasingly influencing the tone of Australian domestic politics. A state election was due in New South Wales, in which he had been invited to campaign. A federal election, where conscription was certain to be raised, would also have to be held sometime in 1917 and in this Ryan as the only Labor premier could expect to be an important figure. To these had to be added the Legislative Council referendum which promised to be more gruelling and perhaps more important than either of the other two.

10 Confrontation

Following the defeat of conscription at the referendum, Ryan had pointed out to the Liberals in the Legislative Assembly that this did not signify any withdrawal of Australia from the Empire, nor did it mean that there should or would be any slackening in the drive for reinforcements.¹ However, as enlistments in December 1916 had dropped alarmingly to half the previous lowest figures for the war, a new campaign for more recruits was initiated in 1917. Hughes cabled the British Government asking for messages from the Prime Minister, General Robertson, Field Marshal Haig or General Birdwood on the need for reinforcements, so that these could be read at the recruiting rallies and published in the newspapers.² New and novel recruiting methods were continually tried. Recruiting balloons soared above racecourses, hoary posters of hunnish brutality glared menacingly at visitors to town, patriotic speeches in public places were made almost daily by leaders of church, business and state; free concerts were provided after which recruiting speeches were delivered.³ But the divisions caused by the conscription referendum were still there and impeded the recruiting drive. Ryan spoke often at lunch-time recruiting meetings but he began to sour of giving his time speaking for recruits only to find himself greeted by an organized barrage of heckling or a biting editorial from the following morning's press. At a lunch-hour meeting on 31 January 1917, called by the Lord Mayor of Brisbane, Ryan made a special plea for a closing of national ranks: "... unless they were prepared to bury animosity so far as the late conscription referendum was concerned they would not do their

duty in this matter [of recruiting]!” Amid heckling from parts of the audience he continued to propound the line of argument he had adopted three months previously. Australians, he said, desired peace, but peace with honour; they would continue in the future, as in the past, to do their duty to the troops at the front. If every eligible man would consider the matter for himself then there would be no trouble in gaining sufficient recruits, but while the bitterness of the previous October remained, the prospects of voluntary recruiting were hindered.⁴ To assist in healing the breach in the nation he made a point of removing all questions of party politics from his recruiting speeches.

Despite the increased recruiting activity, the number of recruits coming forward was only a quarter of the number stated by Hughes to be essential to reinforce the Australian divisions. Neither Ryan’s call for young men to appraise the situation rationally, nor the more exotic methods of the recruiting committees seemed to be having any immediate effect. Because of this, Captain G. M. Dash, secretary of the State Recruiting Committee, wrote to Ryan pointing out the urgency of the problem and asking for Government assistance. The recruiting committee sought special recruiting trains, facilities for recruiting public servants, the closing of racecourses and stadiums during the war and more active assistance from members of parliament.⁵

Ryan was willing to listen to their arguments and a deputation of Thynne, Adamson, Canon Garland, Dash and Mat Reid, now organizing for the National Political Council (NPC), was formed to interview him. On the day of the deputation other matters more directly concerning Queensland were occupying Ryan, and Hunter, instead, met the five recruiting conscriptionists. He promised assistance with special trains and with politicians, but refused to be drawn into any closing of bars, racecourses or stadiums as these, he said, clearly could be dealt with on a national level under the War Precautions Act.⁶ He agreed to take the question of recruiting public servants to cabinet. This did not satisfy a later deputation from the Women’s Recruiting Committee who wanted all eligible men

dismissed from the Public Service and thereby forced to join the army.⁷ Similar attempts to apply coercion to recruiting caused Mrs. Ryan to resign as president of the Women's Recruiting Committee, to the delight of many sections of the labor movement.⁸ But as the federal election loomed closer, federal Labor members and senators, aware of the electorates' support for the war, if not for conscription, took to the stump and assumed most of the Labor responsibility for recruiting meetings.

While the recruiting situation could have been regarded as serious, it remained essentially a Commonwealth problem. Rumblings of further attempts to upset the Queensland meat legislation caused Ryan more concern. When he left for the adjourned Premiers' Conference early in January 1917 he was conscious of the opposition to his meat embargo in the south, particularly among supporters of the Liberal party. The Queensland policy with regard to meat exports to the southern states had been simple: the southern states could have supplies of meat after the British and local requirements had been met, provided this was done on a government to government basis with the southern governments selling the meat at controlled prices. Ryan's aim was to prevent profiteers from exploiting consumers not only in Queensland and Britain, but also in other Australian states. This philosophy did not appeal to the Nationalist premiers of Victoria and South Australia who planned an appeal to the Privy Council against the High Court decision in the Stock Embargo case;⁹ no appeal was instituted. Under pressure from the pastoralists, Hughes was also seeking ways of breaking the embargo despite the High Court decision.¹⁰ Ryan's difficulties were compounded by the negotiations in progress between the National Labor and Liberal parties to form the new "win the war – Nationalist" party. The plank of "reinforcement of Interstate Freetrade according to the intent and spirit of the Constitution", reflected clearly their attitude of opposition to any restriction on the interstate movement of cattle or meat.¹¹

It was at this time that Hughes first began suggesting in press releases something about using the War Precautions Act to

break the embargo. Ryan remarked in a counter-release to the press:

It is difficult to pass an opinion on the scope that the Prime Minister would give to the War Precautions Act . . . I think he regards it as a panacea for all ills, calculated to settle anything from affairs of State to housemaid's knee. About the only thing that seems to be outside the scope of the bill is the Labor majority in the Senate.

He softened this by adding that his Government never had any intention of violating the Federal Constitution.^{1 2} However, the rumblings continued but with more substance when, on 16 February, Hughes issued new regulations under the War Precautions Act giving the Commonwealth power to control the disposal of live stock and meat for the duration of the war. Aiming directly at Ryan's legislation, the regulation stressed that it would be no defence that a person breaking the regulation had been working under a state law.^{1 3} Prompt action was required or Hughes would have scored a tactical victory. Ryan immediately cabled Robinson:

Owing to operation of certain influences referred to you in previous cables [the southern pastoralists] it may immediately become necessary for the Queensland Government to acquire, under the Sugar Acquisition Act, all cattle that may be available for Imperial uses. Please obtain concurrence and indemnity of Imperial authorities for such action as Queensland Government deem necessary in this connection. Act promptly.^{1 4}

In the meantime, while refusing public comment on the Commonwealth action, he decided that personal discussion with Hughes and the federal authorities was the only way to safeguard the gains made in regulating the supply and price of meat.

In Melbourne, he tried to persuade the Commonwealth Government that the embargo was necessary to preserve supplies for the British Government, that Queensland had offered meat to the southern states and that, if their Governments would agree to have the meat retailed at fixed prices, Queensland would willingly try to meet their requirement. He was, however, still worried at the possibility of Hughes' new regulations wrecking the whole arrangement. He telegraphed

Hunter urgently asking for details of specific offers of meat by Queensland which were not accepted by the southern states and for any reply from Robinson. An incomplete answer from Brisbane brought a further urgent telegram with a mild rebuke for holding up his argument.¹⁵

When the possibility of the Commonwealth's lifting the Queensland embargo had been voiced, negotiations with the meat companies had temporarily lapsed. However, the Melbourne conference established clearly not only Ryan's intention to continue to enforce his border regulations irrespective of Commonwealth law, but also his confidence that his legal opinions would stand up in court. Ryan's prestige and confidence as a barrister were high and he was sure that the High Court decision in regard to the Meat Supply Act would be sufficient to enable him to carry on with the negotiations. The continued refusal of the State's meat inspectors to allow Queensland cattle to cross the border without permits confirmed that Ryan was not bluffing, though a coincidental outbreak of tick fever in Queensland, by preventing cattle passing into New South Wales, provided a useful breathing space. The meat companies and stockowners were confronted with little choice but to submit, when Robinson cabled the British Government's willingness to extend their full support and indemnity to the acquisition of meat and cattle under the Sugar Acquisition Act.¹⁶ The agreement between the meat export companies and the Queensland Government was concluded shortly afterwards for the war period, guaranteeing not only supplies of cheap meat to the allies, but ensuring also that sufficient meat at fixed prices would be reserved for the home market. So far as the Queensland Government was concerned the two main elements in the meat problem were solved: cheap meat for the British soldiers and guaranteed local supplies. A writ taken out by the Queensland Government against the Commonwealth declaring that the War Precaution Regulations were *ultra vires* and seeking to restrain the Commonwealth from interfering in Queensland law, was not proceeded with. In effect, the Commonwealth control of meat prices was accepted, while the contracts with the meat companies, with the

guaranteed supply of meat for local consumption, enabled the number of Queensland state butcher shops to be increased and made provision for these to sell meat at a far cheaper price than that fixed by the Commonwealth.

Although Hughes and Ryan might tacitly agree to declare a draw on this issue, others in Queensland had not given up the fight so easily. In March 1917 the test case brought by the pastoralists in the name of Mrs. Laura Duncan against the Government's seizure of cattle under the Sugar Acquisition Act began in Brisbane. The Mooraberrie case, it came to be called. The case arose out of two proclamations, one on 12 November 1915 and the other on 1 June 1916 empowering the Government to acquire all cattle in the State and specifically 1700 head from the Mooraberrie Station. Mrs. Duncan claimed that the proclamations were *ultra vires* and sought £5000 damages. Ryan with J. L. Woolcock and H. D. Macrossan appeared for the Crown and Feez with E. A. Douglas appeared for Mrs. Duncan before the Chief Justice, Sir Pope Cooper, on 1 March. Ryan argued that both the Meat Supply Act and the Sugar Acquisition Act should be read together, but was overruled by Cooper who held that the Sugar Acquisition Act was valid in its acquisition of meat only after the end of the war and the expiration of the Meat Supply Act. He awarded Mrs. Duncan £2900 plus costs. An appeal to the Full Court in June 1917 reversed the Chief Justice's decision¹⁷ while a further appeal by Mrs. Duncan to the High Court in August 1917 restored the original decision and awarded her £2000 damages.¹⁸

As always, the sugar industry plagued the Queensland Government. The ASPA's appeal to the High Court against the Full Court's judgment in the Dickson award case began in Melbourne on 3 January with the bench unwilling to express an opinion as to the validity or invalidity of the award. However, when it was made known that the recently-passed Industrial Arbitration Act maintained all existing awards and expressly gave the Arbitration Court power to make retrospective awards, Griffith ruled that the High Court could not give any opinion on the case.¹⁹ At the end of December 1916, Hughes had negotiated an

agreement with the CSR to refine all the Queensland sugar and to pay the mills £18 a ton for raw sugar. He posted Ryan a confidential copy on 3 January asking that it be not made public until the end of January.²⁰ In effect, the agreement guaranteed that the sugar would be refined but did nothing to solve the problem of the increase in the price of sugar needed since the Dickson award. The industry remained in a state of turmoil with growers, egged on by millers, attacking the Government's apparent inability to act. To bring about any settlement the temporary coalition of growers and millers had to be broken. Ryan planned to split the UCGA from the ASPA.

The ASPA's half yearly conference was to be held in Brisbane in mid-February. A well-advertised deputation of Labor members from sugar seats waited on Ryan and Lennon on the day the ASPA conference opened. The deputation served three purposes: it allowed the members to show publicly their concern for the industry; it allowed Ryan to make an important statement to the growers and millers as they arrived in Brisbane; and it dampened ASPA criticisms of lack of Government action. Ryan announced to the deputation that Lennon was on the point of calling a growers' conference to obtain a clearer picture of increases in growers' costs so as to be able to place a better case before the Commonwealth for an increase in the price of sugar. He went further in his wooing of the growers and, in his campaign to enlist support against the upper house, reminded the deputation of the unwillingness of the Council to pass the amended Regulation of Sugar Cane Prices Act, then the subject of a free conference between the houses.²¹

The ASPA delegates were not impressed by the Labor deputation and scorned their supposed knowledge of the sugar industry. But though Ryan may not have been an expert in sugar, he was expert in political tactics. This, combined with his natural sympathy towards the growers, directed his actions during the following weeks. If changes were to be made in the industry these would be at the request of the growers and not of the millers. Lennon sent out invitations to all growers' organizations for a conference on 1 March, and Ryan left for Melbourne to discuss an increase in the price of the 1917 crop

with Hughes. The Prime Minister, like Ryan, knew that to legislate for an industry in the manner agreed to by the members of that industry was to avoid future political trouble. The result of the conference was that Hughes wanted from Ryan a concrete proposal which could be considered. Ryan's private tactic was to go a step further and ascertain what the growers, rather than the ASPA, wanted.

As the conference of growers' organizations sat down with Lennon and Ryan to frame a specific set of proposals of the Commonwealth, G. H. Pritchard, secretary of the ASPA, threw a spanner in the works by revealing that he had privately interviewed Hughes, after Ryan, and that a proposal had already been made. It seemed that the present conference was a waste of time if proposals had already been forwarded. But not quite. Ryan insisted that Pritchard reveal the proposals put to Hughes. These were for the Commonwealth to take control of the industry under the War Precautions Act and for the Dickson award to be reviewed.²² Ryan's divide and conquer tactics now emerged. He adopted a conciliatory attitude to the growers and sought their views, as against those of the millers, on the exact increase in cost per ton occasioned by the Dickson award. Through his prompting, the UCGA enthusiasm for Commonwealth control of the industry exhibited in February, now waned as the prospect of the industry's coming under Commonwealth control produced a fear that the long-sought cane prices boards would be disbanded. The growers asked Ryan for an adjournment for a private conference where some unanimity could be achieved.²³

When the combined conference resumed on the following afternoon the split between the ASPA and the UCGA was complete. The former wanted complete Commonwealth control, while the latter feared this would take them back to the pre-1915 days and they wanted the industry to remain under the control of the Queensland Government which, they agreed, was trying to improve the position of the cane grower. It was apparent that party politics were mixed up in the two attitudes. The ASPA, with its president and secretary both prominent officials of the Nationalist party and with its ties with the CSR,

obviously could not see any favours being granted it by Ryan's Government. On the other hand, the UCGA, while not having the same links with the Labor party, had Labor supporters among its members and had already experienced Ryan's willingness to act in its interests. The divisions produced a heated conference. Several UCGA members attacked Pritchard for his secrecy in negotiating privately with Hughes and when they insisted that he give the full details of the negotiations, Pritchard and the other ASPA delegates walked out. Ryan capitalized on Pritchard's secrecy and reinforced his standing among the growers. It was agreed during the afternoon to ask the Commonwealth for £24 a ton for raw sugar, the price of the cane to be fixed by the local prices board. Ryan also arranged for a delegation of cane growers to go to Melbourne at Government expense to place their case before the Prime Minister.²⁴ The deputation was reasonably successful. Hughes agreed to an increase in the price of raw sugar to £21 a ton, granting also an increase to the CSR for refining.²⁵ Theodore convened a conference of growers, millers and employees to try to arrive at some agreement on wages. When this was unsuccessful, the question was referred to McCawley in the new Arbitration Court to review the whole Dickson award.

Though the federal election was not due until September, Hughes announced that it would be held on 5 May. Ryan had been invited by J. T. Lang and P. C. Evans, secretaries of the New South Wales PLP and Central Executive respectively, to join in the opening of the campaign for the New South Wales state election.²⁶ As his negotiations with Hughes on sugar prevented his attending, he sent a telegram indicating the grounds on which he thought the state campaign should be fought:

The defeat of the Labor Party would be heralded as a change of opinion of the people on conscription and then you could look for regulations under the War Precautions Act to bring it in.²⁷

Others agreed that the voting in the referendum in October provided good grounds for turning the elections into a second

conscription referendum. But too often those expert in the art of politics were not so well versed in the science of it. A referendum on a specific issue was not to be equated with a general election vote, which a study of booth figures would have revealed. However, politicians work on hunches and on their own political sense so that when Hughes announced the date of the federal election, Ryan returned to the one policy on which Labor seemed to have electoral support: "The issue is whether Australia will abandon Mr. Hughes and the forces behind him or not . . . There is no fear of Australia abandoning the Empire . . . If Hughes and his party are returned they would introduce conscription without any reference to the people."²⁸

While the Labor party sought to make conscription the issue in the New South Wales and federal elections, the Nationalists retaliated by making loyalty to the Empire the central question. In Queensland, it was impossible to make loyalty to the Empire an issue without introducing sectarianism and "fihellyism". So acrimonious were the charges and counter charges hurled between Protestants and Catholics, that in February the Anglican bishop Le Fanu, no great lover of Ryan or Catholicism, called for an end to the public wrangling between churchmen.²⁹ Once started, however, the momentum of sectarianism was hard to stop. Actions and statements by leaders on both sides were easily misrepresented. Methodists at their annual conference were "stirred with a righteous indignation at disloyal utterances by those in high positions in the State";³⁰ because of the prominence of Irish Catholics – Ryan, Mannix and Fihelly – among the anti-conscription leaders, the *Daily Standard* in defence tended to be more favourable in its reporting of Catholics. Much of this bitterness was personified by the Protestant chaplain, A. C. Plane, who was standing as a Nationalist for the federal seat of Brisbane and opened his campaign in Paddington in the middle of Fihelly's electorate. That the sitting Labor member for Brisbane, Finlayson, was a Protestant lay preacher, did not alter the dogmatism of either side.

Once more the labor papers felt the heavy hand of the censor. The frequency with which the *Daily Standard* was

summonsed made it appear that the censor had some special interest in that paper. In March the paper was fined for two articles published in the previous December. When the verbatim reports of these trials were published each day, it became obvious that the censoring of the *Standard* was not simply a matter of chance nor were other Brisbane dailies subjected to the same degree of censorship. According to the censor "special care was taken with *Daily Standard*", and where other papers submitted to the censor only those articles which they thought might have to be cut, all articles in the *Standard* had to be approved.³¹ To appreciate the frustration of this censorship, it is necessary to read the day by day files of the *Standard*, something the official historian Scott could not have done to have accepted so glibly the assurances of Pearce to the Senate or the censor's reports, that there was no attempt to crush criticism of the Government.³²

Despite the barriers of the censor and the nagging of the sectarians, the Labor party entered the federal campaign with an outward show of confidence. Leaving Woolcock and Macrossan to continue the Mooraberrie case in the Supreme Court, Ryan spoke at Maryborough on 19 March and two days later was in Sydney to attend a special election meeting in the town hall. In both places he emphasized that conscription was the issue, drawing a rebuke from Adamson that "Mr. Ryan had acted very unfairly to make the conscription issue the great issue in both fights".³³ However, despite Ryan's oft-expressed belief that, in politics, if one had a good point it should be made over and over again, he appreciated that conscription alone would not win an election. In Maryborough he campaigned also on his own Government's record, while in Sydney he linked conscriptionists with profiteers, beef barons and those exploiting the Australian wage earners. Ryan revelled in the heavy work and began to emerge as the bright star in the Australian Labor camp. The *Daily Standard* suggested that he should be asked to enter federal politics;³⁴ throughout his conflicts with Hughes in 1917 this suggestion was to receive increasing support.

Hughes, too, was a shrewd politician and saw the danger of

allowing conscription, an issue on which he was tactically weak, to interfere with his "win the war" campaign where he was arguing from strength. As the Labor party increased its propaganda that a victory for Hughes would lead to the imposition of conscription, the Prime Minister issued an emphatic statement denying such an intention: "It [the Government] will not enforce or attempt to enforce conscription either by regulation or statute during the life of the forthcoming Parliament. If however, national safety demands it the question will be again referred to the people."³⁵ At the same time he released the long-awaited soldiers' vote in the conscription referendum showing a majority of 72,399 to 58,876 in favour of conscription. Suspicious of Hughes' timing, Ryan noted that this represented only 130,000 votes, half the number of soldiers eligible, and, given the trouble and time taken – a month – to provide voting facilities for the troops, this was conspicuously small compared with the 80 per cent turn out of voters within Australia.³⁶ While the figures may have been of assistance to the conscriptionists, they confirmed the Labor view that Hughes was not to be trusted. The belief that the troops in fact voted "no" has persisted.

At the end of March, Ryan received two conflicting answers to his claim that conscription was the main political issue even at the state level. Both the New South Wales election and the Maryborough by-election showed that political leadership, the performance of Government and Opposition parties and their likelihood of governing effectively and with stability were the important factors. Where the "no" vote in New South Wales had represented 57.1 per cent of the poll in 1916, the Labor vote had now dropped to 42.9 per cent. The Nationalists won easily with 47.4 per cent of the vote. However in Maryborough, Labor held its same large majority.

The announcement of the federal election, the Maryborough by-election and the late closing of parliament had distracted the Labor party from its campaign to abolish the Legislative Council. Though the caucus had agreed to the holding of the abolition referendum on the same day as the federal election,

the CPE was opposed to this course and asked the PLP to have cabinet reconsider the decision.³⁷ When the PLP refused, a series of resolutions at a special CPE meeting on 15 March resulted in its declining to co-operate with the PLP in the abolition campaign.³⁸ Quite obviously, without the CPE's co-ordination, no effective campaign could be conducted. Ryan asked for a further special meeting of the CPE on 28 March where he made a lengthy statement regarding the cabinet's decision to proceed with the referendum on the same day as the federal election and asked the CPE to reconsider its decision. Grudgingly the CPE agreed to co-operate. It had wanted Ryan to concentrate on the federal election and to do an election tour of the south covering Adelaide, Bendigo, Melbourne, Sydney and Newcastle but finally gave way to his argument for concentrating on Queensland.³⁹

This disagreement over the timing of the referendum set back the campaign for the abolition of the Council and allowed it to be overshadowed by the federal elections until a month before the poll. Even at that late stage, Ryan would have better served his cause had he agreed to taking the referendum on a separate date. But such was his confidence in his own judgment when once this was formed, that the stubbornness which at times was his asset, could also be his liability. The election result in New South Wales suggested that it was possible that there was not a relationship between the conscription vote and a general election vote. Worse, politically, was the fact that the labor movement in Queensland had to divide its energies and campaign funds to combat its two very powerful enemies: Hughes and the Council. When a local option poll on hotels was to be taken on the same day in Brisbane and in certain large country areas the electoral pool was further muddied. The Nationalists kept this stirred with personal accusations against Ryan, while the wily Hughes poured in additional silt by announcing a new set of conditions to be met by the Queensland Government before he would pay the increased price of sugar.⁴⁰

The following weeks were among the most hectic of Ryan's career and reinforced the wisdom of the CPE's wish to separate

the question of the Council's abolition from all other elections and polls. To protect the State from "rushing into headlong ruin" by abolishing the Council, a "Constitution Defence Fund" was established, headed by Sir Robert Philp and administered by a committee representing "the producing and commercial interests generally throughout Queensland". The committee's advertisements did not attempt to set out any positive arguments for the retention of the Council, but relied heavily on the fear of radical change in a fairly conservative community.

In no country in the world worthy of the name is there government by one chamber only and if the Council were abolished, the community would be at the mercy of political extremists and a number of IWW supporters who have become increasingly prominent in the public life of Australia.⁴¹

Neither side really knew how the electorate would vote. If, however, the holding of the referendum could be prevented by the courts, then those who supported the Council would be guaranteed victory. On 12 April three members of the Council – William Taylor, a medical practitioner and the Council's chairman, Bartley Fahey, a barrister, and William Stephens an affluent Brisbane businessman – applied to the Supreme Court for an injunction restraining the Government from taking the referendum. The case was set down for 24 April, twelve days before the poll. Despite the proposed injunction, preparations continued for the referendum.

Ryan's having to appear in court on such a vital question destroyed any chance of completing a proposed election tour of the State, but in any case a new and unexpected set of conditions on sugar imposed by Hughes forced Ryan to devote valuable time to that question to prevent another major crisis. The conditions laid down were extensive and included a review of the Dickson award, then before the Arbitration Court, and stipulated that during the following three years during which the agreement would run, wages were not to be altered. At a time when both Ryan and Theodore were urgently required in the campaigns, Ryan had to call a conference of growers and ask Theodore to preside over a conference of unionists and

employers in the sugar industry. Having done this, and against medical advice to rest and recover from a bout of dengue, he set out on a tour of the west and south-west of the State.

Returning to Brisbane on the night before the Supreme Court case opened, Ryan addressed a large meeting at the Exhibition where he could appeal to the wider court of the people. His illness having almost cleared in the west, the superb politician reappeared, speaking in simple terms, drawing laughter and applause from his audience as he shot sarcastic barbs into his opponents and gave his supporters quotable phrases for their own arguments. The meeting was made more prestigious and symbolic by having the Speaker, McCormack, in the chair. Ryan explained the composition of the upper house, stressing the presence there of life members who had been appointed by governments as far back as 1878, and by governments which had favoured black labour. For the sugar growers assembled in Brisbane, he repeated Barlow's prophecy of 1914 as to what would happen to the Council if it refused to pass legislation favoured by the farmers and he reminded them that while the Council existed, the amendments they sought to the Sugar Cane Prices Act would not be passed. But it was for the righteous Fowles, the leader writer for the *Courier* and the defender of private property, that he reserved his sharpest barbs. The mention of Fowles' name came to be a signal for general laughter even before Ryan provided the highlight of the night. Midway through his speech he produced two identical letters written to the *Daily Mail* and the *Courier* on "The Legislative Council and Sugar." But where the *Courier's* letter was signed "Grower", the *Daily Mail* had slipped up and had the letter signed "E. W. H. Fowles". The audience roared. The Labor party had been under constant fire from a host of letter writers in the non-labor papers signing themselves "Unionist", "Mother of a Soldier", "Labor Man for Twenty Years". How many of these, he asked, came from the same source? Returning to the serious side he listed the bills that had been either defeated by the Council or so altered as to be not acceptable, pointing out how in each case an alliance of the Council and capitalism had thwarted the wishes of the electors. The Ryan of

1917 appreciated the value of the appeal to emotion in political campaigning, as the Ryan of 1907 had not. Making light of the difficulties in the case to be fought on the next day he concluded:

There was no law that could long stand against the expressed will of the people . . . we want a decisive vote so that whatever the legal and technical difficulties may be, we shall have a clear expression of your desire that this excrescence on the body politic should be wiped out.⁴²

In the Supreme Court the former Liberal Attorney-General, J. W. Blair, appeared with Ryan, while Feez, Stumm, Fowles and Douglas appeared for the legislative councillors. Cooper immediately referred the case to the Full Court which was sitting on the same day.⁴³ The continuing reference of Ryan's legislation to the court seemed to have made him sensitive to the executive's apparent subordination to the judiciary, something which he found demeaning. On this occasion, where the right of the Queensland Parliament to legislate as it saw fit was being questioned, he was particularly touchy about the supremacy of the executive and legislative branches of government.

Feez claimed that the Parliamentary Bills Referendum Act of 1908 was illegal and *ultra vires* and that therefore the proclamation calling a referendum on the abolition of the Council was illegal also. He argued the illegality of the Act on the grounds that the Constitution Act Amendment Act of 1908, on which the second Act relied, was not valid, as, being an amendment to the Constitution, it had not been reserved for the King's assent. Ryan, however, had requested Gool-Adams to seek out the cables which had passed between the Secretary of State for Colonies and the Governor, Lord Chelmsford, in 1908 when the Act was passed. The Colonial Secretary had then cabled: "There is no legal necessity for the reservation of any bills repealing these provisions i.e. two third majority to amend the Constitution . . . I have instructed you to assent to the Bill provided it is passed in the shape in which it was introduced."⁴⁴ Ryan produced the cable and argued that the referendum was valid and that the parliament had power to abolish one house. He also made it clear that, if the Full Court

found against the Government, an appeal would be made to a higher court.

With conferences on sugar going on at the same time, Ryan's daily timetable became: morning, court; afternoon, sugar conference; and evening, election or referendum campaign. As the local controller of sugar under the Sugar Acquisition Act, Ryan was adamant that a fair deal must be agreed upon for the growers before he would sign any agreement with the Commonwealth. Since the CSR was to receive increased refining charges and the surplus pooled profits, he pressed the growers to seek more than £21 a ton – in fact £23 a ton – and not to be pressured into accepting Hughes' offer immediately, as Pritchard was urging. At the final conference on 27 April the growers agreed to give Ryan a free hand to negotiate for more with the Prime Minister, but they indicated that they were prepared to accept £21 a ton if he were not successful. A solution to the sugar problem seemed to be in sight. The remaining difficulty concerned the AWU which was not prepared to bind its members to a three year pause in wages. However, Ryan hoped to be able to persuade Hughes to see the reasonableness of their viewpoint, to accept the judgment of the Arbitration Court, and to sign the new agreement.

In the meantime, Adamson had resigned the Rockhampton seat to contest the Nationalist Senate plebiscite. This necessitated a by-election on the Saturday after the federal election. The Nationalists had nominated a formidable candidate in K. M. Grant, the former Labor and Kidstonite member for Rockhampton, against the young and relatively unknown Labor candidate Frank Forde. Irrespective of the federal result, and in view of the Rockhampton electoral history, this by-election promised to be a crucial barometer of public opinion for both parties. It was imperative therefore that Labor poll well. Having completed the sugar negotiations, Ryan hurried off to Rockhampton on Friday night 27 April to spend at least a few days assisting Forde in what was really Ryan's Queensland home town.

On the Saturday morning, the Full Court delivered its verdict in the Legislative Council case. The Court decided that the

holding of the referendum was without legal authority and issued an order restraining the Government from proceeding with the poll. Blair asked for and was granted leave to appeal to the High Court.⁴⁵ Hunter telegraphed the news to Ryan who decided to stay in Rockhampton on Saturday and catch a special train to Brisbane on Sunday evening so that he could at once proceed to Sydney to seek leave to appeal to the High Court immediately.

Despite the set back of the Full Court's judgment which had been blazoned through the newspapers of the State, Ryan told a meeting at Rockhampton on the Saturday night that the campaign would still go on. While he was fully confident of being vindicated in the High Court, as far as the electors and returning officers were concerned the referendum was illegal and was "off" – in fact all that Ryan's statement did was to make the position completely confused, particularly in those country areas which depended on weekly newspapers or received the nearest daily papers some days late. The fact that the High Court's decision would probably be given after the poll made it seem unlikely that there could be any referendum and certainly not one that was legal.

In Sydney, Ryan's preliminary application was heard by Barton, Rich and Isaacs. He argued that the Colonial Laws Validity Act under which the provinces of Canada had abolished their upper houses, conferred a similar power on Queensland. Stumm, for the Legislative Councillors, contended that his clients were entitled to an undisturbed life tenure of their office. Barton declined to hear arguments at that stage, but gave leave to appeal to the full High Court on the following day, Wednesday. The Court became locked in technical legal points as Ryan sought to convince the best legal brains in the nation that he should be granted leave to hold the referendum on the following Saturday. The case was complicated, to say the least, and even Higgins remarked on the Thursday "... you have got into as great a tangle as ever I have seen ...". But Ryan was clear in his own mind what he was arguing and adamant that the referendum must go on despite the Full Court's injunction since the restraining order applied to the

returning officers and not to the electors. Being confident of the High Court's allowing the referendum to stand, he did not want people deciding not to vote. There would be few comparable instances in Australia's history of a man framing legislation as a politician and then transforming himself into a lawyer to argue its legality through the State Supreme Court and the High Court. On Friday morning, the High Court decided that the referendum could be held with the points of law to be decided later.⁴⁶ From Brisbane, Theodore endeavoured to insert advertisements in all newspapers informing electors that the referendum would definitely be conducted. However, later reports indicated that people at the booths were not sure whether they were performing a legal action or not in voting.

The High Court battle in the last week and the accompanying non-labor newspaper reports did not improve the Government's chances of securing a "yes" vote. There were factors other than this working against them. The holding of the referendum in conjunction with the federal elections affected campaigning in both, but the wording of the ballot paper and the holding of the local option polls on the same day lost many "yes" votes.

Legislative Council ballot paper

- I vote *for* "A Bill to amend the Constitution of Queensland by abolishing the Legislative Council."
- I vote *against* "A Bill to amend the Constitution of Queensland by abolishing the Legislative Council."

The wording of the clause providing for the abolition of the Council was clearly confusing and was exacerbated by the absence of pre-poll advertising directing electors to vote *against* the Council by voting *for* the Bill to abolish it.

This confusion was compounded by the local option ballot papers and the heavy advertising by one side in that poll.

Local Option ballot paper

- I vote for a reduction of existing licences by twenty-five per cent
- I vote against any reduction

The local option polls on whether existing hotel licences should be reduced by twenty-five per cent were conducted in metropolitan constituencies, in Ipswich, in other areas within 100 miles of Brisbane and in Bundaberg – in effect in the most populous part of the State. An intensive campaign for a “no” vote was mounted by hotel licencees and frequent full-page, half-page and quarter-page paid advertisements were taken in all the metropolitan daily papers, the *Worker* and the papers in the provincial areas concerned. As newspaper advertisements for the time, they were well set out and proved effective on polling day. To vote against any reduction in the number of hotels in an area, a voter placed a cross in the bottom square; unfortunately a vote in the bottom square regarding the Legislative Council, though it seemed to be a vote against the Council, was in fact a vote for the retention of the Council. Complaints to the CPE after the referendum about confusion over the wording of the ballot paper indicated that many votes against the Council could have been lost.⁴⁷

When the results of the referendum and the federal election became known, Labor in Queensland had taken a sharp jolt though not so sharp as that of the other state Labor parties. Its vote had dropped from 57.4 per cent in 1914 to 47.9 in 1917. This was still the highest Labor vote in any state.

The first figures to hand from the referendum indicated that a sizeable majority favoured the retention of the Legislative Council. These were possibly of greater significance to Ryan than the federal figures since they pertained directly to his own legislation. When the final figures were available 179,105 had voted against abolition and 116,196 for. Only thirteen out of the seventy-two State electorates had voted for the abolition of the Council and these were mainly the traditional Labor seats of the west and the north. No metropolitan electorates voted against the Council, while Rockhampton’s first figures of 1966 for the council and 1762 against, did not augur well for the coming by-election. Although 43,640 voted “no” in the local option polls against 23,999 voting “yes” it would be difficult to take the two as an exact comparison. However, with two exceptions, electorates voting “no” in the option polls also

voted against abolishing the upper house.

Outwardly the Labor party wore a brave face and promised to fight on, but criticism of the cabinet, though not of Ryan, for bungling could not be contained. Both the *Daily Standard* and the *Worker* sought an enquiry into "the most unsatisfactory referendum ever taken in Australia."⁴⁸ Despite his manifest role in ordering the referendum on the federal election day, Ryan received no public and, so far as Labor party records reveal, no private criticism for the loss. As with the 1915 prices referendum, others less favoured by the party received the criticism. It seemed that in the Labor party Ryan was above reproach even when he made bad mistakes. The "NLU wobbler" of 1903 and the fence sitter of 1907 had indeed come a long way. The CPE voiced its concern with the poor condition of the State electoral machinery which it saw as likely to bring about Labor's defeat in 1918 if not rectified. Everywhere there was a call for an improvement in party organization and an end to the complacency which had crept in since May 1915. The moves for the appointment of a full-time organizer were accelerated by the referendum debacle.

Ryan was noticeably reticent about commenting at length on either result. He resumed his place in court in the Mooraberrie case on the Monday after the poll but in an interview with the *Courier's* reporter, he blamed the defeat in the referendum on the Full Court's injunction, stating that the people were not prepared to vote for what they believed to be illegal.⁴⁹ At the Eight Hour Dinner on the Tuesday night he was more frank about the defeat, but concerned himself more with the need for a rejuvenation in the spirit of the party such as had actuated the pioneers of the labor movement. He thought the referendum loss might well have produced the spark to do this.⁵⁰ But while the Eight Hour Dinner and the Mooraberrie case had their importance, neither overshadowed the Rockhampton by-election, which Ryan said he would take as an indication of whether the public approved of his policies or not. Apparently in Rockhampton the people approved, since Forde won easily with 2282 votes to 1632, though not as easily as in Adamson's 2576 to 1321 victory in 1915.

The campaigns of the previous six months had shown Ryan to be the outstanding figure among the Labor leaders who had emerged after the conscription split. In the Federal PLP, Frank Tudor, the leader, worked hard and had obvious sincerity, but was no match for Hughes as the federal elections had shown. Other states Labor parties, for example those of New South Wales and South Australia, recognized Ryan's ability and sought his assistance in their campaigns; in Victoria the *Labor Call* used his speeches as propaganda material, while in Queensland the *Daily Standard* was to suggest outright that he should become federal leader. However, although he was known in the south through his stand on conscription and his Government's attacks on private enterprise and the Legislative Council, his reputation as a political leader was confined largely to Queensland. This was to change throughout the remainder of 1917.

The Labor party had blown out almost all its brains. But where sections of the labor movement were coming to look more closely at Ryan as their one ray of hope in an otherwise dismal future, to the Nationalists and conservatives of British Protestant stock, Ryan was becoming anathema. Furthermore, ingrained prejudices regarding the loyalties of Catholics and the inherent rebelliousness of the Irish were reinforced by rumor, hearsay and a warping of reports on events and people. Archbishop Mannix, confirming long-standing British Protestant fears of Popish priests through his intemperate remarks during the conscription referendum, was reported to have some dark plot afoot in Australia. For little apparent reason other than his being the Catholic archbishop of Brisbane, Duhig, a conservative Edwardian man of property who quietly supported conscription, was lumped with Mannix by Munro Ferguson as being "undoubtedly on the same mission." These later-day Jesuitical plotters were not working alone: "They have allies in the Queensland Government especially in the person of the Premier Mr. Ryan."⁵¹ It seemed impossible for Protestant conscriptionists to conceive of Ryan's actions through 1917 as not being motivated by revolutionary, IWW, Sinn Fein or Catholic desires. Two notable exceptions were the Governor Sir Hamilton Goold-Adams, and the Director General of Recruiting, Donald

MacKinnon. Both of these formed their estimations, not on hearsay evidence, but through working with him.

Munro Ferguson's reporting to the Colonial Secretary specifically on Ryan, Catholics and Queensland straight after the federal election was some indication of the significance placed on the religious differences there. Nationalists and conscriptionists had an undying faith in the righteousness of their cause and a belief in the Protestant – loyalist – British alliance. After the federal election a mass thanksgiving service was conducted in the Exhibition Building for the Nationalists by the Queensland Protestant League. The president, T. M. Hall, MLC, was followed by the oldest member of the Legislative Council, F. T. ("holy Freddie") Brentnall a former clergyman and now proprietor of the *Telegraph* newspaper, who said:

For many years I have worked on behalf of Protestantism which I verily believe is the cause of God . . . We have assembled to celebrate a victory and to give thanks for that triumph. I and others have been working to organize the vast amount of Protestant sentiment that we are sure existed in the community.⁵²

There was not the same jubilation within the labor movement. The two years of Labor Government with its substantial advances in industrial legislation had made some sections complacent about the future; others were more concerned about which group controlled the party and with advocating industrial control so that a Holman or a Hughes could not rise in Queensland; a third group saw themselves as being the only true socialists and claimed that Ryan's legislation was only reformism and state capitalism, not socialism, and they wished to turn their backs on the Labor party. Within the party there was a search for a scapegoat to explain the setback. At the CPE post-mortem Forgan Smith blamed the State electoral machinery for the party's failure.⁵³ Ryan thought otherwise. He began a campaign of pointing out to the industrial organizations the necessity for political action if they were to maintain the gains made in the past two years. Inside the party, he called for an improvement in organization and repeated his favourite appeal for a return to the zeal for politics which had been the mark of those who founded the party. He was

supported not only by the *Worker* but also by the *Daily Standard* which leaned more to the BIC unions than to the politicians in the movement, and which now doubled its efforts to rouse the whole labor movement to the need for political as well as industrial action by publicizing the socialist policies made law by the Ryan Government.

There was a unanimity within the party about the necessity for immediate planning for the 1918 State elections. The appointment of a full-time organizer was hastened; the rejection of IWW doctrines and of any association of the IWW with the Labor party was re-emphasized; a lengthy pamphlet setting out the achievements of the Labor Government was planned for State-wide distribution.⁵⁴ Ryan decided to tour his own electorate and to visit the northern sugar areas to test the electors' feelings.

The decision to visit his own electorate was simple enough. Since the election in 1915 he had not been able to spare the time to visit Barcoo. He had been kept well-informed of developments by the WPOs, by R. Bow the local AWU secretary, and by friends in the local business community. Moreover, he had made a point of always sparing five minutes for any constituent visiting Brisbane; he had assisted with jobs and small personal loans to those in need and he had seen that school committees were obliged when they requested improvements. In short, thought he held a safe Labor seat, he "farmed" his electorate well and was never accused by the *Western Champion* of neglecting his role as a parliamentary representative. However, electors still liked to see their member in their areas and the three months between the referendum and the opening of parliament in July would probably have been the only period in which he could visit all the main centres in the electorate and be seen by his constituents before the State election. His visiting the northern sugar areas, particularly about Mackay, was a continuation of his campaign to ally the sugar growers with the Labor party.

The conflict with Hughes over the 1917 sugar crop flared again throughout May and part of June and emphasized the need for Ryan to maintain a close watch on this industry. On

10 May Ryan had received a further telegram from the Prime Minister, who set out two fresh conditions he would insist upon before granting £21 a ton for raw sugar. He required an undertaking from Ryan that no new laws or taxes would be introduced affecting the sugar industry during the currency of the agreement, without the consent of the Commonwealth, and stipulated that no agreement would be signed until the Queensland Government guaranteed that the waterside workers as well as the sugar workers would not seek higher wages or changes in working conditions for the duration of the agreement.⁵⁵ These new conditions were quite unreasonable and threatened to wreck the whole negotiations. As the waterside workers came under a federal and not a state award, something which Hughes as a former president of the Waterside Workers Federation must have known, there was nothing that Ryan could do to prevent their seeking higher wages; furthermore, apart from the constitutional question of the right of a state to make its own laws, Ryan had promised the cane growers that he would amend the Regulation of Sugar Cane Prices Board Act to overcome the initial teething problems. Ryan's charge of outside influence in Hughes' new demands was hard to reject, but Hughes had three years before his next election and Ryan only one. The latter fell back on his faith in the final good sense of the electors and gave to the press copies of all correspondence between himself and Hughes regarding the sugar negotiations, asking the readers to be the judge.⁵⁶

However, in the battle of tactics between the two leaders Hughes was as tough and as competent as Ryan. Having the upper hand, he remained obdurate. "The federal government", he said "cannot proceed without the undertaking which Mr. Ryan has so far refused to give us . . . The whole matter is in Mr. Ryan's hands."⁵⁷ Ryan's hands were temporarily tied. The ASPA, the UCGA and the AWU had met regarding wages and had agreed that McCawley would use the same evidence as had been before Dickson as a basis for his judgment. Until that was delivered, the original dispute over the Dickson award could not be considered as finally settled. As Ryan left for his two weeks' visit to the Barcoo, Hughes made a further threat to withdraw

his offer of £21 a ton and revert to the old price of £18 unless Ryan agreed to the latest conditions. Ryan chose to ignore this threat and would neither be drawn into a slanging match with Hughes to give the latter justification for reducing the price of sugar, nor would he shift from his insistence that the waterside workers were outside his control and that he had an obligation to the growers to amend the cane prices legislation. He proceeded as planned to his electorate but, as a safety measure, sent his friend Hunter to Melbourne to negotiate personally with the Prime Minister.

According to the press reports, Ryan's tour of the Barcoo was very satisfactory. He visited the main centres of population, met people on the street, spoke to crowded meetings and was accorded a good reception. At Blackall, he delivered his key speech in which he reviewed the political achievements of the Labor party in its past two years, listing the gains to working men, white collar workers and farmers through state insurance, arbitration, state enterprises and the Government's assistance to primary producers; he defended himself against the personal attacks of the Nationalists over his financial status and let it be known that though the referendum had been defeated, the Labor party would not abandon its policy of abolishing the Council. "The real remedy was removal", he said. Part of the stock-in-trade politics of the Nationalists and the anti-labor papers were increasing attempts to slander the Labor party by associated it with the IWW. A Nationalist interjector in Blackall provided Ryan with the opening to lecture him, and the audience, on the difference between Laborism and IWWism:

In America the working men gave up the hope of ever getting rights, so they formed the IWW and adopted sabotage and arson, but these tactics were opposed by the people of Australia, where every adult had a vote. There was no place in Australia for an organisation of that sort . . . The IWWite did not believe in parliament or in arbitration, so in two big essentials my party differed from their policy.⁵⁸

Throughout the tour, Hughes kept up his fulminations against Ryan for his refusal to guarantee industrial stability in the sugar industry and again threatened to revert to the £18 a ton price. However, the combination of Hunter's personal

negotiations and McCawley's judgment paved the way for a settlement. On 28 May the Arbitration Court reduced the increase awarded by Dickson but maintained most of the other conditions.⁵⁹ Theodore wired Hughes that the labour question was now settled and asked that the price of £21 a ton stand. Although the AWU declined to accept the award for longer than twelve months, Hughes was prepared to compromise and enter into an agreement on the new price.⁶⁰ Once more it seemed that the difficult problem of sugar was settled.

In two other areas the labor movement had cause for rejoicing at the success of its parliamentary party. After being debated in two sessions of parliament and weathering a free conference of the two houses, the Industrial Arbitration Act had been passed in 1916, omitting any specific reference to preference to unionists. However, in a case brought before the Arbitration Court by the Mt. Morgan Mining Company, McCawley had granted preference of employment to members of the AWU. An appeal to the full bench of the Arbitration Court had resulted in both McCawley and MacNaughton agreeing that, under the Industrial Arbitration Act, the court could grant preference if it thought this was warranted;⁶¹ this was as Ryan had predicted. A similar judgment was delivered on 9 June involving employees of wool stores. In addition to the questions of preference to unionists and arbitration and conciliation, comprehensive workers' compensation had been one of the pieces of legislation most sought by the trade unions from the political party. Forty-seven cases rested on the result of the appeal by the Alliance Assurance Company in the Privy Council against the Full Court's decision on the new Workers' Compensation Act. It was therefore a further triumph for Ryan and his Government in mid-June, when word came through that the appeal had been dismissed.⁶² The ALF in 1890 had prophesied that "In one year a People's Parliament will give Queensland workers more justice than can be wrung from capitalistic parliaments in a generation."⁶³ Ryan and Theodore had taken two years to vindicate the faith of the founders.

While the Labor party was enjoying these triumphs, Hughes reappeared as the evil demon of the sugar industry. On 12 June,

Ryan read in the newspapers that Hughes now would not sign the sugar agreement unless the undertaking was given that no sugar legislation would be passed in Queensland without Commonwealth approval.⁶⁴ Ryan protested at the press receiving Hughes' telegram before himself and replied that his Government would not be introducing any such legislation except the amended Regulation of Sugar Cane Prices Board Act which Hunter had already shown him in Melbourne.

People of importance in the sugar milling and refining industry in Queensland were urging Hughes to adopt a harsh attitude towards Ryan and his Government.⁶⁵ The CSR was also implicated in this pressure. But the sugar growers and millers in the north were becoming restive. Swayne and others in north Queensland contacted F. W. Bamford, the Nationalist and ex-Labor member for the federal seat of Herbert, and asked him to see Hughes to have the agreement settled.⁶⁶ E. B. Corser, the Nationalist member for Wide Bay, Pritchard and Crawford – now a Nationalist senator but still president of the ASPA – as well as various chambers of commerce, all pressed Hughes to have the agreement settled.⁶⁷ Telegrams went back and forth and were published in all the newspapers, with Hughes denying Ryan's charge that this new condition was imposed only after the federal election. However, Ryan was confident that a study of the correspondence would soon reveal to the interested parties which of the two was right. He again invited the press, labor and anti-labor, to examine the correspondence and judge the truth or otherwise of his statements. He was even prepared to go a step further and challenged Hughes to have a judge of the Supreme Court or the High Court study the papers and declare who was in the right.⁶⁸ With this unusual combination of Ryan and the Queensland Nationalist members opposed to him, Hughes dropped his objections and on 18 June signified his agreement to the increase in price.

Ryan set off on his important tour of the sugar areas in north Queensland to find out personally how the growers felt about the Government's legislation. At the same time Macartney began a tour of those areas in the west from which Ryan had

returned.

Ryan's reception along the coast was favourable though the men in the sugar industry were far from content. They wanted action on the observance of awards by the cane prices boards and in regard to shipping. A deputation of farmers at Isis, 220 miles north of Brisbane, had already complained to Hughes that they were being offered eighteen pence a ton less by the CSR at the company's mill at Childers than was awarded to them by the cane prices board.⁶⁹ Until the Regulation of Sugar Cane Prices Board Act was amended, the Government could not enforce the observance of the cane prices board awards and consequently there was little Ryan could do except appeal to Hughes to take over the mill and work it.⁷⁰ At Mackay and Ayr, the mills had been brought almost to a halt because the shipping companies would not accept sugar for storage and were not removing sugar from their sheds. Growers, millers and businessmen in the area sought Hughes' assistance in having the shipping companies provide the ships.⁷¹ Ryan did not mince words in either place, but told the growers they would have to be more vocal in their support of the State Government in its endeavour to assist the industry. The Labor party, he said, had provided the gains made by the industry in terms of cane prices and stabilization but needed the continued support of the growers to carry through their amendments to the Sugar Cane Prices Act. Press reports of the meetings held with growers indicated that he would receive this.⁷²

It was while he was in Mackay that Ryan heard the result of the Mooraberrie case in the Full Court where the judges, by a three to one majority, had reversed the Supreme Court decision and found in favour of the Government. Since the pastoralists and meat companies had a great deal at stake in the case there was little doubt that an appeal would be made to the High Court. At the same time he learnt of the sinking of the *Mongolia* carrying the soldier's votes in the Council referendum.⁷³ Though these would make no difference to the result, their loss provided a convenient technical excuse for declaring the referendum invalid and of no consequence.

11 “The Mailed Fist”

Before the parliament resumed early in July 1917, Ryan returned to Brisbane to address a meeting of unionists and WPO officials at the Trades Hall. Reports in the *Daily Standard* of the overthrow of the politicians' control of the New South Wales Labor party had inspired talk about a Labor party in Queensland controlled by unions and consisting only of unionists. Writing in his *Daily Standard* column “Among the Unions”, Ernie Lane, one of the promoters of this idea, said:

Here in Queensland fortunately there has been no such development yet in the political Labor movement as happened in NSW but the elements for such developments exist in the WPO system unless the industrialists take steps to occupy their rightful place in Labor politics. Through the medium of purely political organizations men who are not workers in any sense of the term can not only become members of the organization, but also get selected as the workers' Parliamentary representatives. The industrial section of the Labor movement is the section which must, sooner or later, obtain complete mastery and ownership of the political machine. The industrial section is the only solid foundation upon which can be erected any permanent and class conscious political Labor Party.¹

Lane belonged to a section of the Labor party which was not really convinced that political action was preferable or even complementary to industrial or direct action. For this group, keeping the party pure and class conscious and keeping it firmly under industrial control were higher aims than seeking political power which Lane and others feared would institute reforms likely to temper the working class desire for revolution. To Ryan the idea of a revolution in Australia was not only dangerous, but a pipe dream that could only dissipate the labor

movement's strength and sent it groping up blind alleys while capitalism ruled on, unchallenged.

The Labor party in Queensland had at no time in its history been a purely socialist nor a purely trade union party, though neither Ryan nor any other politician suggested that the unions were not the sheet anchor. It had been a party more rural and pragmatic in character. However, the advent of the *Daily Standard* and, more importantly, the conscription referendum, had thrown many Brisbane unions into a more significant role in the political side of the movement and had given them a political influence and responsibility they had not previously exercised. There was a danger that in this new role they might become more concerned with organizing control of the political movement and in so doing lose sight of the goals and necessary tactics of Queensland labor in politics. In the wake of the conscription split and the apostasy of Labor leaders like Hughes, Holman, Scaddan, Vaughan and Earle, Lane's ideas of a wholly union-controlled party had a considerable following. Ryan had sought this meeting with union and WPO officials to avert any division of the political labor forces in Queensland into WPOs versus unions or politicians versus industrialists. The danger inherent in Lane's philosophy was apparent to people other than Ryan and Theodore. After commenting favourably on the action of the industrialists at the New South Wales conference, the *Daily Standard* in an editorial warned:

For the sake of solidarity and common progress, it is undesirable to have sections mutually antagonistic, for the tendency then is for such sections to fight one another rather than the industrial and political enemy.²

Ryan agreed entirely with this and was anxious that the party should not lose sight of its tremendous gains in the past two years by being sidetracked by people like Lane. His address at the Trades Hall to the grass roots leaders of the party was to show that the broadly based Labor party which had emerged since the 1890s had, in government, not only provided benefits to all sections of the community but had also confronted capitalism, in an open fight, more effectively than had all the unions since 1890. He was in a very real sense fighting for the

maintenance of that unity within the labor movement which was its greatest asset and its key to success. Better than those who took their views of capitalism from potted versions of Marx, Bellamy, William Lane and others in the labor press, he knew the power of capitalism from working with it and against it in the law courts and in the executive branch of government.

He was prepared to cajole, reason and flatter to hold the movement to its political course. He emphasized that the Queensland Labor Government had done more substantial work for unionists than any other government, Labor or Liberal, in Australia and, to show that this was not merely a politician boasting, he pointed to the success of the state butcheries and state insurance, the inclusion of public servants, police, teachers and railway employees in the arbitration system, the granting voluntarily of pay rises to these groups and to the long list of new labour legislation which now formed part of Queensland laws. He conceded that the Government had not done everything, but he argued that it should be given the credit for the industrial, electoral and social advances it had made. Flattering those present with the idea that the education of the public in Labor policy was carried through by means of the unions and WPOs – a contention that contained much truth – he outlined in greater detail the new legislative proposals for farmers, returned soldiers and workers.

Ryan appreciated the art of politics. He knew that this was a combination of fact and fancy, reason and emotion, truth and myth. To clinch his case for unity in the present structure, he concluded with an emotional appeal to “galvanise the party spirit” and to “breathe the ideals of the pioneers of the Labor movement”. The cause of the temporary repulse to the forward march of labor, he said, was “that some people had become too comfortable . . . they should be awakened to action once more . . . for if the Labor government passed out . . . it would only be a matter of time before all their hard won privileges would crumble to nothing.”³ This last point was a sobering thought even for the revolutionaries in the movement.

As the opening of the last session of the State Parliament became imminent, Ryan tried to anticipate major questions and

provide bases for answers to them in the Governor's speech. The issues mainly concerned the effect of the events of the past two years of the electors. How much had the federal election and the Council referendum affected his party's standing with the electorate? To what degree had these same two factors refurbished the Nationalists whose own lack of unity and lack of ability had drawn comment even from the *Courier*? Would the accusations of IWW influence and trade union disloyalty constantly flung at the Labor party hold any weight with the electors? Most importantly, would the support of the farmers and metropolitan wage earners, so significant in 1915, continue in 1918? In broad terms it came down to this: should the Labor party continue its pace of legislative reform or should it refrain from introducing further “contentious” legislation which might offend potentially swinging voters? At the pre-session meeting of caucus, Ryan provided the answer when he read the draft of the Governor's speech which included a comprehensive account of what the Government had done and what it proposed to do in the coming session.⁴ The caucus asked for some small changes and left them to Ryan to make. Theodore outlined the very real difficulties he was having in providing adequate finance and informed the caucus that he would have to increase some railway charges – not the best way to win votes, but something which the caucus unhappily had no option but to accept.

In the caucus, McCormack was becoming a constant source of trouble. At times he represented the least enlightened elements in the union movement: opposition to non-Europeans on markedly racist grounds, distrust of men of education or business in the Labor party and scepticism that state business enterprises had any practical value. At other times he gave the impression of being essentially a man who sought power in the labor movement as an end in itself. With Theodore and Fihelly, he wielded great influence in the caucus and with a weaker leader may well have produced the factionalism which could have destroyed the unity and the ideological fervour still evident in the PLP. He was not satisfied that Ryan, a man of education, should lead the party and regarded the Premier's

judicial weighing up of alternatives as a sign of laziness.⁵ He disliked Hunter as a businessman with no union background or affiliations. At the pre-sessional caucus meeting he raised the question of Hunter's accession to the Agent-Generalship. Hunter had shown no great urgency about taking up his new appointment largely because of his value to Ryan in the cabinet and because Ryan acknowledged his business ability and the assistance Robinson was giving the Queensland Government through his contact with the British Government. McCormack, in an oblique attack on both Hunter and Ryan, argued that a Labor man should be appointed and that if Hunter was not prepared to fill the position when elected then his commission should have been handed back to the party. Theodore stood astride the two worlds of support for Ryan and friendship with McCormack and, in this instance, supported McCormack on the basis of a Labor man being appointed, but remained silent on the second point. Basically the division resolved about a fundamental disagreement between Ryan and McCormack – and also Theodore to a degree – on the public service. Ryan looked to a public servant's competence and loyalty where McCormack looked to his politics. After McCormack had concluded his speech, Ryan argued that Robinson's services in regard to the meat trade, in negotiations with the Bank of England and in his warnings of Hughes' attempt to secure control of the meat supplies made him too valuable to the State to be replaced during the war. Coming down to arguments which caucus members would perhaps find more meaningful, he contended that the Maranoa seat would have to be made safe for the 1918 election and that this could only be guaranteed by retaining Hunter as a member of parliament until after the election. The debate concluded with no vote taken.

Fihelly had been absent from the pre-sessional caucus meeting. Understandably annoyed at having been elected to fill Hunter's position in the cabinet but now obviously not to be given a portfolio, he jumped in on the side of McCormack and at the following meeting gave notice that he would move for Robinson's replacement at the next caucus meeting.⁶ When the situation demanded, Ryan could be as tough as any member of

the party and when the PLP met two days later he was in complete command in the caucus, arriving at this meeting armed not merely with the logic, but also with the numbers to defeat Fihelly's motion by twenty-seven votes to nine.⁷ It would be impossible to see this as a left versus right, or militant versus conservative, fight in the PLP. It was neither, but reflected McCormack's frustration at being isolated from real power in the Speaker's chair and the self-confident, ambitious Fihelly's additional role of playing up to the caucus to try to advance his claims above those of Theodore as Ryan's successor if the latter went to the Supreme Court or into federal politics.

The Governor's speech was heavily loaded with references to the war and reflected Ryan's pleasure that the United States had now entered on the side of the British.⁸ “Nothing could be more gratifying or auspicious”, read Goold-Adams, “than this union of two great English speaking people in the defence of their kindred liberty”. The Government's assistance to the returned soldiers was fully spelt out while the appeal to the primary producers was subtly couched in patriotic terms:

It needs no very close scrutiny of the events of the war to realise that the food producer, as a factor in it, is hardly second to the soldier. This being the case, patriotism no less than self interest, makes it incumbent on us to encourage by every means in our power the man on the land.

A further promise was that the Regulation of Sugar Cane Prices Board Act would be amended so that no longer could CSR mills refuse to pay cane prices as determined by the local boards. A comprehensive list of bills was outlined, some of which had been “lost” in previous sessions while others such as the Bill to purchase the Brisbane tramways and another to incorporate all the shires about Brisbane into one greater Brisbane promised to raise the ire of the conservatives. In short, it promised that the radical reforms of the last two years would be continued.

In the address in reply debate, the Opposition, weak in its lack of comparable leaders, fell back on the only topics likely to cause the Government to lose votes and unleashed an attack on the alleged association of the IWW with the Labor party. Since the IWW was generally rejected by the Australian people as an organization at least unpatriotic, if not disloyal, it was an easy

step for people like Macartney, Vowles and Morgan to move from this initial attack to further charges of not assisting the returned soldiers and not being wholly behind the allied war effort. If only part of these last charges stuck, the damage they could do to Labor members was significant. Other well-used accusations relating to the meat embargo, the sugar crop and the state enterprises did not bother the members of the PLP; in fact, they revelled in their defence of these. The IWW tag did worry them and each one as he rose to speak made a point of dissociating himself personally from the IWW while most reaffirmed their support for the allies in the war.

Ryan waited before entering the debate. Since the Opposition had made the war and returned soldiers the central issue, he devoted the first half of his speech to repeating what had been done by state and Federal Labor governments to provide soldiers, munitions and repatriation services. In reply to the Nationalist members' hinting at or openly advocating conscription, he made clear his own views about the disruptive effect these attitudes were having; "The most regrettable thing in the whole matter is this: that if that conscription campaign had not been brought on at all, Australia would have gone on providing the necessary number per month under the voluntary system". He and MacKinnon, who privately favoured conscription, were at one in 1917 that further talk of conscription was the main factor restricting voluntary recruiting. However, since he wished to fight the 1918 election on local issues rather than on conscription, Ryan was conscious of the need to keep the labor movement united and to inspire the forces in the Labor party to greater efforts. Having matched the arguments of the Opposition on the war, he made the remainder of his speech a policy speech for the electors and a rallying cry for his own party. Ryan's philosophy of politics, it has already been noted, was that good points should be repeated again and again. Therefore he restated what was already in the Governor's speech regarding middlemen, selectors and workers. In a now typically Ryan fashion, he concluded with a Burkean emotional call to his followers in and out of parliament:

We have been fought in Parliament, we have been fought out of Parliament, we have been fought in the press, we have been fought in the courts, but the Government will be able to withstand it all . . . We may be only one Labour Government in Australia today, but we are one Labour Government fighting against great odds.⁹

In a public meeting it would have produced cheers and applause. The caucus decided to have the speech printed and distributed throughout the State.¹⁰

The Council promised to be particularly obstructive during this last session. The initial attack came from Leahy regarding McCawley's granting preference to unionists and the upholding of this decision by MacNaughton despite the Council's specific removal from the Industrial Arbitration Act,¹¹ of any reference to preference. A special resolution was passed asking for an amendment to the Act to prevent preference to unionists being granted, during which Fowles questioned whether or not “all negotiations with another place shall not be suspended until we can be assured that such negotiations will be conducted on the basis of ordinary fair play between gentlemen.”

Among the first bills introduced was that amending the Regulation of Sugar Cane Prices Act. Though the agreement had been finalized with Hughes for the 1917 crop, there was still uncertainty about the fate of the last mentioned Bill. The Supreme Court had found some regulations under the Act to be *ultra vires* and these Ryan wished to amend. But, more importantly, as both Ryan and Hunter had pointed out to Hughes, the initial Act was lacking in many respects particularly in regard to gaining information from the mills, a necessary prerequisite to deciding local prices for cane. Hughes was under pressure from the ASPA, from Bundaberg millers and from certain legislative councillors concerned with sugar, to prevent Ryan's amending the original Act. As the CSR was to write to the Prime Minister later in the year formally stating its opposition to the amending Bill there is little reason to doubt its opposition in July when parliament opened.¹² Aware of these pressures on Hughes, Ryan told the anxious sugar growers that the reason for their not being able to obtain the prices awarded for their cane by the local boards was the domination of the Commonwealth by the CSR and millers who hoped to

prevent the Sugar Act being amended.¹³ North Queensland and the sugar areas in particular were entering a turbulent period. The delay in finalizing the agreement between the two governments had been exacerbated by the refusal of the shipping companies, at the time of Ryan's northern tour, to take delivery of the sugar at their holding sheds; this, in turn, caused the mills to stop crushing and, by the end of July, the growers to cease cutting. Although numerous pleas to the Prime Minister had restored some shipping, this proved inadequate for the ports' needs and a grave economic crisis loomed in the north.

It seemed that Ryan's troubles did not come singly nor did they come at times of comparative peace. As the parliament got under way for its last session before the election, the High Court began its sittings in Brisbane on four cases in which Ryan was involved as counsel. Two were of no major political consequence, but the other two, *Duncan v. Theodore* (the Mooraberrie case), and *Taylor v. the Attorney General* (the Legislative Council case), had far-reaching political ramifications. To cap this, on 5 August came the worst of all possible evils to a Labor government — a strike of its own employees; the railwaymen throughout north Queensland had gone out on what threatened to be a long and costly strike. The result of the court cases must be left to consider the strike.

The strike had broken out over the question of retrospective pay. Members of the Amalgamated Society of Engineers (ASE) had been granted pay rises for "dirt" money at the beginning of 1917 with similar increases being granted to members of the AWU and the QRU who also worked in the northern railway system. At a conference of unions called on 27 February, McCawley had said he would grant retrospectivity of pay to unionists in the workshop, largely ASE and Boilermakers Society members, but that retrospectivity for outside workmen, largely from the AWU and the QRU, would have to be dealt with in the court. When the award providing for the "dirt" money was gazetted for the last two unions on 6 July, their increases dated from 1 July and not from 27 February.¹⁴ It was

claimed by the northern unions, particularly the QRU, that all pay increases should have been retrospective to 27 February and that this was what they had been led to believe.¹⁵ The seriousness with which Ryan regarded the strike can be gauged by his sending Theodore to Townsville immediately the strike was threatened to try to negotiate a return to work. In a press statement he said he thought the men had been ill advised and that it was clear that the award was not intended to be retrospective to February.¹⁶ However, while he referred, rather vaguely, to his conceiving the duty of the Government to be plain, he carefully avoided any statement that was likely to inflame the situation and waited for Theodore's return.

The strike made Ryan's task of preventing the Labor party and the labor movement in Queensland from splitting asunder more difficult. On the left were militants in some of the unions, in the PLP and on the CPE who were sure that a workers' revolution was imminent and that this would start with a big strike; in the centre were Ryan, Theodore and the cabinet; on the right were the members of the caucus who were concerned about holding their seats at the following election and who were quite opposed to the strike. Then there was McCormack. In considering the options open to him on the stand the Government should take, Ryan found Goold-Adams a valuable counsellor. Though the Governor often expressed his uneasiness to Ryan about the speed of the changes being sought in Queensland, he and Ryan had developed a close working friendship. Through their frequent informal discussions, Goold-Adams, despite accusations made to the contrary, could report to London that constitutional government was being maintained in Queensland.¹⁷

Theodore returned to Brisbane on 9 August, consulted with cabinet all afternoon and reported to the caucus that night. His visit had been quite unsuccessful, as the men at Mackay and other Northern centres had joined those at Townsville and had brought all railways in the north to a halt. The leaders of the QRU in north Queensland were George Rymer and Ernie Sampson, both syndicalists, controlling a union which was structured to run the railways when worker control of industry

came. In an atmosphere where revolution, socialism and worker control were widely discussed and debated among the radicals of the labor movement, and where the QRU was possibly the most militant union in an area noted for its greater militancy compared with other areas of the State, the situation called not only for tact and strength, but also for a willingness to compromise if necessary on the part of the Government. Theodore's union contacts in the north were good and of long standing. From Jack Dash, the AWU organizer in Townsville, he learnt that the IWW had nothing to do with the strike which would have happened in the near future in any case over the anomalies of retrospectivity that the unions contended were in the award.¹⁸ This was small consolation to Theodore, already hard pressed to balance his budget, and knowing that retrospective pay rises would have cost the railway department an additional £170,000.

When Theodore had concluded his report, McCormack immediately moved a resolution regretting the action of the railwaymen in flouting the Arbitration Court award by resorting to direct action, and asking the party to stand by the Government in upholding the principles of industrial arbitration. There was opposition to his reference to direct action as bringing in the IWW or to any resolution which might seem threatening to the strikers. Both Theodore and Ryan in any case wanted a conference of the unions concerned rather than any lining up of sides in the dispute. On this basis the reference to direct action was deleted and a milder resolution adopted. In line with his unwillingness to provoke further trouble and enter into a dispute which he could not win, Ryan further stipulated that no attempt would be made to man the railways with outside labour until a conference of the industrial unions was held and the party again consulted.¹⁹

Ryan enjoyed the battle of the court and the parliament, where the rules were clear and both sides abided by the arbitrator's decision; he did not like this type of battle where the rules were uncertain, and where losing, for either side, might have adverse repercussions. As in the initial tangle over the Dickson award, he again played for time – time to consider the

alternatives, time to allow tempers and emotions to cool and time to see what tactics the other side was using. It was during this "phoney war" period that he sought out the weaknesses of his opponent, areas of possible compromise and the possibilities of outflanking or dividing and conquering. Above all, as his colleague Hardacre had shrewdly judged, he would avoid a head-on collision unless or until this was the only way out. Finally, in every political fight Ryan set out to win, something his opponents did not always fully realize.

At this stage in the strike he was not only too involved in the court but was still waiting to see which way the unions would move. Consequently his press statement after the caucus meeting revealed nothing other than the Government's intention of upholding the principle of industrial conciliation and compulsory arbitration which he affirmed was a cardinal principle of the Labor party's platform.²⁰ In a difficult strike such as this, Coyne was a good man to have as minister for railways. Not brilliant, he could be guaranteed to act with caution and in close consultation with Ryan and Theodore. Moreover, he was trusted by the unions as a loyal union official himself who had stuck to the strikers in the 1912 general strike.

In the meantime trouble had also broken out in the southern railway division over pay rises being granted to non-unionists as well as to unionists. Both the Queensland railway strikes were pushed from the prime newsplaces in the press by the strike in New South Wales which, beginning in the workshops of the New South Wales railways, had spread to the seamen and waterside workers and formed the basis for a state and perhaps nation-wide general strike. It took the attention off the north Queensland strike and gave the Government a slight tactical advantage by making it appear benevolent in comparison with the opponents of the New South Wales strikers. To unionists in New South Wales and Queensland, the New South Wales strike had all the signs of being a deliberate attempt by the Nationalists and the business companies which supported them to smash the unions. Though this reasoning may not have been correct initially,²¹ as the strike developed and widened evidence grew that many Nationalists, the shipping companies and

the CSR were prepared to fight the unions to the death to secure a victory, with little regard to the effect of this on small producers and consumers. To break the strike which now affected shipping in all states, Hughes wrote to all the premiers on 15 August requesting their co-operation in the establishment of a national service bureau at which citizens could enrol to do the work of loading and unloading ships, and handling wheat and foodstuffs "abandoned by certain unionists." Though he was undoubtedly motivated by a desire to keep the war effort at full pace, he was in fact informing Ryan and the other premiers of his formation of the best nation-wide strike breaking organization, backed by the power of the Commonwealth Government, that Australia had seen.²² Ryan discussed the letter with cabinet which rejected the proposal. Hughes was informed that "it [did] not seem advisable to take the course you suggest."²³ Apart from its obvious explosive quality at a time when negotiation not confrontation was required, assisting in providing strike breakers went against all labor tenets. If he could settle his own strikes without alienating the union movement and without resorting to accepted strike breaking tactics, Ryan would raise his standing nation-wide in the labor movement, and would certainly earn the enmity of the Prime Minister.

Queensland newspapers had a surfeit of news during that August. Taking third place behind the New South Wales strike, for which the *Daily Standard* opened a successful fund, and the north Queensland strike, were the two High Court cases. Ryan of course could not regard either of the two cases as being of minor consideration. On 15 August the judgment in the Mooraberrie case testing the validity of the Meat Supply for Imperial Uses Act and the Sugar Acquisition Act was delivered. This reversed the Full Court's decision and found against the Government by a majority of three, Barton, Duffy and Rich JJ, to two, Isaacs and Power JJ.²⁴ Noting that there were striking differences in the judgments and that up until that point five judges had been for and five against the legality of the proclamations, Ryan indicated that he proposed to appeal to the Privy Council.²⁵ In the case regarding the Legislative

Council, the High Court reversed the Full Court’s decision and was unanimous that the Constitution Act Amendment Act and the Parliamentary Bills Referendum Act were both valid and that the Queensland Parliament had the power to abolish the upper house by a referendum if it so desired.²⁶ Having concluded the two cases, Ryan was able to devote his energies to the other highly political questions immediately facing him.

Because of the railway strike, some towns in the north, dependent on the railways for their supplies, had run short of food and in some instances the position was becoming desperate. A deputation of shire council officials waited on Coyne on 13 August asking that people in the north be given authority to run trains to these outside areas which were short of food. The technical difficulties alone would have ruled out such a move, but Coyne’s reply indicated the deeper political problems he faced in wanting to bring the strike to an end while realizing at the same time that any precipitate action by himself or the Government could worsen the situation and postpone any settlement:

Supposing we were forcibly to man the trains and carry goods . . . The whole of the railways in Queensland would be out . . . There is only one possible way in which the situation can be relieved and that is by appealing to the humane feelings of the Strike Committee, because they are starving their own mates at the same time as the general public.²⁷

After a fortnight the initial heat had gone out of the strike. Despite tirades to that effect by the conservatives, members of trade unions did not enjoy strikes. In most cases their families had lived from week to week on their small wages; they did not have large bank accounts to fall back on, while “starving their mates” was foreign to their ideas of the union.²⁸ A congress of trade unions concerned with the strike had been convened in Brisbane on 21 August. In contrast to the intransigent attitude of Fuller, the Acting-Premier of New South Wales, where the strike was becoming worse, Ryan’s calling a trade union congress had some possibility of success since it involved the unions in the negotiations and allowed both sides to end the dispute without either losing face. He further hoped, by the Government’s agreeing to refer the arguments on retrospectivity

to an independent arbitrator, that the other unions would press the northern railwaymen to resume work. One hundred union delegates were present at the congress including five from Townsville. On the first day, the strike in the southern division was settled with the Government's conceding that the Arbitration Court award would apply only to unionists.²⁹ On the question of retrospectivity, a tentative settlement was reached whereby Higgins of the Commonwealth Arbitration Court would be asked to arbitrate.³⁰ The delegates from Townsville telegraphed the results of the conference to their northern members each day, received the replies and after the third day's meeting with Ryan, Theodore and Coyne, recommended that the Government's offer be accepted and a secret ballot taken. The railwaymen at Mackay accepted the recommendations but those at Townsville, Hughenden and Charters Towers rejected them and further demanded that payment should be made to the strikers during their period on strike. This was a completely new development which cabinet discussed for three hours and the trade union congress for a further two and a half before it was agreed that this question also should be referred to Higgins.³¹

By now Ryan was becoming somewhat exasperated at the delay in having the railways moving again and made it clear to the congress and the men in the north that the strike had gone far enough and that the people of north Queensland had to be provided with food and transport. The Government, he said, had been reasonable but now it had decided to fix a time by which the men would resume work. A meeting of cabinet on Saturday 26 August decided that the men would have until nine o'clock Tuesday morning to resume work. Ryan would not say publicly what would happen if they did not, but indicated in a telegram to Rymer that those not returning to work "would cease to be in the employ of the Commission".³² Ryan could now chase the waves. He was speaking from a position of strength, having the support of the trade union movement behind him. Further ballots in the north resulted in an agreement to return to work at midnight on Sunday 27 August. The use of conciliation and arbitration by Ryan and Theodore

to settle the strike was contrasted with the use of coercion by Hughes and Fuller in the south. The *Daily Standard*, in several editorials, commented on the effectiveness of the efforts of the Queensland Government to achieve industrial harmony:

The dispute in the north is merely the latest of the clouds which have appeared on Queensland's horizons only to be dissipated by firm and wise action on behalf of the Government and its departmental officers . . . Luckily for this State, the Government, supported by the great bulk of unionized workers, [applies] conciliation and arbitration as a useful method of arriving at a just balance between employer and employed.³³

Ryan had underestimated the capacity of Hughes for bastardry. When convening the trade union congress, Ryan had written to Higgins setting out the history of the strike and asking if he would arbitrate in the event of the men agreeing to this. Higgins agreed but thought that Hughes, as a matter of courtesy, should be asked to concur. By this stage the unionists had agreed to Higgins acting as arbitrator, McCawley raised no objections, but concurred fully in the suggestion and Ryan telegraphed Hughes asking him to offer no objection. In his reply, Hughes evaded Ryan's question but said that since the men had brought “into contempt the State court and government authority, dislocating industry and having no regard for the present life and death struggle in which Australia is involved”, the Commonwealth Government would not intervene. As the question was not Commonwealth intervention, but the formal sanction to an agreement between Ryan and Higgins, the Prime Minister's telegram threw a cloud over the strike settlement.³⁴

Though the two railway strikes had been settled in Queensland, there was still industrial strife in the State with shearers striking in the west, seamen out in sympathy with the strikers in New South Wales and Victoria, and waterside workers and railway employees refusing to handle cargo and goods loaded in the south by non-union labour. In the wake of this industrial strife, and the different attitudes to its cause and settlement, came the final stroke that was to divide Ryan and Hughes and introduce a bitterness into their relationship that was not to

subside for three years. Both seemed to sense the challenge and the growing audience which watched the lost leader with a lifetime of service to the labor movement do battle with the confident rising champion, a comparative new-comer in Labor politics with no working-class background, whose ambition could well be centred on the Prime Ministership itself.

Towards the end of August, the whole industrial pool in eastern Australia was muddied. In Victoria, it was reported that 2679 national service workers were available to take the place of strikers while special constables were being sworn-in in South Australia.³⁵ Both were ominous signs, well-known to the labor movement. The *Daily Standard* strike fund which had totalled £500 in its first week climbed to £2500 in its second and would reach £7000 by the first week in October. Support for the New South Wales strikers by Queensland railway men brought Ryan into direct conflict with Hughes and Fuller.

At Wallangarra, where the break of gauge occurred between New South Wales and Queensland, employees of the Queensland railways advised the Commissioner for Railways that after 27 August they would not handle or haul interstate goods, including parcels coming from or going to New South Wales. Letters and passengers' luggage would be handled. After a conference between the Commissioner and Coyne, who then consulted Ryan, it was decided to inform the New South Wales Commissioner and the Deputy-Post Master General in Brisbane that it would be useless to accept such items for transport during the strike.³⁶ Hughes telegraphed Ryan on 27 August asking what steps he proposed to take to ensure that goods consigned from New South Wales to Queensland reached their destination.³⁷ Ryan evaded the central question and informed Hughes that he had telegraphed Fuller urging him to submit the strike to arbitration and had also warned Hughes that "as the trouble appears to be extending I suggest that you could assist by using your influence in the same direction."³⁸ The reaction of the two Nationalist leaders was immediate. Fuller wrote:

Our railwaymen out on strike against the Government. We informed strikers that they must return work on conditions existing when they struck and after three months' trial an independent tribunal would be

appointed to enquire into the card system. These terms rejected by the men. Government has no intention of receding any degree from the position taken up. Cannot tolerate revolt of State employees.³⁹

Hughes' reply was to quote the Post and Telegraph Act regarding those who obstructed mail services and to remind Ryan of the powers of the Commonwealth in regard to interstate commerce.⁴⁰ Not perturbed by this veiled legal threat, Ryan conferred with William Webb, the new Crown Solicitor, and replied that the Post and Telegraph Act had no application since the carriage of mails on State railways was by agreement between the Commissioner for Railways and the Post Master General.⁴¹

This was not simply playing politics as Ryan was no more pleased than Hughes to see the New South Wales railwaymen on strike or to see goods being stopped at the border. As he explained to Hughes, he was most anxious that the strike be concluded and normal traffic resumed. Equally, though he did not convey this to Hughes, he was sitting on a powder keg in the Queensland labor movement and did not want the general strike in the southern states to spread to Queensland. Not only because he had to keep one eye on the uncertain behaviour of the electorate, but also because he was conscious of how close the unions in Queensland were to calling a general strike in sympathy with their southern *confrères*, he was prepared to go to great lengths to avoid using coercion or to precipitate further industrial trouble. On the other hand he was equally concerned not to provoke Hughes or the Federal Government into using the War Precaution Act to take punitive action against Queensland. Goold-Adams sent an urgent telegram to Munro Ferguson:

Personally hope your government will not be too severe in its dealings with mine. At present moment it has many difficulties to overcome but is doing so gradually.⁴²

However, in the battle of wits between Ryan and Hughes, which Henry Boote and other leaders of the labor movement were following with a keen interest, not to mention those on the opposite side who regarded Ryan as a dangerous, disloyal Sinn Feiner who tolerated IWW ideas,⁴³ the Prime Minister

could be as resourceful as his younger opponent. On 29 August a further regulation was added to the War Precautions Act, aimed primarily at the concurrent strike of shearers, but giving the Governor-General power to de-register organizations which ceased work.⁴⁴ This threat of punitive action against the Queensland unions was sufficient for Ryan to induce the railwaymen to handle all goods at the border. In Sydney, Ryan's view was endorsed by Boote who saw no sense in allowing organized capital to smash the unions.⁴⁵

Tactical victories swayed from one leader to another. When a group of north Queensland farmers at Atherton had decided to take possession forcibly of the railways in the Cairns area during the strike, they had wired Hughes for military protection. Instead of disregarding the telegram or sending the usual non-committal acknowledgment, Hughes forwarded a copy to Ryan asking him to provide the farmers with police protection. Ryan's replies to both made it appear that the farmers in wanting to take possession, unlawfully, of Government property were the law breakers, not the strikers. He asked Hughes not to encourage lawless undertakings by suggesting that either military or police protection should be afforded to such persons. Hughes' second telegram to Ryan was a formal acknowledgment. However, since copies of the telegram were printed in the labor newspapers, readers there had a chuckle over the latest tactical victory for the Queensland Premier.⁴⁶

In public, the disagreement between Ryan and Hughes, particularly over Higgins, was beginning to develop into a first-class slanging match. Despite a number of telegrams from Ryan, Hughes would not give a definite answer on whether or not Higgins could be used as an arbiter in the northern railway dispute. Ryan was understandably annoyed that having induced the men to go back to work on the basis of Higgins' acting as the arbitrator, he now found that, apparently, for no good reason, Hughes would not accede to a formal request which would cost the Commonwealth nothing, but which would contribute to the industrial peace which the Prime Minister sought. Hughes argued that he was upholding the law and constitutional authority, but it is difficult to see his attitude

being motivated other than by a certain spite and an endeavour to reduce the reputation of Ryan. With one eye on the northern railwaymen and undoubtedly the other on the electors, Ryan issued statements to the press pointing out the incongruity of Hughes' stance which he said could “not be explained on any other ground than that he is determined to do all he can to prevent this Government from bringing about industrial peace . . . It is just as well that the workers of Queensland . . . should wake up to the situation which their political opponents are endeavouring to bring about.”⁴⁷ Hughes refused to say anything beyond what had been in his original telegram. Higgs raised the matter in the Federal Parliament but without any success.

In one sense Hughes had placed Ryan in an invidious position with the north Queensland railwaymen, but by drawing on the anti-Hughes feeling in the labor movement, Ryan was able to consolidate the unions behind him and make any attempt to strike again a rebuff to himself and a tactical victory for Hughes. He accused Hughes of using provocative methods for an ulterior purpose, but now even normal political protocol was put aside as Hughes replied: “It would appear from Mr. Ryan's latest remarks that he knows as little of manners as he does of the act of government.” Not to be outdone, Ryan returned that he could afford to “ignore Mr. Hughes' views on both manners and the act of government, as he was not aware that the Prime Minister was an authority on either.”⁴⁸

The effects of the New South Wales strike were felt as far away as the Gulf of Carpentaria where the towns depended for their supply of flour on New South Wales forwarding this by rail to Brisbane where, once every three weeks, it was loaded on to a steamer. The main problem was that seamen in Brisbane were unwilling to sail in ships in which the cargo had been loaded by “voluntary” labour in New South Wales. However, Ryan was anxious for all the industrial disputes to be settled since they were no longer assisting the working men or the consumers. Since the key to the settlement lay with the New South Wales railway strike, he was prepared to use the northern food shortage as a further lever to prize some conciliatory

measures from Hughes or Fuller. On receipt of a telegram from the Normanton Shire Council asking for immediate help, Ryan telegraphed Fuller asking if he would terminate the strike which was grievously affecting a large section of the population of the north, who were not responsible for the strike, but who faced famine as a consequence of it. He also telegraphed Hughes urging him to use his influence to bring the New South Wales dispute to a settlement for the same reasons.⁴⁹ Fuller was quite unmoved and rebuffed Ryan's plea with a regret that Ryan could not co-operate with him in his efforts to maintain constitutional government.⁵⁰ In the meantime, Ryan had completed negotiations with the shipping firm Macdonald Hamilton for the despatch of the *Wodonga* to the Gulf with supplies. On 4 September, the day after these negotiations had been completed, the wily Hughes telegraphed him saying that the *Wodonga* had been placed at his disposal for carrying the needed supplies to the north, at the same time making sure that the press received copies of his telegram.⁵¹ Ryan tartly replied that the negotiations were already completed and the necessary labour provided.⁵²

While Ryan had been negotiating with the northern railwaymen for a return to work, the *Courier* had been castigating the Nationalist opposition for doing nothing but "sit" during the strike. The Opposition thereupon moved a want of confidence motion over the northern railway strike.⁵³ It was symptomatic of the weakness of the Nationalists that their motion of no confidence should have been moved after the strike was settled and when Ryan was basking in his success. The Labor party was barely concerned about the nine point motion which Tolmie had presented, agreeing again that only Ryan would speak for the Government. Tolmie was hardly the most suitable politician to move a vote of no confidence. His speeches lacked fire, his delivery was flat and on that afternoon his task was made more difficult by resolutions passed in the previous week by the Chamber of Commerce and even by the National Political Council supporting the Government's endeavours to settle the strike.⁵⁴ Nevertheless he pressed on, charging the Government with being in the hands of unconstitutional bodies outside

parliament and taunting Ryan for not having struck the high note of Fuller in New South Wales in dealing with the strikers. A delighted Ryan interjected that the railways were running in north Queensland, but not in New South Wales. Tolmie was followed by Appel, Swayne and Bebbington before Ryan chose to enter the debate at half past seven when the galleries were full, the reporters had dined and the house was settled to hear a major speech.

Ryan turned on one of his eloquent performances. The “passive resistance”, of the Opposition during the strike, he said, contrasted with their condemnation of the Government now. He repeated his view that the men’s actions had been ill advised and that the Government was determined to uphold arbitration and conciliation as a means of settling disputes. His strongest point was that the railways were running again, not through the use of the bludgeon of free labour as recommended by the Opposition, but through conciliation which did not humiliate the men and of which there was no end to the times it could be used. “I do not believe in having a disgruntled sulky service,” he continued “as you would have if you used the mailed fist which could not have been used so successfully as the method we adopted.”⁵⁵ After reading the telegrams with Hughes over the border traffic and those with Higgins and Hughes over the northern strike, he moved an amendment that the Government had the confidence of the house “for their statesmanlike methods which are calculated to ensure industrial peace on a sound basis”. Six more Opposition members spoke before he moved the gag and had his amendment carried.

The Opposition and the newspapers continued with questions to keep the strike alive in the following months but, apart from settling the problem of who was to replace Higgins as arbitrator, the railway strike as an issue was closed.

12 Socialism at Work

The war in Europe continued. At home two other wars were being fought with similar bitterness. In the southern states Nationalist politicians and businessmen confronted striking trade unions, while in Queensland the private war, which had begun when Ryan revealed in 1915 how strongly he proposed to push ahead with Labor's reform programme, increased its intensity as the general election approached. Both wars on the Australian mainland were interwoven with the battle for conscription, particularly in Queensland where Labor was strongest and in Western Australia where it was weakest.¹ To try to stop the conscriptionists in Queensland prejudicing voluntary recruiting, MacKinnon telegraphed Dash that Hughes had advised businessmen in Sydney that, in the present circumstances, the voluntary system was the best method of gaining recruits.² His advise fell on deaf ears. At a special meeting of the local recruiting committees on 8 August, a resolution, supported by Thynne, Adamson and Dash, was easily carried stating that conscription was the only democratic method left to save Australia.³

Owing to the New South Wales railway strike, MacKinnon had not been able to attend the meeting, but was present at a similar gathering a week later when he tried to direct the committees' energies into support for voluntary recruiting. The meeting attacked him as ferociously as it would any Labor anti-conscriptionist, but MacKinnon too had certain things to say. There were only two states in the Commonwealth, he said, where demands were being made for conscription – Queensland and Western Australia – and since the resolutions favouring

conscription had been passed, recruiting in these two states had fallen away, giving Queensland its worst recruiting week since the beginning of the war. In Victoria, South Australia and Tasmania, recruiting had improved and even though there was a big strike in New South Wales, recruiting there was practically normal. In the previous month enlistments had numbered 4209, which was better than Canada had done in the same month from a population of eight million – three million more than Australia. The nation could obtain 5000 recruits a month, MacKinnon said, but to subject it to the political and social disturbance such as would be occasioned by a second referendum would mean that instead of being 2000 a month short they would be 3000 or 4000 short. Though he admitted to being a conscriptionist himself, MacKinnon asked the recruiting committees to forget about conscription and concentrate on inducing men to volunteer. He added, for good measure, that the Federal Recruiting Committee, with members from both sides of the house, had asked him to request the Federal Government to put a stop to all talk of conscription. MacKinnon might just as well have walked into a lions' den as the various delegates proceeded to tear him apart. Obviously he had stirred more trouble than he expected. "We don't have this trouble in other states", he confessed, "there must be some peculiarity about your air". Before leaving, he dissolved the State Recruiting Committee.⁴ Dash remained as acting-secretary while a newly returned soldier was trained and then Dash became an organizing secretary for the National Political Council.

Despite his support for the war and recruiting, Ryan had had little opportunity since the May election to address any recruiting rallies. Consequently, following MacKinnon's visit, when a special meeting was to be held at the General Post Office on 3 September, he readily agreed to be the principal speaker. But so bitter and so deep had the divisions in the nation become through the conscription issue, that the meeting turned into a political brawl with Ryan barely able to conclude his address. In a call to both sides, he asked them not to allow political views to obtrude, but to sink all differences and bitterness, industrial and political, to make the country efficient

and to obtain as many recruits as possible. The interruptions increased as he spoke of Germany's inability to win the war. The weight of other political problems and the strain of what was emerging as the most trying problem of his first period in government began to show. In exasperation, he cracked back at his hecklers: "Those who interrupt a recruiting meeting and the work we are engaged in are doing the work of Germany if they only knew it . . . these interruptors are the people responsible for the voluntary system having been checked to the extent it has."⁵ His remarks were wasted. In the main those who spoke for recruits and attended recruiting meetings wanted compulsion not voluntaryism. Ryan was followed by Corporal H. E. Sizer, who was to become the Nationalist member for Nundah in 1918 and whose contribution to the gaining of recruits in 1917 was to attack with vigour "the enemy within the gates." It was a sobering meeting for Ryan and a lesson on when and where to speak. Thereafter, he was not so prepared to give up his time to seek recruits if he and his party were to be abused in the process.

All political activity in Queensland in September 1917 had to be viewed in terms of the survival of the sole Labor government at the 1918 election. Ryan was as conscious of this as were his opponents, but he also appreciated that elections were won in the twelve months or more prior to the poll and not merely in the final six weeks. His best speeches in parliament had been distributed throughout the country; he held daily press conferences and made a point of maintaining good relations with the journalists from the *Courier*, the *Daily Mail* and the representatives of other non-labor papers; and he saw that they received copies of all his statements. He also employed a special press secretary, Arthur Ellis, whom Macartney regarded as "one of the ablest publicity agents in Australia."⁶ Though he acknowledged it only to friends, Ryan in fact was conscious of the need for his statements to appear in the non-labor papers as well as in those supporting his party.⁷ The party sought something more than this. In both the caucus and the CPE there was pressure for a comprehensive pamphlet setting out clearly what the Labor Government had done, as much to retain the support of

unionists disillusioned with the political Labor parties and the slowness of constitutional methods of effecting change, as to influence voters. From this was born the 136 page booklet *Socialism at Work* compiled from a series of updated *Worker* articles on the state enterprises. This was distributed freely and widely throughout the State.

In an election that was likely to be emotionally charged with overtones of the war and patriotism and a situation in which the most widely read newspapers were claiming patriotism as an attribute of the conscriptionists alone, it was obvious that the question of returned soldiers would be important. The Government's policies in regard to returned men were acknowledged as being better than those of any other state. This had to be made clear to the electors. A minister met each returning troop train, but this was hardly sufficient. From the PLP came a recommendation to cabinet that a returned soldier, known to be a unionist and supporter of the Government, be appointed to assist other returned soldiers with pensions, land settlement, employment and so forth.⁸ The cabinet agreed and appointed Sergeant Tom O'Hagan who became an unofficial labor organizer among the returned men.

A new advertising medium had been offered to the Government early in August when the editor of the *Soldier*, the official organ of the newly-formed Returned Soldiers and Sailors Imperial League of Australia, seeking Government advertising for his paper, (on which most weeklies then depended), wrote to Ryan offering six months' advertising of the State's repatriation scheme for £250.⁹ After some correspondence, Ryan proposed nine months' advertising, of one full page weekly, the material for which would be prepared by the Premier's Department, would not appear as an advertisement and would not be subject to alteration in any way whatsoever. No other government in the Commonwealth was to be so advertised during the period of the contract.¹⁰ Early in September the editor agreed and the first full page advertisement headed "Providing for Returned Soldiers. Queensland's Colossal Scheme. A Successful Undertaking" appeared in the issue of 28 September. The early articles were not obviously

Government propaganda though Ryan's and Hunter's names were mentioned often in the context of the War Council and Soldier Settlement Scheme. Not only was land settlement mentioned, but also the advantages of the state butcher shops, the proposed iron and steel industry and the cash advances and concessions made by the State Government to the Red Cross, returned soldiers, recruiting and the like.¹¹ While the *National Leader*, an obvious political journal, berated Ryan and his Government, he was able to appear in a favourable light in the *Soldier*, an obvious non-political journal. The paid advertisements provided other side advantages. At the end of 1917 when the *Soldier* was campaigning for conscription, it did not castigate Ryan as did other pro-conscription journals.

Since the Opposition in the Assembly was finding it difficult to extract any political capital from its debates with the Government, it was left to the Council to provide the means of showing up the Government's mismanagement to the electors. By August 1917 the state enterprises consisted of ten butcher shops (with a further thirteen being acquired, before the 1918 election), thirteen stations, a fishery, a coal mine (with other areas being explored), three saw mills and a hotel. These had involved an expenditure of £500,000 from loan funds, trust funds and consolidated revenue and had provided a net profit of £45,000. Of these only the fishery had been approved by an act of parliament. Their general success plus the financial success of the recently acquired railway refreshment rooms and of the State Insurance Office had inspired the Government to consider embarking on more business enterprises and thereby confronting more strongly the ideals of the commercial and pastoral men of the State. However, until the problem of the Council was solved, these would continue to be initiated by administrative action and financed by "backdoor methods". Despite the confidence which Ryan and Hunter placed in state enterprises, the Nationalists and non-Labor members of the Council regarded them as the Government's Achilles heel. On 5 September, Brentnall moved for the appointment of a select committee to investigate the spending of large sums of public money on industrial undertakings.

The committee began to take evidence early in September. That it received no assistance from the Government did not deter it. From the beginning the acquiring of evidence of the illegality and bad management of the enterprises seemed to be its main concern. Since the committee was not a royal commission it could neither compel witnesses to testify nor command the production of documents. Ryan appeared at its second day's hearing, in his capacity as Attorney-General, and informed them that the committee was attempting to arrogate to itself powers which it did not possess and that its having pre-judged the matter made the whole inquiry a travesty of the principles of British justice. He made it clear that, since this was not a committee looking into a proposal before the parliament, it could not expect to be shown departmental papers or other documents.^{1 2} In short, he verbally chastised them in his best schoolmaster manner. However, he did not underrate the political damage the inquiry could do and left the Crown Solicitor to watch the interests of the Government.

Though he could not ignore the Council's committee Ryan had other problems, principally with Hughes, which were again demanding his attention. The ending of the railway strike in New South Wales had not improved the relations between Ryan and Hughes. Neither was prepared to appear to back away from the other. For Ryan, the maintenance of his role of supporting Queensland industries, workmen and sugar growers against the allies of the Commonwealth Government was important in holding together a Labor party containing elements prepared to tear it apart, and was equally important electorally as 1918 approached. For Hughes, there was the importance of maintaining his own authority over the Nationalist parliamentarians. It was unfortunate for Australia that these two men, so capable as politicians, should have expended so much energy and time fighting each other. But such was the fate of Australia in World War I when, in September 1917, the perennial problems of the IWW and the sugar industries re-emerged.

It seems to have been a characteristic of Labor party leaders who have been expelled, or have left the party, that they are acutely conscious of the presence of left wing saboteurs in the

community, who must be continually exposed, along with their accomplices. Such was the case with Hughes and the IWW. Ryan, on the other hand, was not impressed with the power of the IWW nor with the influence it wielded either in the community or in the labor movement. The Commonwealth Unlawful Associations Act of 1916 had been amended in July 1917 to make it an offence for members of the IWW, in particular and of any association declared by the Governor-General to be an unlawful association, to hold a position in the Public Service, receive or contribute money for such an association or to distribute pamphlets. That a person had attended meetings or distributed literature of the association could be taken as evidence of membership.¹³ On 6 August, Hughes had telegraphed Ryan asking if he would authorize the State Police to give effect to the provisions of the Act. Ryan obtained 400 copies for distribution to the police by the Police Commissioner but issued no particular instructions. However, the Prime Minister wanted action, and, not reading that large numbers of suspected IWWites had been prosecuted in Queensland, he demanded to know why this was so when evidence was continually coming to hand that IWW agents were numerous and were actively engaged in disseminating propaganda and promoting strikes.¹⁴ When Ryan did not immediately reply, he was sent a further urgent telegram telling him that the IWW were fomenting trouble with the shearers at Winton and Hughenden and with the miners at Mt. Cuthbert. Police reports to Ryan from those areas indicated that there was nothing to justify alarm or uneasiness.¹⁵ Ryan's calm irked Hughes who retorted "Reports accumulate that members of this unlawful association are flocking to Queensland which is the only State in which police are not actively enforcing the Act."¹⁶ Ryan was confident that these reports were exaggerated and that the IWW was making little headway in Queensland. Unions were expelling IWW members, the police were keeping former IWW members under surveillance and known IWW members were refused permits for street meetings. While informing Hughes of this, he sought the names of these informants whose reliable reports were at variance with those of the Police Commissioner.

On investigation, a man named Jackson, one of the persons said by Hughes to be currently spreading IWW literature in Queensland, was found now to be in Sydney where he had furnished the police with his address, while a second, Gordon Brown, (later president of the Senate), was doing nothing in the way of distributing IWW propaganda.¹⁷ Despite two further requests, Hughes failed to supply the names of his informers, but said letters from Brown, held by the censor, should have secured a conviction. There the matter rested. The exchange of telegrams undoubtedly confirmed the attitudes of Hughes, the Governor-General and others in the south that Queensland was a hot bed of IWWism, Sinn Feinism and revolution.¹⁸

These exchanges over the IWW were conducted through confidential telegrams and were not made known to the public, but not so a new disagreement involving sugar, shipping and labour.

The New South Wales strike in involving carters, seamen and waterside workers had affected interstate shipping. In north Queensland this had resulted in a shortage of sacks and lime (normally supplied by the CSR from Sydney) at the sugar mills, thus preventing the storage of sugar. With no railway link between Brisbane and the north and no ships loading sugar and bringing back cargoes of food and other supplies, food shortages mounted. There was some small amount of shipping moving up and down the coast, but nothing big enough to solve any of the mounting problems. Though the men were drifting back to work in Sydney, a major factor holding up the resumption of regular shipping was the employment of what was variously termed national service, voluntary or scab labour depending on who was describing it. In Mackay, the key sugar port, the waterside workers had refused to unload any ship during the strike but had afterwards offered themselves for work for any cargo provided it had not either been loaded or was to be unloaded by national service labour.¹⁹ The shipping companies retaliated by refusing to allow the men to do any work and consequently, while passengers were unloaded at Mackay, no cargo was moved.

Businessmen in the north and in Brisbane pressured both

Ryan and Hughes to have interstate shipping restored. Unfortunately it was not as simple an undertaking as many of them assumed. The Prime Minister wished to have the interstate sea trade with Brisbane resumed, but only if Ryan could give an assurance that ships would be loaded and unloaded in Brisbane notwithstanding national service labour being used at the other end and as crew.²⁰ Even had he been agreeable to such a proposition, Ryan could not have consented and retained the support of the unions who had interpreted the tactics of Hughes and the shipping companies as having the destruction of unionism as its end. Further telegrams continued to pour in from sugar producers in north Queensland requesting the urgent despatch of sacks to obviate the necessity for the closure of the mills and the consequent cessation of cutting. Ryan used the chartered state ship, the *Allinga*, and two smaller vessels, the *Llewellyn* and *Hopewell*, to transport some food and what sacks were available in Brisbane, but this was quite inadequate. He forwarded copies of the north Queensland telegrams on to Hughes with a request that he settle the shipping dispute and despatch the needed vessels.²¹ On Hughes' recommendation the CSR despatched to Brisbane 1500 bales of sacks, loaded by non-union labour, for distribution among the millers.²² It was only a token but would assist. The problem was how to land them at Mackay. The shipping companies and several of the chambers of commerce in the north claimed that ships were not calling at northern ports because of the refusal of the waterside workers to unload cargo.²³ However, though the watersiders had refused to unload some cargo, the fault was far from being all on their side. Ships calling at Mackay had to be unloaded on to lighters, owned by the shipping companies, and the companies refused to allow the use of these unless they were manned by non-union labour.²⁴

Ryan, Theodore and Hunter had given much thought to the question of how to relieve the north. All three could play politics well. Theodore approached the waterside workers at Mackay, setting out the position as the Government saw it and asking them if they would unload the sacks and foodstuffs from the *Allinga* if it were loaded in Brisbane with union labour.²⁵

Ryan despatched telegrams to the Traders Association, the UCGA and the mayor, with copies to the press, informing them that the sacks were being sent by the *Allinga* and that the shipping companies had previously refused permission for the use of their lighters unless manned by non-union labour; he urged each recipient to use his influence with the local agents of the companies to induce them not to insist on such unreasonable conditions when the waterside workers were willing to handle the goods.²⁶ However, the shipping companies were old hands at power politics and were quite unimpressed at this brash attempt to outmanoeuvre them. They again refused the use of their lighters unless the waterside workers would load and unload all goods irrespective of whether they were handled by voluntary labour.²⁷ Only the Harbour Board lighter was therefore available for loading. Ryan was not the sort of man to accept defeat easily, especially as now other towns along the coast were building up stacks of goods which were waiting to be shipped out. As he castigated the shipping companies for their infliction of suffering on the people of Mackay because of their dispute with the waterside workers, his mind was turning to a far more ambitious method of solving the shipping problem.

In his two years as Premier he had fought, with some success, the most powerful moneyed groups in the State: the CSR, insurance companies, the pastoralists and the meat companies. Now he prepared to do open battle with the shipping companies. By receiving the prior approval of the unions concerned before despatching goods by sea, Ryan had opened up a new possibility of outflanking the shipping companies and Hughes at the same time. Ryan had long favoured the idea of a state government shipping line much as there was a state government railway system. The chartering of the *Allinga* had shown that such a line was feasible, but furthermore, it had enabled the State to break the dictation of freight and times which the southern companies held over Queensland coastal trade. Such a line, manned by union labour, loaded and unloaded by union labour could work, it seemed, independently of the shipping combine. It was now the third week in September and interstate shipping had not resumed; northern

residents faced privation; and several of the State's major industries faced disaster. Ryan and Theodore now conceived the bold plan of using the Sugar Acquisition Act to acquire ships lying idle in Queensland ports, man them with union labour and begin a state shipping line.

It was an audacious move which only a politician with confidence and faith in his own judgment would have taken. That it could bring on a further clash with the Commonwealth was obvious, but it was not a deterrent. As in previous political fights, Ryan first sought to obtain the voluntary support of those involved before putting his plans into action. He and Theodore called into conference the officers of the Seamens and Waterside Workers Unions, placed their proposals before them and asked them to communicate, at Government expense, with their counterparts in Melbourne, Sydney and along the coast. When the Brisbane officials readily concurred, the telegrams from the secretaries and from Ryan were despatched,²⁸ while Hardacre, one of Ryan's faithful allies in the cabinet, was sent to Sydney, the focal point, to act as Ryan's liaison officer. On the same day, a proclamation was issued acquiring all vessels then within the State. Even though this was confrontation with the shipping companies, Ryan was anxious to play down this aspect and to emphasize both the need to have shipping resumed and the profitability of this to the shippers. After discussing the proclamation with the Brisbane representatives, he wrote to the head offices of the companies outlining his intentions. The Queensland Government would take over as many vessels as it considered necessary for its purposes; the companies would retain full control of the shipping business, the vessels and all earnings; the Government would arrange crews plus loading and unloading in Sydney, Melbourne and all Queensland ports; while freight rates, wages and hours of work would be as immediately preceding the strike.²⁹ Such conditions were not unreasonable and, since the seamen and waterside workers had indicated their full support, this could have been the means of getting interstate shipping moving.

The reception to the proclamation was mixed. In north

Queensland there was relief that the Government's action would soon have ships appearing again in their ports;³⁰ among the unions there was delight and congratulations at Ryan's further demonstration of the extent of what a Labor government could achieve;³¹ but to the Nationalists, the Brisbane press, the Prime Minister and the shipping companies it represented confiscation, law breaking, and an attempt to usurp the authority of private enterprise and the Commonwealth Government. It was socialism at work. The shipping companies replied that as the federal controller of shipping already controlled the movement of all coastal vessels Ryan's application should have been made to him.³² In any case they did not consider the proposals practicable. Undaunted by their rejection, Ryan approached Hughes formally requesting his co-operation in instructing the controller of shipping to facilitate his proposals.³³ He could surely not have expected Hughes to agree to be drawn into a scheme which would so obviously raise the status of the Queensland Premier as a settler of the strike. Hughes refused and, while granting that Ryan had the plenary power to take over vessels in his own territorial water, made his own little propaganda point by blaming the unions for preventing the ships working and reminding Ryan that if he had done what had been done in other states — used national service labour — the difficulty of communication between the ports would have been overcome.³⁴

Having made the decision to acquire the ships, Ryan was forced to follow through with his plan. Adopting the high moral tone he had used in the Legislative Assembly when the proclamation had come under fire from the Nationalists, he fixed the blame for the non-acceptance of his plan on the shipping companies, while trying to leave Hughes room to give at least his tacit agreement, if not his support. In periods of great tensions such as this, Ryan managed to include in his statements a mixture of righteous indignation, shrewd politicking and an air of offended innocence that his motive might in any way be considered suspect. His speeches on the shipping problem were aimed at his two bases of power — members of the labor movement, and electors in key seats — as much as at

his political opponents. Though the place of delivery was parliament, the medium was the daily press – metropolitan and country. Ryan disagreed politically with the editors of most of these papers; however he recognized that they, rather than the labor press, were the source of news for the uncommitted ordinary citizen. He made available to the journalists copies of all the telegrams sent to Hughes and the shipping companies, which told their own story, and accompanied these with well-tempered press statements oozing with reasonableness. The Government's proposals were "eminently practicable" and would have made the way "easy for the companies", he said. His scheme had "completely solved the labour problem" which was alleged to have been standing in the way of a resumption of interstate shipping and would not have interfered with the working or profits of the companies. On the other hand, he concluded, the answer of the shipping companies "clearly exposes that their policy is in the nature of a lock out against all union labour."³⁵ When the concurrent attempts of the shipping companies and the Commonwealth Government to de-register the Waterside Workers Federation were frustrated by the refusal of Higgins to accede to their requests, and when they attempted to form their own "boss's unions" of waterside workers, Ryan's conclusions were given a ring of authenticity.

A further development in Sydney added strength to this charge. A Maryborough firm, Hyne and Son, owned a small vessel called the *Hopewell* which traded along the Queensland coast. On 26 September Ryan arranged with the owners to ship a cargo of Queensland sugar to Sydney and to return with a cargo of wheat.³⁶ He had previously arranged with Wheeler, president of the Transport Federation in Sydney, to have the vessel unloaded and reloaded by union labour.³⁷ He now telegraphed the Sydney agents for the *Hopewell* informing them of its date of arrival, the cargo to be carried and the labour arrangements.³⁸ This was to be the trial run for Ryan's scheme of having interstate shipping to Queensland recommenced. If it was successful, the arrangements for the *Hopewell* would be repeated for each ship sailing under the Government's proclamation. On 3 October, Wheeler telegraphed the ship's arrival and

the commencement of the work of unloading. But when the unloading finished, the boom fell. The wheat agents informed both the *Hopewell* agents and Wheeler that union labour would not be allowed to load the vessel.³⁹ Not anticipating such an overt confirmation of his views on how attempts would be made to crush the unions, Ryan wired both Fuller and Hughes asking them to intervene in a situation which “amply demonstrates the nature of the warfare being carried on against men who belong to unions.”⁴⁰ When Hughes had investigated the matter, his reply indicated the chasm which now existed between him and the labor movement: “Facts are, union men abandoned their posts, having no dispute with employers. Other men took their place. Terms of settlement of strike include protection of volunteers who came to rescue the country.”⁴¹ Nor was Ryan to receive any support from the New South Wales Government. Randolph Bedford, then working for the *Sunday Times* in Sydney, wrote to him:

I have been told on excellent authority – the authority of a newspaper man who does anti-labour, anti-Queensland work here (and these meanings are the same) that not only would the Hopewell not be loaded but that “any Ryan Government ship would not be loaded and that the Queensland Government would not be permitted to purchase supplies for the north.” The people in charge in the Southern States are out for your Government and in talking of State rights, today a man of whom I expected State rights became a great “Australian” in the twinkling of an eye. “Let Queensland go for secession,” said he, “and we’ll put the military on them”.⁴²

A parallel now existed between the meat and shipping problems. Just as Ryan’s Government could commandeer cattle or meat under the Sugar Acquisition Act, but not force the companies to process them without a meatworks act, so now though he could acquire ships, he could not force the companies to sail them. Furthermore, his original proclamation under the Sugar Acquisition Act had worsened the situation as the shipping companies and the CSR wired north Queensland ports that there would be no further shipments of sacks for fear of having their ships confiscated.⁴³ It was now the shipowners who were using the people in the sugar industry to apply pressure on their opponent. It had been clearly stated in the

proclamation that only ships, barges, or lighters in Queensland waters at that time could be acquired, but in the power struggle that was raging, misunderstandings, real and imaginary, could be played out to the end of their political advantage. There was vague talk of shipping being resumed, but the mounting problem of shifting the cargo piling up at Queensland coastal ports remained. The chartered Government vessels, the *Allinga*, the *Porpoise* and the *Excelsior* (the last two being very small) were just not capable of handling the work allotted to them. Ryan decided to take the final plunge. The marine engineers and seamen agreed to sail any ships he could acquire and the waterside workers to load them. On 4 October he extended the proclamation to acquire four cargo vessels the *Comma*, *Morvya*, *Mallina* and *Buninyong* lying idle in the Brisbane River and introduced the Requisition of Ships Bill into the Assembly giving the Government power to operate vessels acquired.⁴⁴

From the opposition his shipping proposals had aroused so far, it must have been obvious that the Legislative Council would not allow the Bill to pass. Yet, on the one hand, the Council would not be overcome merely by offering it only those bills of which it was likely to approve, and, on the other, the sheer audacity of the Bill might well have commanded wide public support or jolted the Nationalists and the shipping companies into some compromise that would enable coastal shipping to recommence. Ryan had sufficient evidence to suggest that he had behind him the support of the labor movement, large areas of the sugar districts and probably a number of small businessmen (like Hyne at Maryborough), not in agreement with him politically but desiring a return to normal trading and the export of their goods from the State.⁴⁵

As the daily and weekly newspapers throughout the State reported, verbatim, the principal debates and speeches of the State Parliament, it was to this audience again that Ryan spoke when outlining the new Bill and to them he conveyed that firmness and reasonableness which were his political stock in trade. He was, he said, trying to face the situation without entering into the dispute between the shipping companies and the men because it had to be realized that the public – the

sugar growers and other people in north Queensland – who, like the Government, had no say in causing the dispute and no say in settling it, were suffering great loss and inconvenience. Trade, he continued, had to be restored. He did not care how the ships were loaded or manned so long as they were run. If the shipping companies could not restore the trade, then those must take a hand who could. The Labor party was not looking for political capital – there was, he said, no stronger opponent of the Government than Mr. Hyne even though he supported the measure – but they were looking to relieve a situation where great loss was being inflicted. As the shipping companies were prepared to go so far as to down any shipowner who gave his ship to the Government to carry cargo, it was necessary for the Government to have power to acquire ships, wharves and agencies and to run these.⁴⁶

This was too much for Ryan's political opponents. As on other occasions, it was the corporation lawyer, Macartney, who voiced the fears of conservatives and commercial interests:

It seems to me that if this Bill were passed and the strike ended, that the Government would have achieved their purpose. The Premier would have circulated throughout the length and breadth of Australia that he, the Premier and the Government behind him, settled the strike . . . The honorable gentleman wants something that he can use as a political power to show and is so climbing further up the ladder on the backs of the workers of Australia.⁴⁷

Hughes retaliated by issuing a special Gazette amending the War Precautions Act by the addition of a further regulation which prohibited the acquisition of any vessel trading interstate. Those ships engaged solely in trading within one state were omitted from the terms of the regulation.⁴⁸

While conservatives and capitalists fumed at Ryan's fresh transgression, the rage of the *Courier's* editor took a new and strange turn. Apart from blasting the Premier in his headlines and leaders, the editor began to interpolate his own remarks in reports of interviews with Ryan or in statements of Ryan:

The Premier was interviewed in his offices at Parliament House last night . . . he said [he] had . . . a telegram from Mackay . . . that a shipping company was bringing a shipment of bags but [the sugar mill] would not employ wharf lumpers to unload them and [had] asked the

mill hands to unload the bags intimating that [it] would close the mill if they refused. "That," said Mr. Ryan, "is a very convincing piece of evidence that the companies are entirely responsible for the present hold up of trade on the coast." (Bosh! It is merely evidence that the employers sickened at last at the continual hold-ups of trade on the coast, at the instance of unprincipled unionism, have determined to end the hold-ups in the only effective way – Ed. "B. C."). "It is obvious they are determined not to employ members of the union, even though the men are willing to offer their services . . . I do not know how long the public will stand this sort of thing, or will tolerate the attitude of the Legislative Council in refusing to grant to the Government the necessary powers to put an end to the intolerable situation". (The situation is intolerable because Mr. Ryan's masters have chosen to make it so. He wishes to retain power in the hands of the unions to create these intolerable situations whenever they choose. The public will stand behind the Legislative Council when it defeats his object – Ed. "B. C").⁴⁹

The frenzy of the editor became worse in succeeding days. Ryan's remarks on Hughes' proclamation earned seven interpolations and concluded:

Mr. Ryan emphasised the point that the Queensland Government was not concerned with the original cause of the trouble nor with its merits or demerits (Ha, ha – Ed.) The Government was concerned only with the restoration of interstate trade. (Ha, ha, again – Ed.)⁵⁰

While a state premier has wide powers within his own boundaries, the Federal Constitution limits these powers severely beyond those boundaries. Despite his doubts as to the constitutional validity of Hughes' proclamation, Ryan was restricted by it. The alternative of challenging before the High Court would have been costly, in time particular, and by then the shipping problem may have been solved. However, it was more than just the proclamation which restricted Ryan's use of the Requisition of Ships Bill, if it was passed by parliament. Nowhere in the southern states would he receive any Government support nor would he be able to have any of his ships reloaded no matter how bad the position became in north Queensland. Southern Nationalists and southern capitalists were after the unions and Ryan's Government. Necessity forced an end to the shipping strike on 6 October and in a sense rendered the Requisition of Ships Bill unnecessary. Ryan argued otherwise and, amid interpolations from the *Courier's* editor, said he

thought the machinery in the Bill would be most useful in any subsequent hold up of shipping.⁵¹ However since the Legislative Council did not return the Bill after debating it at some length, the matter was quietly dropped. Shipping did not resume immediately after the end of the strike. The shipowers in Melbourne refused any conferences with the Seamen's Union and demanded unconditional surrender. Only when unionists would work alongside volunteer labour would the ships begin to move again. When on 18 October the seamen agreed to this, a broken and financially destitute labor movement in the eastern states faced a triumphant alliance of Nationalists, employers and newspaper editors. The war in Europe could now resume its rightful place in the news; the war at home was being won, or so it seemed.

Throughout the shipping disputes, Ryan had been involved daily in the business of parliament where significant bills were being introduced and where the struggle with the Legislative Council continued. Bills were introduced to establish a state produce agency and to provide for the licensing of farm produce agents. The Bill to amend the Regulation of Sugar Cane Prices Act, defeated in the Council in 1916, was reintroduced and set off further arguments between Ryan and Hughes, the CSR, the ASPA and the Legislative Council. Colonel Rankin had returned from the war to become again the sugar spokesman for the Nationalists. However, he spoke more for the growers and millers in the ASPA than for the small growers in the UCGA. He was as anxious to delete the clause giving the Central Cane Prices Board power to inspect books, papers, vouchers and other documents relating to the business of any mill as Ryan and Lennon were to keep this in the Bill.⁵² The experience of extracting information from the CSR at the 1912 Commonwealth Royal Commission and the subsequent High Court case had convinced Ryan of the necessity for the clause. But a more contentious clause was a new one giving the Government power to take over a mill which was not paying the award price for cane as determined by the local board. This constituted a direct attack on the CSR whose earlier conduct at

the Isis mill had demonstrated the need for it.

By the time the Bill reached the Council, the opposition to it had organized an effective extra-parliamentary campaign. Petitions requesting its withdrawal were circulated among growers. Pritchard, secretary of the ASPA and now president of the NPC, wrote to the Commonwealth Sugar Controller, Colonel W. J. Oldershaw, asking that Hughes issue a public statement pointing out that the clause allowing the Government to take over a mill broke the compact agreed upon; he requested also that this be sent to the Brisbane papers as it would materially assist in having the Bill rejected by the Council.⁵³ Hughes obliged and wrote to Ryan asking that he withdraw the clause.⁵⁴ In Brisbane, the ASPA kept up its pressure on the Council and emphasized that the sugar districts had voted against the Council's abolition in the referendum.⁵⁵ Ryan, however, had pledged himself to introduce the amending legislation which, he said, in no way affected the agreement between the State Government and the Commonwealth. His rejection of the arguments of the Opposition brought the CSR directly into the debate with a request to Hughes to demand a revision of the Bill which would otherwise cause hopeless chaos in the industry as mill owners sought to defend their rights.⁵⁶ The Bill was to be held for six weeks in the Council before the second reading was taken.

By mid-September, both political parties, with an eye to the coming election, were making good use of parliament as a forum. Bills "lost" at previous sessions and reintroduced were debated at length and the opposing arguments canvassed once more. The Council's select committee investigating the state enterprises threw the Government on to the defensive when the Opposition members in the Assembly used evidence given to the Council's committee, at every opportunity, to point out losses in state enterprises generally in Australia and specifically in some of the Queensland ventures. Of special interest and concern were two state stations at Mt. Hutton and Wando Vale. Regarding the former, Hunter had continually parried questions on the discrepancy between the bang tail muster and the book

muster, as the evidence pointed to the Government's having made a bad deal.⁵⁷ However, in the debate on supply on 12 September, the balance was redressed through a bad tactical error by one of the Opposition's leading figures. The vitrolic Vowles, having overheard a conversation in the Daniel Hotel in Brisbane early in November 1916, claimed that the Government had spent £83,000 purchasing Wando Vale when a stock agent had it on his books for £45,000. It was, he said "regarded as a smellful transaction to put the least expression on it."⁵⁸

Within the caucus, many members were becoming worried at the continued criticism of the state stations by Nationalist members from country areas. Hunter examined Vowles' charges, presumably found them to be false and recommended a royal commission into the Government's purchase of the station.⁵⁹ Thomas O'Sullivan, a District Court judge and former Liberal Attorney-General, was appointed commissioner with counsel to assist, while Vowles was allowed his own counsel. After a lengthy hearing in which Hunter and Theodore appeared (it had been darkly hinted that Theodore had received £1500 for his part in the deal) O'Sullivan found that there was no evidence to support Vowles claim (or the Theodore bribe) and remarked unfavourably on the time lapse between his hearing the conversation and raising it in parliament.⁶⁰ The Opposition was most unhappy with the report. Ryan determined to even a few scores and moved a vote of censure on Vowles for attempting to mislead the house.⁶¹ Some members of the PLP thought this was too light a punishment and wanted Vowles expelled from parliament.⁶² The *Courier's* leader writer saw it as an attempt to direct public attention from the large number of Labor nominees being proposed for the Legislative Council and wrote: "The Government has pulled out all the spigots from its spleen to drench Mr. Vowles' political reputation and besmirch his character. This nauseating political demonstration was to be expected."⁶³

The Council's investigation into the state enterprises was a leisurely affair being drawn out over six weeks with minutes of evidence being suitably printed each day in the morning press. The final report, on 4 December, based more on the evidence of witnesses opposed to state enterprises than on that of the

Auditor-General and Under Secretaries examined, came down heavily against the Government,⁶⁴ but by then the far more exciting political spectacle of the second conscription referendum had begun and this dwarfed any criticism the Council made of the Labor Government.

While the Council's committee took its evidence, the upper house became the centre of news in its own right. In his two years of office with Goold-Adams, Ryan had gained the Governor's confidence and respect by discussing matters of state with him, by asking him confidentially for his views on several occasions,⁶⁵ and by the exercise of that personal charm, which contemporaries agreed Ryan had naturally and in abundance. When the Premier therefore sought to appoint thirteen new members to the Council, the Governor saw this as a reasonable request as it would not swamp that house but would give the Government sufficient members to constitute a quorum in the absence of large numbers of non-Government members, a not infrequent occurrence.⁶⁶ In a house of nominally forty-five members, there were only five of whose support the Labor party could be sure.⁶⁷ Even the addition of thirteen new Legislative Councillors would not give the Government a majority there.

There was still a third of the PLP who were opposed to any appointments being made to the Council⁶⁸ but since the cabinet was unanimous the decision was agreed to, with the stipulation that caucus, not cabinet, should have the final say on the appointees.⁶⁹ Nominees were to be financial members of the party and had to fulfil all the conditions required for plebiscite selection with the addition to the normal pledge of a clause promising to support the abolition of the Council and to support the party policy in all divisions. Endorsement was to be first by the PLP and then by the CPE. In fact the PLP was ahead of the CPE which discussed nominations after the thirteen had been selected, but since three of the nominees were W. Demaine, R. Sumner and L. McDonald, president, vice-president and secretary of the CPE respectively, the PLP could hardly be out of order. It was a convincing demonstration of

where initiative and power in the party lay. The nominees were from a number of occupations and added considerably to the Government's debating strength.⁷⁰ The new appointments brought a shower of complaints and protests. Aggrieved members of the Council sought an interview with the Governor where they argued that this was an attempt to swamp that chamber and that the referendum had conferred a special status on the present Council,⁷¹ at which point the *Courier* took up in a special editorial: "Even the Premier must know that the vote for the retention of the Council was for the Council as it existed up to that time neither more nor less."⁷² The Government could not please all it seemed, as the BIC complained of the Labor party's attitude in not appointing any Brisbane industrial representatives.⁷³

On 17 October, Ryan introduced his most ambitious piece of legislation – a bill to establish a state iron and steelworks.⁷⁴ Next to his State Insurance Office, this was the project he most hoped to see brought into operation. The Public Works Commission had been appointed as a royal commission on 8 June 1917 to investigate the feasibility of such a scheme. Its progress report⁷⁵ on 11 August indicated that the raw materials were present in Queensland and that commercial pig iron could be produced at a profit to the State. The Commission had undoubtedly reported their findings to Ryan verbally and on this basis, while they completed their written report of evidence, he introduced his enabling bill. Though the members of the Commission had heard expert evidence, it must be said that, being all Labor parliamentarians, they were undoubtedly sympathetic to the project before the first evidence was heard. Ryan's second reading speech reflected his enthusiasm and faith in the project. This, he said, was the most important industry that could be established in a country which, with the experience of the war, had to become self-contained. The necessary materials were at hand, the market existed in Australia, all that was needed was the determination to make it a success.⁷⁶ He received a surprising amount of support from individual Opposition members but the non-Government members of the Council were more cautious. Apart from their

opposition to Government business enterprises in themselves, their own experience in business made them doubtful of some of the conclusions of the Commission. Consequently they placed a ceiling of £100,000 on the project.⁷⁷ This breach of the Assembly's power over finance, even when the upper limit was raised to £150,000, provided the excuse for Ryan's declaring the Bill "lost". Again it must be admitted that many members of the PLP were less than enthusiastic about Government enterprises and Theodore was having such difficulty balancing his budget – being forced against all canons of Labor economic philosophy to suspend the Loan Sinking Fund – that he was in no position to spend money on long-term projects. It nevertheless remained a dream of Ryan's, but had to wait for another dreamer of comparable ability and foresight to take it up in more prosperous times.⁷⁸

The elections were now only five months away. John Mullan, the new organizer, had made an extensive tour through the northern seats, while in Brisbane the WPOs had organized a Liberty Fair for 27 and 28 October, the anniversary of the conscription referendum, to raise money for the election campaign. Ryan wrote a special appeal to Labor supporters which the *Daily Standard* published in the Premier's handwriting. The original was auctioned for £21 at the Liberty Fair dinner. Ryan was the guest of honour at the dinner and was billed to deliver a "fighting speech". At that moment the labor movement and the Labor party wanted a boost to their morale to compensate for the crushing defeat of the southern strikes and the exhibition of naked power by the Nationalists' allies. Although tired and showing the strain of the past months, Ryan provided a speech to fit the occasion. The Labor Government in Queensland, he said, stood alone amongst the governments of Australia; on the big conscription question it had remained solid and it had taken its stand in the late southern struggle against unionism; although the unions had received a setback, he was satisfied that the eye-opening process would have good results in the future. The highest ground, he continued, on which the Government would appeal to the people was that it had carried out its programme as promised. Listing an impressive range of

legislation introduced in the previous two years, Ryan concluded that these were the best recommendations of the Government; these were for Labor supporters to boast of. Yet it had been in convincing the union leaders of the virtues of Labor in government during the strikes that Ryan had boosted the morale of the labor movement and had headed off the attempts of certain industrialists to try to assume control of the party. C. Boulton, president of the BIC, who had spent a month in Sydney during the strike testified in reply to the debt owed by Queensland unionists to the Ryan Government.⁷⁹ Ryan's successful combats with Hughes and the moguls of Australian commerce and industry had placed him on a pinnacle in the Queensland labor movement and made him the most talked about person in the Australian labor movement. The Liberty Fair extracted the last pennies from the labor pockets and provided enough finance to boost the important metropolitan campaign. It still could not compete with the £25,000 which Ryan claimed the Nationalists were receiving from the pastoralists, banks and insurance companies.

Despite having been abused on earlier occasions at recruiting rallies, Ryan had managed to squeeze in some additional recruiting meetings amid the turmoil of the strikes, courts and parliament. Recruiting in Queensland, as in Australia, had fallen off since August from 518 to 326 and 3,274 to 2,761 respectively. When General J.G. Legge had taken over the duties of Inspector-General in April 1917 (and Chief of the General Staff from 1 October 1917) Pearce had instructed him to analyse the recruiting and casualty figures to estimate the minimum numbers required to keep the five Australian divisions in the field up to strength. Legge submitted his report to Pearce on 8 October.⁸⁰ He estimated that 4,650 men per month were required to leave Australia to maintain the existing numbers which included 49,000 reinforcements already in England. However, continued Legge, if this pool of reinforcements was reduced to a minimum figure of 21,000 then 2000 recruits per month would supply the necessary reinforcements to July 1918.

The large drop in recruiting raised more loudly the talk of

conscription. Most Nationalists still prefaced their remarks at recruiting rallies with "I am a conscriptionist," while inside the Nationalist party in the Federal Parliament, the *Courier* reported, impatience at the ineptitude of the "win the war cabinet" was manifesting itself in frequent criticism. The threat was being openly voiced that if, during the parliamentary recess, the ministry did not evolve some satisfactory and adequate policy for sending proper reinforcements, it could expect to be attacked openly in the house when parliament met again.⁸¹ However, there seemed little chance that Hughes would attempt to revive conscription. Munro Ferguson wrote to Stamfordham, the King's private secretary, "I doubt if he [Hughes] could carry conscription if he tried, the verdict of the referendum being generally regarded as the voice of God . . . Conscription is dead."⁸²

At the end of October, the caucus asked Ryan to have a few days' holiday during the debates on the estimates.⁸³ He was looking quite unwell and tired after the gruelling session in parliament and the tension of the strikes. On 3 November, Ryan left Brisbane to attend a conference of ministers of labour on changes in the federal arbitration laws. When Hughes refused to reveal the details of his new scheme for industrial peace and made it clear that Higgins would not be in control of such a scheme, Ryan refused to discuss the matter further and the whole conference broke up.⁸⁴ Ryan addressed some meetings on behalf of the Victorian Labor party and prepared to return to Brisbane where Sir William Irvine was holding a public meeting in support of conscription. On 7 November, the federal cabinet met once more to hear Pearce's detailed outline of recruiting figures. Although the Anti-Conscription Committee had been re-formed in Queensland some months before, the labor movement did not expect the question of conscription to be raised seriously again. On the afternoon that Pearce addressed the cabinet and recommended the second conscription referendum, the *Daily Standard* in its editorial said: "Reports in the South, confirmed by the feeling in Queensland, are very much against any resurrection of the conscription issue."⁸⁵

13 “In Forty-Eight Hours I’ll Have Him”

Although the *Daily Standard*, in November, was apparently confident that a second conscription referendum would not be held, the same confidence had not been evident earlier in 1917 within the labor movement of Queensland which had reconvened its Anti-Conscription Committee. The committee appreciated that the majority of the State Recruiting Committee were conscriptionists, who maintained their faith in the need for conscription not only to reinforce Australia’s troops at the front, but also to force into the army the “slackers”, the apparent hordes of single men frequenting the hotels, race-courses and stadiums who seemed to show no concern at the possible downfall of the British Empire.

On 31 May, Dash had submitted to the State Recruiting Committee a report on the efforts made to induce more men to volunteer. The Queensland memorandum was forwarded to Pearce who had, at the same time asked the Commonwealth Statistician G. H. Knibbs to prepare detailed figures of enlistments, deaths and men available for the army.¹ MacKinnon also had been asked to set out his views on recruiting. Knibbs’ figures did not attempt to suggest any number of recruits required, or men required for home industries, but showed a comparison of troops sent to Britain by Canada, New Zealand and Australia; a further table showed that there were 140,000 single, 5000 widowed or divorced and 280,000 married “fit” men between the ages of twenty-one and forty-four who had not enlisted.² MacKinnon’s confidential report to Pearce on 7 June is interesting because it contained so much which concurred with Ryan’s expressed opinions. MacKinnon believed

that the people should be taken into the Government's confidence and told what the immediate requirements were for maintaining the army at the front. He was not averse to appealing to emotions to raise the target figure, but doubted the wisdom of proclaiming the current recruiting campaign the last under the voluntary system, as this would encourage many to hang back and wait for compulsion to be applied while hoping it would never eventuate. There had been a steady flow of 5000 recruits a month which he thought could be maintained, but, at the same time, he said, recruiting was being discouraged by "irresponsible and to a large extent misinformed talk about conscription." He felt there were "sinister influences at work to foment political strife and damage the voluntary effort." These, he said, were not the IWW, but belonged to the conscriptionists.³

Pearce forwarded these as confidential reports to Hughes and to Littleton Groom, Assistant-Minister for Defence. In Sydney on 29 June the Prime Minister, apparently in answer to MacKinnon's request, had quoted the number of single and married men available and made the first definite statement about the limits to Australia's contribution: "We have on the western front five divisions or roundly 100,000 men. This is Australia's quota which the Empire expects us to maintain at its full fighting strength." He said that the 4750 recruits a month averaged in 1917 was quite inadequate and ought to be increased to 7000.⁴

On 1 November, Pearce in a speech in Sydney, had provided the newspapers with the figures for enlistments, casualties and wastage, and the number of troops who had actually gone overseas. He said that since August 1914, 380,000 men had enlisted of whom 16,000 were still in camp in Australia, 313,000 had gone overseas and 109,000 were casualties, i.e. had either been killed or were now medically unfit for service.⁵ However, despite this number of reinforcements available on paper, General Birdwood was reported as considering breaking up the Australian Fourth Division to reinforce the other divisions after their losses at Ypres, Messines and Bullecourt in September and October 1917.⁶ Whether his intention of

breaking up the division was genuine or merely a ploy to force the Government into providing additional reinforcements is open to question. None of the divisions was broken up during the war despite threats made to do so in 1916, 1917 and 1918.

After the lengthy cabinet meeting on 7 November, the Prime Minister announced that as the voluntary system had proved inadequate to reinforce the armies, a referendum would be taken for authority to raise, by compulsory service, the additional number of troops necessary to maintain the five Australian divisions at effective strength. He would set out the Government’s proposals in detail in his own electorate, Bendigo, on 12 November. No date for the referendum was announced, nor was the wording of the question to be placed before the electors. Though parliament was in recess there was no indication that it would be called together to debate or ratify the decision.

From the moment of Hughes’ announcement of the referendum, Ryan determined to play a leading role in the opposition not merely to the conscription proposals, but also to Hughes himself. As he had exhibited during the 1912 strike, Ryan was able to sense when significant political events were occurring and he had a determination to involve himself directly and with purpose in these. In his first press statement after the Prime Minister’s announcement, Ryan again stressed the fact that he had been the only Australian premier to oppose conscription; this he said had been the right course. He also emphasized his having appeared frequently on recruiting platforms in contrast to members of the federal cabinet. On the holding of the referendum, he agreed with MacKinnon’s long-expressed view that it would interfere with the whole recruiting process. The vacillating policy of the federal cabinet, he said, suggested that conscription was in fact not as necessary as they were now alleging it to be.⁷

In Brisbane, Theodore’s comments were much the same, while in Sydney, Holman, surprised at such a precipitate decision, was equivocal in his support, but adamant that political censorship would have to be abandoned during the campaign and that “the appeal to the people [must be]

accompanied by absolute freedom of discussion by the press and platform.”⁸ Federal cabinet ministers were reticent about making statements. Tudor also was cautious about committing himself. He would, he said, consult with his parliamentary colleagues on the general lines of the campaign but would go no further than this until he had read Hughes’ manifesto.⁹ Ryan was asked by the Victorian Labor party to remain in Melbourne until 13 November to open the “no” campaign with Tudor and Higgs, and then to speak in Sydney with Tudor on 14 November.

The first indication of the type of campaign which was to follow came immediately when Hughes, perhaps recalling the energy and fervour of his own early days as a labor organizer checking electoral rolls, announced the closure of the rolls on 10 November, allowing only two days for people to ensure that they were on the roll. In some country areas, people did not receive this news until after the rolls had closed. In addition, naturalized British subjects, born in an enemy country, and persons whose fathers had been born in an enemy country were disqualified from voting. This seems to have been an obvious attempt to neutralize the heavy 1916 “no” vote from the wheat areas of South Australia where many German migrants had settled in the previous century, but in addition, considerably more than 20,000 voters were disfranchised in Queensland.¹⁰

The Prime Minister’s speech at Bendigo in which he announced 10 December as polling day and gave the form of the question to be asked has been described by Scott as “one of the best Mr. Hughes had made during his long political career.”¹¹ It certainly provided the basis for a campaign by both sides, relying heavily on figures and vituperation. “October 28 1916 was a black day for Australia: it was a triumph for the unworthy, the selfish and the anti-British in Australia.” So began the Prime Minister’s manifesto. To preserve civilization, he said, Australia must do her share and keep her five divisions in France and her forces in Palestine up to their full fighting strength. To do this it was necessary to raise 7000 men a month. It was impossible to do with less. The men, said Hughes, were available. There were in Australia over 770,000 fit men

between twenty and forty-four, 1,160,000 between eighteen and fifty-five and 1,244,000 between eighteen and sixty. Of the fit single men between twenty and forty-four whom the Government wanted there were 150,000 (married men were to be exempted). The failure to provide the reinforcements necessary, he continued, had not been because of the lack of men, but “because of the systematic campaign of poisonous doctrines insidiously disseminated throughout the country. Sinn Fein, which shrieks for liberty and takes German gold to do Germany’s dirty work, which is the paid tool of the great enemy of liberty, Sinn Fein, the IWW and the other disloyal sections of the community, killed voluntary recruiting.”^{1 2} MacKinnon had earlier suggested the complete opposite.

The 1917 campaign was in many ways quite different from that of 1916. Now the number of troops which Australia intended to maintain was known and the number of married and single men available for recruitment could be ascertained. The question was whether conscription was necessary to provide these. The labor movement began to do its homework on the figures available for reinforcements. In opening the Labor campaign in an overcrowded theatre in Richmond, Tudor concentrated on the numbers argument. But statistics and figures in a hot crowded hall can make dull listening and can confuse as easily as convince. The art of addressing a crucial political rally demanded more than just a well prepared speech. It demanded a capacity to establish a rapport with the audience, to lead them into the arguments and send them away feeling that they had witnessed a significant political action. Tudor lacked the stuff that distinguishes the good from the great, the sincere from the brilliant. His lists of numbers, which represented his speech, was well prepared, dull and confusing. Ryan, wearing a “no” button, was received by the crowd with applause which suggested that he, not Tudor, was to be the principal exponent of the Labor cause. At this stage he had not made a close study of Pearce’s figures and did not attempt in this, his first speech, to examine that argument, other than to warn that from the British experience, married men too would soon be called up if the referendum was passed. His speech

rested more on the factors people could easily understand and consider; the credibility of Hughes, the real intentions behind the referendum and the association between those who advocated conscription and those who made high profits out of the war. Again the call for conscription of wealth to accompany any conscription of life was a theme that ran through his address.¹³

Ryan's reception in Melbourne was repeated in Sydney where he addressed a huge crowd on 15 November. As yet he still had not formulated any clear manifesto opposing this referendum, but relied on his being the only government to stand out against conscription in 1916, and on the obvious difference in the numbers of recruits said to be essential in 1916, contrasted with the number required now. In the *Sydney Morning Herald*, on the same morning as Ryan's speech was reported, there were further figures supplied by Pearce regarding enlistments to date. There had been 380,000 recruits so far, said Pearce, of whom 60,000 had been lost as wastage, i.e. discharged for medical and other reasons and 16,000 were in training camps.¹⁴

In Brisbane the Anti-Conscription Committee planned their opening rally for Ryan's return. Though the Queensland labor movement had not been affected quite as badly as that of New South Wales during the strikes, the conscription referendum added to the major financial and organizational problems it was facing. The finances that were being gathered and directed towards winning the 1918 election now had to be deployed to the conscription campaign. Worse, the *Daily Standard* faced the possibility of having to cease production. Paper costs had risen from £14 a ton to £28 a ton in the previous year, while many advertisers were boycotting the paper because of its politics. Consequently there was insufficient income to pay costs. The unions were coming to the support of the paper with levies on their members, while individuals were making substantial donations, but the directors knew that the paper which would carry the Labor propaganda during the campaign could be forced to cease publication at any time. If the *Daily Standard* was to go down, it was determined to do all for the "no" campaign before it went. The advertising of Ryan's meeting on

19 November was given the largest possible space.

The daily press in Australia seemed determined to play down the "no" campaign. Tudor's speeches were reported, but in the least favourable news places and occupying less than one fifth of the space allocated to the conscriptionists. Supporting speeches of Ryan and Higgs were given even less space. The "no" campaign was further hampered, editorially, by Tudor's lack of fire when contrasted with Hughes, causing his speeches to sound dull and thus offering an additional reason for relegating them to the less prominent pages. By the middle of November, it seemed that the public would hear little of the "no"-Labor case except that which appeared in the labor, and in some sections of the Catholic, press. With this overt policy of censorship by omission and the absence of a figure comparable to Hughes on the "no" side, the surface indications were that there would be a "yes" majority this time. Only the speeches of Archbishop Mannix were given a wide press coverage from the beginning of the campaign. This was undoubtedly because of the animosity he aroused rather than any support he may have rallied to the "no" cause.¹⁵ In a campaign where British institutions, the Protestant religion and loyalty to the Empire were equated with support for conscription and the highest virtues, Archbishop Mannix, with his not too responsible remarks about the war, epitomized disloyalty and the Catholic attack on Protestantism and the British Empire. It was not surprising that the conservative press favoured him with large headlines and choice news positions. To offset this press disadvantage, the *Australian Worker* in Sydney became the munitions factory, churning out the "no" material prepared by the doyen of Australian labor journalists, Henry Boote, for use in pamphlets and by other labor newspapers. But Boote was pessimistic, he thought the odds were too great this time.¹⁶

During his return to Brisbane, Ryan and his private secretary, J. E. Broadbent, had been studying closely the statements of Pearce and Tudor on the numbers available and comparing these with the published estimates of General Legge. To make effective the anti-conscription argument on numbers, the sources had to be unimpeachable, hence the close study of

Pearce and Legge, and the arithmetic simple. In the archival papers there remains the following table constructed by Ryan and Broadbent, on the basis of the Pearce figures, as they travelled to Brisbane.¹⁷ Using Hughes' earlier statement that 100,000 troops were needed for the five divisions, Ryan's calculations resulted in an estimate that 120,000 troops were available to reinforce these divisions. The naval forces and the army in Palestine were not included in the calculations.

Total enlistments	380,000
Men overseas	313,000
balance in camp or who have been discharged for medical or other reasons	<u>67,000</u>
Number in camp	16,000
Leaving those discharged for medical and other reasons i.e. wastage	<u>51,000</u>
Hence, using Senator Pearce's figures—	
Enlistments	380,000
Deduct wastage	51,000
Leaving	329,000
Deduct casualties	<u>109,000</u>
	220,000
Amount required for five divisions	<u>100,000</u>
Available for reinforcements	<u>120,000</u>

Another similar table was constructed using the slightly different figures of Legge, which provided 100,000 troops for reinforcements.

At Toowoomba, the principal city in the electorate of the Assistant Minister for Defence, Littleton Groom, the Brisbane press sought an interview with Ryan for the following morning's edition. They were all in favour of reinforcing the AIF he said, but not by compulsory enlistments. The conscription referen-

dum of the previous year had militated against volunteer recruitment, yet the Prime Minister had not gone on any platform since then to seek recruits. Turning to the question of numbers, he pointed out the obvious weakness in the conscription case, that while 16,500 men a month had been necessary in 1916, after a further twelve months’ war, only 7000 a month were now required. If the Prime Minister’s figures were wrong then, could they be trusted this time? The major question was how many men were, in fact, available to reinforce the AIF. Without comment, the *Courier* published his estimate: “Already 383,000 men had enlisted of whom 60,000, they were told had not left the Commonwealth. Further they were told that there had been 114,000 casualties, which left 209,000. To keep up the five divisions, comprising 100,000 men, they had 209,000.”¹⁸ That the *Courier* published this last part of the statement, without comment, was important since these few lines, when repeated in Brisbane on the following night and later in parliament, were to provide the issue about which the most amazing sequence of events of the whole campaign revolved.

In a speech in Brisbane two days later, Groom did not deny the accuracy of Ryan’s assessment that 109,000 men were available for reinforcements. Furthermore, in a letter to the *Daily Mail* on the day after the report of his speech, he again accepted that there were 100,000 men available, but emphasized that many of these were in training and that if reinforcements were not sent and casualties continued there would be no reserves in eighteen months. His estimation of the time during which the 100,000 mentioned would be available was more generous than Ryan’s figure of twelve to sixteen months.¹⁹

Whether because of the obvious danger of Ryan’s and Tudor’s calculations, or in order to hobble more the anti-conscription campaign (referred to in the press as the “anti-reinforcement campaign”), on 19 November, when Ryan was to address the major rally in Brisbane, Hughes added yet another regulation to the War Precautions Act dealing with persons who made any false statements during the campaign. It provided that

a person who made any false statement of fact likely to affect the judgment of the electors in relation to the votes, would be required to appear in court within forty-eight hours of the service of the summons. When a person had been convicted of making such a false statement, no journal, newspaper or pamphlet could republish that statement or a statement substantially the same.²⁰ The *Courier* noted truthfully in its editorial: "This cuts away the ground from the anti-campaign".²¹ It was not however the making of false statements which cut away the ground, but the power that the regulation gave to over zealous censors.

Despite Hughes' assertion that there would be no restriction on political criticism, the "no" campaign was hobbled from the start by the censors. Boote was continually hounded in Sydney by the censors who demanded to see every article and every cartoon to be published. In Brisbane, two military censors were placed permanently in the office of the *Daily Standard* and prevented its reprinting material that had already appeared in the *Brisbane Telegraph*.²² So apparent and clumsy was the censorship of the labor press that even the *Courier*, which did not suffer the indignity of a censor stationed in its office, complained that "the censorship has gone quite as far as it is expedient to take it . . . the true protection is not by regulation and penalty, but superior persistence in hammering in the actual truth, and a greater confidence in public intelligence."²³ Ryan agreed. The censorship seemed aimed at preventing any arguments being put forward by the anti-conscriptionists, not at preventing the dissemination of lies. Had the official historian, Scott, patiently examined the files of the labor press, rather than merely using the *Argus Index* as the basis of his research into newspaper censorship, he perhaps would have been more sympathetic to the frustrations of papers like the *Daily Standard*, the *Australian Worker*, *Labor Call* and numbers of others. Neither the *Argus* nor the archival reports of the Chief Censor apparently revealed that these anti-conscriptionist papers were not deliberately seeking to provoke the censor or to assist the Germans, but that they wanted a free press which could disagree or agree with the Prime Minister and con-

scription.

On 19 November, the anti-conscription campaign opened in Brisbane with meetings in the Centennial Hall and in Albert Square outside. Theodore, as chairman of the Anti-Conscription Committee, chaired the main Centennial Hall meeting where the stage was packed with returned soldiers, mothers of soldiers at the front and leaders of the “no” campaign. The main resolution opposing conscription was, significantly, moved and seconded by two returned soldiers, but it was Ryan whom the people had come to hear and so crowded was the hall, its entrances and balconies, that he had to be brought in through a side entrance. He spoke for an hour and five minutes, with the press – labor and daily – taking down every word. Like that of Hughes at Bendigo, Ryan’s speech befitted the occasion.²⁴

If the referendum was carried, he said, it would lead to such dissension among the people and to such a falling off in other kinds of assistance to the war effort, as to more than neutralize the benefit of the additional forces. His theme was clear: the people had been misled about the number required in October 1916, they were misled again on the introduction of conscription in May 1917 and they were being misled now. There had been a consistent and organized attempt to destroy the voluntary system by those advising the Prime Minister, who had not sought recruits himself on the recruiting platform. The next part of Ryan’s speech was crucial to the whole acceptance by the people of the argument for conscription:

Now five divisions are 100,000 men, and since the beginning we have recruited 383,000 men in Australia. Of that number they tell us 60,000 have not left Australia’s shores. Very well there have been only 114,000 casualties. Very well I put these two together and take them from 383,000, which leaves 209,000. As five divisions are 100,000, I take them away and 109,000 men are left for the purpose of reinforcements. So that on these figures without any further recruiting you could go on from twelve to sixteen months. [Loud and prolonged applause]. And if we continue the voluntary system at the rate they say we are now doing, we would go on for over two years able to reinforce on these numbers at the rate of 7000 men per month. Yet you are asked to sanction the proposals for the compulsory deportation of the single men of the country – the single men between twenty to forty-four.

The question Mr. Hughes puts is this – “Are you in favour of the proposal of the Commonwealth Government for reinforcing the

Commonwealth forces overseas?" How misleading that question is! I don't care whether you are for "Yes" or for "No". But is that a fair form of question? [No!] And does not the Prime Minister know that the people of Australia know it is unfair? That it is intended to mislead? To get them to vote for "reinforcements". We are all in favour of reinforcements. [Great applause]. But not only are they misleading those in Australia — they are keeping the men at the front in the dark. Is there anything more reprehensible, more to be condemned than the attempt on the part of your own Government to deceive the men who are fighting for you at the front? [Hear, hear!] That is what is being done by the form of the question, and I appeal to all fair-minded Australians to gauge these proposals by the way in which they are brought forward and by the manner in which the question is being asked. [Applause]. We are told by the Prime Minister that if I were to tell a lie on this platform tonight I will not get a chance of telling another during the campaign, so I have to keep strictly to the truth.

As Ryan warmed to his subject, the audience laughed and cheered. The Premier was in good form. When repeating Hughes' statement of 1915 that he would not send a man out of the country to fight, against his own will, a conscriptionist lady interjected: "He also said he would give the last man and the last shilling!" to which Ryan replied: "People who are anxious to give the last shilling are very slow to give the first." The real reason, he said, for conscription lay in the criticism of Hughes by the Tory press for Australia's not doing more to win the war. MacKinnon was, surprisingly, to say much the same in his report on the referendum in February 1918.²⁵ Concluding with Hughes' charge that Sinn Fein, disloyalists and traitors were the ones opposed to conscription, Ryan posed the question of the 58,000 soldiers at the front in 1916 who had voted "no"; were they also to be included among the traitors? Amid cheering, Ryan left to address the open-air meeting in Albert Square while Alf Jones and Senator J. Ware from South Africa continued.

When people in Brisbane bought their *Courier* or *Daily Mail* next morning to read Ryan's speech, they found much shortened versions. When they bought the *Daily Standard* in the afternoon, they found that the speech printed there omitted several vital parts of the speech which Ryan had delivered and which the reporters had copied. Concerning the numbers available for reinforcement, the *Daily Standard* reported: (The

omission of words from Ryan’s original speech have been shown thus —. These were inserted by the author.)

Now five divisions are 100,000 men, and since the beginning we have recruited 383,000 men in Australia. Of that number they tell us 60,000 have not left Australia’s shores. Very well, there have been only 114,000 casualties — Yet you are asked to sanction the proposals for the compulsory deportation of the single men of the country — the single men between twenty to forty-four — The question Mr. Hughes puts is this — “Are you in favour of the proposal of the Commonwealth Government for reinforcing the Commonwealth forces overseas?” — I don’t care whether you are for “Yes” or for “No” — To get them to vote for “reinforcements”. We are all in favour of reinforcements. We are told by the Prime Minister that if I were to tell a lie on this platform tonight I will not get a chance of telling another during the campaign so I have to keep strictly to the truth.²⁶

This was not the usual editorial cutting of a long speech, but the result of cuts ordered by the censor of those parts of the speech which had already appeared in the *Courier* the day before. His reported speech now in fact suggested not opposition to, but support for conscription. On learning of the censor’s actions Ryan issued a press statement indicating that his speech had been censored in the interests of the conscriptionists. To illustrate the bias of the censors, he pointed out that Groom had been allowed to reply to his (Ryan’s) analysis of the numbers available even though now these were not allowed to be published. The censors refused to allow this statement to be published in the press.²⁷

Most members of the PLP had been understandably more concerned with the parliamentary session which they hoped to see brought to an end shortly, after which they could return to their own electorates. At the weekly caucus meeting on 21 November this mood had changed; there was unanimity in their protest against the censoring of the Premier’s speech. As Ryan was late arriving at the meeting, Theodore occupied the chair. Before he arrived, McCormack suggested sending copies of the speech to the country areas through *Hansard* if publication in the daily press was prevented. After some discussion it was agreed that an effort should be made to place a copy of *Hansard* containing a motion of protest and the censored speeches in the hands of as many electors as possible.²⁸ Just how this

last-mentioned part of the resolution was to be effected was not discussed nor was there any suggestion that any different type should be used to show the censored portions.

After question time in the Assembly on 21 November, Ryan made a statement on the censoring of his speech and on the refusal of the censors to allow his press statement to be published. He read the text of a telegram sent to Hughes protesting against the censorship of his speech and asking him to "put a stop to this gross abuse of the censorship, which is illegal and a flagrant infringement of the time-honoured rights of British people". He gave notice that on the 22 November he would move a motion protesting against the manner in which the censorship was being abused to suppress reports of the views of those opposing the Commonwealth Government's conscription proposals. He made no mention of any special *Hansard* to incorporate this, nor of any plans for printing additional copies.²⁹

On 22 November, a packed gallery heard Ryan deliver a speech which was to change the tone of the whole referendum campaign. He began slowly by expressing his pleasure at the news of the allied advance in Europe and by setting Macartney back in his place when the latter interjected. Censorship was no doubt necessary, he said, but only to prevent information getting to the enemy. There were laws under the Defamation Act and the criminal code to provide for the prosecution of people who published lies, but censorship was being used to suppress the views of those opposed to conscription. He referred to the refusal of the Commonwealth Government to allow the cablegram to Philip Snowden to be sent in 1916 as an instance of the type of censorship that had existed at that time. He did not read the whole of his earlier speech but concentrated on those extracts that the censor had struck out. When the *Hansard* was published these censored extracts appeared in heavy type. Ryan not only explained once more the basis of his calculations but contrasted his estimation of a period of twelve to sixteen months during which reinforcements would be available with Groom's estimate of eighteen months. If recruiting went on at the same rate as then, there would be a sufficient

number of men recruited during those months to keep the five divisions reinforced, with the 109,000 for two years.³⁰

Tolmie followed for the Opposition arguing that there was really no proof that Ryan’s speech had been censored or that one side was censored more than another.³¹ Given the political atmosphere of the time, there were undoubtedly many who believed him. However, he was simply not competent enough politically either to refute Ryan or support Hughes and floundered on to an amendment supporting the Federal Government. Vowles, in seconding the amendment, ran into trouble with the Speaker, rejected Hughes as a leader of anyone on his side of the house and taunted Ryan into including in *Hansard* the censored cable to Snowden. Theodore’s role in the debate was to include in the *Hansard* the text of two pamphlets: *Conscription the Death of Unionism* and *Conscription An Appeal to Reason. Facts Fairly Stated*, written for farmers; both of these had been carved up unmercifully by the censor. Macartney had raised the possibility of the Government’s using *Hansard* to have the material disseminated through the State. “I hope”, he said, “that in some way or other that nefarious attempt will be foiled.”³² The debate over, the house adjourned at 11.25 p.m. on the night of 22 November and the *Hansard* reporters began typing up the copy for the Government Printing Office.

The story of how, as a result of the passing of Ryan’s resolution, a special *Hansard* was produced to be circulated through the country has to be pieced together from contemporary documents and from the evidence of two libel cases heard in the High Court concerning Ryan and the Melbourne *Argus* and the Hobart *Mercury*.³³ McCormack as speaker was responsible for the printing and any censoring of *Hansard*. He, Theodore and Fihelly were as close as any three members of caucus. Besides being Treasurer and Deputy-Premier, Theodore was chairman of the Anti-Conscription Campaign Committee which also contained the Assistant Minister for Justice, Fihelly. Lewis McDonald, CPE secretary, had remained secretary of this committee which had already experienced the heavy hand of the censor in having its anti-conscription pamphlets so cut as to

make them worse than useless. At a meeting of the Anti-Conscription Committee on either the afternoon of 21 or the morning of 22 November, it was decided that copies of the *Hansard* containing both the censored parts of Ryan's speech and the censored pamphlet would be sent to all organizations associated with the anti-conscription campaign for distribution in their area. On Thursday 22 November McDonald, as CPE secretary, wrote to each WPO president and secretary, informing him of the committee's plan and asking him to call a special meeting of the WPO.

Broadbent, Ryan's private secretary, had brought a newspaper galley slip of Ryan's earlier speech to the Government Printer on 22 November asking for some proofs to be run off, but A. J. Cumming, the Government Printer, had refused as the galleys had obviously been through the censor's hands and he had received a letter from the censor on 13 November regarding publishing material already censored. Broadbent had taken the galley slips away. However, on the following day, Friday, the Under Secretary of the Treasury had rung Cumming to find out when *Hansard* was normally printed and to inform him that 10,000 copies of a special *Hansard* were required for that evening. Both the Government Printer and his chief overseer of the composing room, James Wrigley, were unhappy about publishing a *Hansard* containing censored material, without the authorization of the Government. Since it was the Treasury who had ordered the special *Hansard*, Cumming refused to print without written authority, being prepared to accept dismissal as a consequence. After some thought, Theodore provided this. Whether he had consulted Ryan about the 10,000 extra copies or about having the censored portions brought out in heavy type, was not revealed; however it seems certain that the *Hansard* plot as it evolved was the work of Theodore, Fihelly and McCormack in the PLP together with McDonald and possibly Cuthbert Butler, secretary of the Anti-Conscription Literature Committee. During the *Argus* libel case in August 1919, Ryan said he had known nothing of the Government Printer's intention to use heavy type for the censored part of his speech nor had he known that Theodore would speak or what

he might say.³⁴

Both Theodore and McDonald had either underestimated or been ignorant of the vigilant censors stationed in the sorting room of the post office to open letters addressed to persons suspected of being enemy sympathizers, or just suspected.³⁵ Anyone with a German sounding name was included among those under suspicion. The president and secretary of the Gladstone WPO had the surnames of Richter and Schache. Both were Australian born, but, because of their German names, were under surveillance by the military authorities. McDonald’s letter of 23 November to Schache was opened at the post office and passed on to the censor for Queensland, Captain J. J. Stable, a lecturer in English and foreign languages at the Queensland University. On the night of 23 November when the first batch of special *Hansards* was confiscated at the post office, Stable rang Cumming about them and gave him a letter the next morning forbidding him to print or publish the debates on military censorship without the permission of an officer of the censorship staff. Cumming informed him that only the Speaker had the authority to censor *Hansard* and showed him the letter from Theodore authorizing the publishing of the special *Hansard*. Cumming then went to McCormack’s office where the latter brusquely told him that he would do as the Government ordered him.

By this time Ryan had been informed of what had occurred and sent for both McCormack and Cumming. Theodore had also been summoned. Behind the closed door of the Premier’s office, Ryan studied the censor’s letter and Theodore’s memorandum. After some time, Cumming was told that he would receive a letter, from the Justice Department, for him to sign and return to Stable. The letter, which it seemed Ryan had drafted, expressed surprise at Stable’s letter and pointed out that, when Hughes had been the Federal Attorney-General in 1915, he had ruled that the Speaker alone was responsible for censoring any speeches delivered in the house. It suggested that the proper remedy was an application to the court for an injunction to restrain the further publication of the report of the debate.³⁶

Hughes was in Sydney preparing to leave for Brisbane where

he was to address a meeting at the Centennial Hall on Monday night 26 November. He did not reply to Ryan's telegram regarding the censorship of his speech but issued a statement rejecting all suggestions of the existence of any political censorship'

The censorship is being made a stalking horse by the anti-conscriptionists. All I can say is that very definite instructions have been given that there shall be absolutely no restriction on political criticism.³⁷

Stable had either wired Hughes a report of the publication of the special *Hansard* or discussed the matter with him on his arrival in Brisbane. One thing was certain, the Government Printer was proceeding with his publication of the *Hansard*. A pink cover was provided on the Monday for the Assembly debates only, and instructions had been sent from the chief shorthand reporter and from Broadbent that marked passages in Ryan's speech were to be brought up in the same heavy type as those in Theodore's speech. The Under Secretary of the Treasury asked for 1500 copies to be sent to the Justice Department and 5000 copies to be sent to Lewis McDonald that afternoon.³⁸ After addressing his conscription meeting, Hughes took Brigadier Irving, Captain Stable and a number of uniformed soldiers and at ten o'clock led a raid on the Government Printing Office, where 3300 copies of *Hansard* and type of all manner were seized.³⁹ Hughes himself did not enter the printing office. Cumming rushed to the office where he tried to save the non-*Hansard* type and promised the censor that no further copies would be published. Sometime after midnight, Ryan who was then living only a hundred yards away in George Street, appeared, clad in pyjamas, with his chief ally and adviser, Hunter. After listening carefully to Cumming's story and his pledge to the censor, Ryan agreed that since the Government Printer had given his word this had to be respected. *Hansard* 37 was taken off the press.

Despite this being the most dramatic story of the conscription referendum, newspapers were forbidden to publish the letter from Stable to Cumming, Ryan's reply, or in fact any report of the raid. This transgression of the rights of newspapers

to inform the public most surely rank as one of the worst during the war.

Ryan was not aware of Hughes’ part in the raid, though no doubt he would have recognized the Prime Minister’s part in ordering it. On the following morning he wrote to Hughes, informing him officially of the failure of the postal authorities to transmit *Hansard* 37 and of the raid by the military on the Government Printing Office and the seizure of some thousands of copies of *Hansard*. He reminded Hughes of the Prime Minister’s earlier decree that the censorship of speeches in Parliament was under the exclusive control of the Speaker and protested against the invasion of the rights of a sovereign state. He further requested that the postal authorities be instructed to transmit the *Hansard* and the military authorities to restore the seized copies. It was in a way throwing the gauntlet at Hughes’ feet, yet it concluded in typical Ryan form on a softer note. Ryan was above all a constitutionalist who believed that political decisions should be guided by reason not emotion and should remain within the law. His concluding appeal was to the Prime Minister’s reasonableness: “I am sure you must realize the great necessity of avoiding anything in the nature of displays of military force which may inflame the public mind at a time when feeling is already running high.”⁴⁰

Hughes did not answer Ryan immediately but asked him to come to his hotel that afternoon where they could discuss the censorship, *Hansard* 37 and the military raid. During the conversation, Ryan later claimed, Hughes had said that there was nothing in Ryan’s speech which required censoring.⁴¹ It was the two anti-conscription pamphlets of Theodore and Fihelly which Hughes agreed needed censoring. Ryan’s conversation with him settled nothing. Hughes was quite obdurate. The censorship would remain and the copies of *Hansard* would not be returned. Ryan could be reasonable, but as he had shown in the past, he could also be as tough as any other politician. Having written to Hughes, talked to him and still not succeeded, he called a special cabinet meeting where a direct confrontation was agreed upon. Fifty thousand copies of a four page *Government Gazette Extraordinary* were published that after-

noon informing the public, of the sovereign State of Queensland of the Commonwealth of Australia, that a report of the proceedings of the Legislative Assembly had been denied transmission through the post by the Federal Government. It was obvious that the main purpose of the *Gazette* was to publish the hitherto censored letters of Stable and Cumming's reply which included Hughes' earlier pronouncement that the Speaker alone could censor speeches, together with Ryan's protest to the Prime Minister. The public was also informed that neither Cumming's nor Ryan's letter had been answered. Given Hughes' continued frustration by Ryan during the previous twelve months, his willingness to use the War Precautions Act, and even military force, to counter a political opponent and the bitter feelings of Hughes' political allies towards Ryan and his Government, the publication of the *Gazette* made the whole situation explosive. It now depended on each man keeping his head to prevent public disorder. Never a revolutionary, Ryan therefore concluded his *Gazette* with an appeal for calm and order: "My Government will take the necessary steps with the legal means at its disposal to inform the public on the matter and in the meantime may I express the hope that all citizens will respect the law and maintain the strictest order."⁴² As they came off the press, copies were broadcast through the streets, distributed from cars through the suburbs of Brisbane and handed out at the doors to all those attending Hughes' conscription meeting at the Exhibition Ground that night.

The die was cast. No censorship could confine to Queensland what was a national sensation — a military raid by the Commonwealth Government on a state government office. Telegraph wires ran hot as the news was flashed to all the capital city newspapers. Hughes cancelled an afternoon women's conscription meeting to draft his reply.

A packed Exhibition Ground waited, more interested to hear what Hughes would do to Ryan rather than why there should be conscription. The Prime Minister could hardly deny the existence of political censorship, yet he was too experienced and too toughened a politician to make any admissions which would weaken his own case or provide his opponents with

deadly ammunition. Ryan, in publishing the *Gazette* while Hughes was on the spot, had thrown down a challenge from which Hughes could not retreat. Nor did he. Having delivered a fiery referendum speech, which the newspapers relegated to a secondary position, he launched his attack on Ryan, when acknowledging the vote of thanks. After referring to the *Gazette* and Ryan’s letter there, he read his reply – a document containing fifteen points which Ryan subsequent described as a manifesto not an answer to his letter.⁴³

The Commonwealth, said the Prime Minister, was vested with supreme power to conduct all matters relating to the war. With these matters a state government had nothing whatsoever to do. Because of the war situation in Europe and General Birdwood’s request for more reinforcements, the Government had put forward certain proposals and was determined that the misrepresentation of facts, which was the principal cause of defeat in the 1916 referendum, would not be repeated. Ryan’s Government at the direct request of the Anti-Conscription Committee had sought to flood the country with the grossest misrepresentation of fact under cover of parliamentary privilege. The *Hansard* was a *Hansard* in name only, it was in effect a “no conscription” pamphlet containing statements to mislead the electors and prejudice voluntary recruiting. The Commonwealth would not permit its authority to be defied or undermined by any individual or state. The Commonwealth was supreme in matters relating to the war and its authority completely overrode all rights of the states with which it might conflict. There was no political censorship of the press and any statements Ryan liked to make about conscription could be made there. His fifteenth point was a warning: “Rest assured if some of the statements published in your so-called *Hansard* are repeated outside, I shall know how to deal with them.”

One of the marks of the supreme political orator is that he is able to build up to a crowning climax. In 1917, Hughes was probably the most astute politician in Australia and certainly one of the most accomplished platform speakers. Having read his reply to Ryan’s letter he produced the letter written by McDonald to Richter and Schache. “Dear Comrade”, the letter

began, but Hughes was out for blood and gave "Comrade" a German pronunciation "Kamerad". He was now not merely rebutting Ryan's charges but issuing his own direct challenge. There were lies and statements in the *Hansard*, he said, which not one of the Labor speakers was game to repeat outside parliament. Ryan was trying to show that the Federal Government was stifling free speech, but there was no political censorship in this campaign.

The exact words that Hughes used to conclude his challenge were reported differently by different sources. The *Courier's* report was: "I am inviting Mr. Ryan to repeat outside the House what he said in 'Hansard' and if he does so within forty-eight hours I will have him." A later correspondent writing to the editor claimed that Hughes had said Theodore, not Ryan, to which letter the following was appended: "The correctness of our report is vouched for by our reporters. Ed. B. C."⁴⁴ The *Daily Standard's* version was: "And I say this, if either of them does – then within forty-eight hours I will have him". However, Macartney, who had been on the platform with Hughes, claimed later in parliament, that Hughes had intended his remarks to apply to Theodore's pamphlet statements.⁴⁵ The *Daily Mail* headed its report of the meeting "Challenge to Mr. Theodore" and quoted Hughes as saying: "I invite Mr. Theodore to repeat outside what appears in 'Hansard' as having been said by him in the House and if he does I will have him", while the *Adelaide Advertiser*, which seemed to be receiving syndicated Queensland stories, but whose reporting of the whole series of incidents in Queensland was less inflammatory than that of other newspapers, quoted Hughes in Ipswich, on the following day, as inviting Theodore, not Ryan, to say on a public platform what he had said in parliament. The available evidence and Ryan's discussion with Hughes at his hotel, suggest that it was Theodore rather than Ryan to whom the challenge was issued. For the moment the challenge stood unanswered.

Given the Prime Minister's highly agitated frame of mind, no one in the Government was quite sure what he might do next and as a precaution against further military raids on the Government Printing Office, unarmed policemen were placed

on guard at the entrance. The only result seems to have been to annoy Cumming who asked for their removal. Ryan’s political associates suggested, seriously, that Ryan should have Hughes arrested on suspicion of being of an unsound mind and held for specialist medical examination.⁴⁶ Though sorely tested, Ryan rejected the advice. On the other hand, Nationalists like Macartney and M. H. Ellis interpreted the stationing of the police in the printing office as evidence that Queensland was preparing to secede from the Commonwealth and establish a republic.⁴⁷

Having concluded his Brisbane visit, Hughes left for Ipswich on the morning of 26 November to address a special midday meeting. The hall was overcrowded, perhaps more out of a macabre interest in this fragile looking heap of violence than in what he had to say about conscription. The confrontation with Ryan in Brisbane not only had affected the attitude of the spectators to Hughes but had noticeably upset Hughes himself. His Ipswich speech bore all the signs of a man who was not as fully in control of himself as he should have been. He seemed obsessed with the paramountcy of his authority as Commonwealth Prime Minister and the supposed challenges to this. “If there was any organized opposition to the Commonwealth instructions it would not be tolerated for a moment,” he warned. “Stringent measures would be taken to crush it and the police and State Officers must cooperate in those measures. The Commonwealth must, and would be, obeyed.” He concluded by praising the American way of dealing with the treachery that surrounded him: “. . . there was a white wall — and no more.”⁴⁸

From Ipswich he travelled to Toowoomba where a rather violent crowd waited for him outside the hall where he was to speak. Inside, a sympathetic crowd was prepared to cheer every sentence, especially one announcing that Finlayson was to be prosecuted for making a misleading statement. By now, Hughes was forming his own public explanation of the extraordinary events in Brisbane of the previous days. With so many Irish Catholics in the Queensland Cabinet, he made an obvious appeal to British Protestant sentiment by devoting half his speech to a

tirade on Archbishop Mannix whom he said was really the chief spokesman for the “no” party, not Tudor. Sinn Fein, the IWW and Germans, he said, were synonyms for anti-conscriptionists. It was not to be expected that opponents of conscription, Catholic, Protestant or atheist, would accept mildly such gross generalizations. Outside the hall they waited with eggs, to greet the Prime Minister, who tactfully left by a side entrance. Not all Queenslanders loved Mr. Hughes.

Hughes' visit to Brisbane had taken the referendum spotlight off the main population centres of Sydney and Melbourne, and cast it directly on southern Queensland where it soon became known that Ryan had accepted Hughes' challenge. As the Prime Minister travelled from Ipswich to Toowoomba, Ryan told the Legislative Assembly that polling day – Thursday 20 December – would be proclaimed a public holiday in Queensland. In a personal explanation, after Question Time, he referred to Hughes' reported remarks regarding the speech in *Hansard* 37. He said that he did not wish to withdraw anything and, in fact, would take an early opportunity of saying on a public platform what he had said in the house. As he warmed to the prospect of asserting his rights against the Prime Minister, he began to lose some of his usual calm and McCormack in the Speaker's chair had to check him. However, the house and public upon reading the afternoon newspapers learnt that Ryan would repeat his *Hansard* speech, which was really only an earlier Centennial Hall speech, on the same night as the Prime Minister spoke in Toowoomba.⁴⁹ It mattered little whether Hughes had challenged Ryan or Theodore or both, Ryan was the leader and assumed the role of champion of the anti-conscriptionists.

The Centennial Hall could not hold the crowd of thousands who spilled out to fill Albert Square where a second platform was erected. At 8.10 p.m. Ryan and his wife made their way on to the platform on which were prominent Labor men and women, a number of returned soldiers and Charles Webster, a pastoralist who had opposed Ryan in Barcoo in 1915. The labor organizers had omitted nothing. After some introductory remarks by the chairman, Ryan – suffering from a heavy cold – rose to address the meeting. He was forced to wait for several

minutes until the cheering subsided. His speech was well prepared. Indeed, his performance could have been likened to that of a first-class barrister addressing a jury or to an experienced and skilful teacher ensuring that his class understood clearly a most important lesson. He began by outlining in some detail the background of the censorship of his original speech, the decision to place his speech and Theodore’s anti-conscription pamphlets in *Hansard*, his meeting with Hughes and the publication of the *Gazette Extraordinary*. Coming to his censored speech in *Hansard*, he said, with emphasis: “I am going to read to you my speech because he has challenged me to do so.” Ryan was not taking lightly, nor did he want his audience to take lightly, the significance of what he was about to do. To challenge openly the authority of the Commonwealth Government even though it was his duty to do so, was a task he undertook very seriously. He reiterated his reliance on constitutional means and hoped the Commonwealth censor would now allow the previously censored parts to remain in the press reports. When he had read out the crucial parts, Ryan, as always, appealed for reasonableness on all sides, but these were not reasonable times. Having concluded his speech, he went out into the Square to repeat the important parts.⁵⁰

On the following morning it was apparent that the censor had not relented, as Ryan’s figures on the number of reinforcements available were once more struck out of the press reports. In another column it was announced that summonses would be served on Ryan for making a false statement likely to affect the judgment of the electors, viz, that 109,000 men were left for the purpose of reinforcements, and on Ryan, Theodore, McDonald and Butler for conspiring to distribute in *Hansard* 37 matter — *Conscription, the Death of Unionism* — not first submitted to and approved by the censor.⁵¹

“Having Ryan and Theodore in forty-eight hours” turned out to be a legal anti-climax. However, there was little doubt that the conservative press throughout Australia would not again underestimate Ryan or give him anything but grudging praise and respect. Not being a man of great fire, appeal or ability, Tudor caused them little worry, while Mannix enraged more

opponents, even some inside the Catholic Church, than he gained supporters. Ryan was now a different proposition. Australian conservatives had accepted their Labor opponents and had agreed in the nineteenth century that Labor should rightfully be represented in parliament. This attitude persisted until political Labor threatened their economic, social or political power. In using constitutional authority, coolly and successfully, to confront Hughes and the whole conservative edifice behind him, Ryan represented a real threat. The *Argus* in Melbourne gave the lead in its editorial of 29 November:

Almost any outbreak may be expected from the Ryan Ministry in Queensland and it is almost incredible that it should have descended so low as to have entered into the paltry and contemptible conspiracy with Germans and other disloyalists against the authority of the Commonwealth Defence department.

Munro Ferguson, in his report to the Colonial Secretary on the referendum, described Ryan as the most dangerous influence in Australia.⁵²

The remarkable and unique occurrence of a prime minister charging a state premier with conspiracy made other news of the referendum pale and anaemic by comparison. All Australia was stirred by a political conflict that had no precedent or parallel. Thanks to Hughes, Ryan had become the outstanding figure among the anti-conscriptionists and the *de facto* leader. With this went the tacit leadership of the Australian labor movement. To satiate readers' demands, every small piece of news related to the raid, the Prime Minister's challenge, or Ryan's reply, was syndicated throughout the nation's press. The stationing of a uniformed police guard outside the printery was Australia-wide news and that a uniformed soldier, sent by Hughes to see that no more *Hansard* 37 were being printed, was refused admittance by the police, made headline news. Probably since the 1914 election and certainly since the retirement of Fisher, Hughes had been the outstanding personality in Australian politics, outstripping even Holman, but to readers of the daily newspapers in 1917 there was little doubt that, in Ryan, Hughes was finding an opponent to match him.

At few other times in Australia's history have opinions been

so deeply held and so violently expressed. The aim of the propagandists from each side was to show that lies were the basis of the other’s case. Every last drop of political advantage was squeezed out of every meeting and every press report. Ryan was not lacking in political nous nor in his ability to score political advantage, but Hughes, with the greater advantage of a complete daily newspaper service behind him, surpassed his Queensland opponent. Nowhere was this demonstrated better than in the “Warwick egg incident”, where in the space of thirteen minutes a small Queensland country town on the railway line linking Brisbane and Sydney achieved national notoriety and confirmed for conscriptionists the disloyal, Sinn Fein, anti-conscription and revolutionary alliance of which Ryan was the head.

The non-labor newspapers in the capital cities printed the report of the *Courier* and the *Argus* representative accompanying Hughes.⁵³ As later statements of eyewitnesses showed (among them local Nationalists and conscriptionists), and the report of the Nationalist-supporting Warwick *Argus* confirmed, this report was notoriously inaccurate and written to present a picture of a generally lawless state where the police were under the control of a government unable to maintain law and order and decidedly disloyal to the Empire. It is a further weakness of Scott’s official history that he accepted the report in the *Argus* as being correct and followed it very closely in describing the incident.⁵⁴ Using the police records, sworn statements of those closest to the Prime Minister and the local newspaper descriptions, one can piece together a more accurate account of what occurred.⁵⁵

Following the tumult in Brisbane, Senior Sergeant Kenny, in charge of the police at Warwick, had applied for extra police for Hughes’ short visit and had eight men including himself at the station when the Prime Minister arrived at 2.59 p.m. A large crowd, which included railwaymen working on the maintenance of the line, had gathered about a small dais erected off the station platform, from which Hughes would speak. As he approached the dais two eggs were thrown from the crowd, one of which dislodged the Prime Minister’s hat. A Nationalist

official, who happened also to be a returned soldier, jumped from the platform into the crowd and struck the assailant, Paddy Brosnan, about the face. The latter's brother, Bart, joined in and the police broke up the fight and removed the two Brosnans. Bart Brosnan did not return to the meeting though Paddy did. When the egg hit his hat, Hughes rushed towards the crowd with Sergeant Kenny, in plain clothes, and C. E. McDougall, a grazier and vice-president of the Reinforcement Committee of Queensland, who was escorting Hughes; both thought he was running back to his carriage. Kenny grabbed Hughes and yelled that he was a sergeant of police and would guarantee him a hearing. McDougall grabbed Kenny's arms and the three struggled with Hughes screaming "arrest those men". Having convinced Hughes that he was in no physical danger, Kenny accompanied him back to the dais where he asked the crowd to give the Prime Minister a fair hearing. As Hughes began to speak, Paddy Brosnan interjected and was immediately arrested. Yelling "Arrest that man", Hughes jumped down from the dais and shouted at Kenny, "If you don't, I'll have you reduced." Kenny and two Nationalist officials restrained Hughes and returned him, untouched, once more to the dais where he addressed the crowd for five minutes. Returning to his carriage he kept calling "Where's the sergeant, where's the sergeant?" and when Kenny appeared, Hughes commanded, "Have those men arrested!" On the sergeant's asking for the charges, Hughes replied that he was the Federal Attorney-General and had ordered their arrest. Kenny's reply, that he was under instructions from the Government of Queensland, was not exactly the remark to assuage Hughes in his emotional state. "Very well, I'll deal with you" was Hughes' brief comment. McDougall and the manager of the Bank of New South Wales tried to smooth matters over with Hughes, but to no avail. At 3.12 p.m. the train pulled out of Warwick bearing a highly excited, though physically unhurt Hughes and leaving a stunned citizenry behind.

The report of the incident which most people read next morning told of the Prime Minister's arriving in Warwick and having his hat knocked off by an egg and of subsequent events.

A returned soldier jumped off the dais and fought the assailant. The Prime Minister too, was in the fight, striving to get at his opponent, one of the biggest men in the crowd. Even though he was badly jostled and emerged bleeding from the *mélée*, the Prime Minister was undaunted. He asked the police officer in charge (an Irishman) to arrest the man who had assaulted him but this was refused. It was a flagrant case of flouting the authority of the Commonwealth. Hughes then attempted to speak, blaming the IWW and Sinn Fein for the disturbance, but most of his words were drowned out by the lawless mob which contained a man with a hammer and another with a heavy spanner (the railway maintenance men!).

As he journeyed back to Sydney, Hughes addressed meetings at every town. He emphasized the lawlessness of the Queensland Government and the supremacy of his authority as Prime Minister and Federal Attorney-General. At Stanthorpe, forty miles on from Warwick, he was reported as saying:

A scene which I hope is unparalled in the history of this country had just taken place at Warwick. I have been assaulted in a most cowardly fashion, and the police there, apparently acting under instructions from a Government which is entirely opposed to the principles on which Australia and the Empire stand, so far from assisting to preserve order actually connived at the assault upon me and lent their aid to it.⁵⁶

His accounts of the assault and those of his followers in other parts of Australia became more lurid as he went through New South Wales. The “Warwick egg incident”, they claimed, further proved the depths to which the opponents of the Nationalists would go to bring about the downfall of the Empire. Quite co-incidentally the *Courier* was able to report a spate of egg throwing by anti-conscriptionists throughout the State. As an old campaigner, the Prime Minister knew that if a charge was made often enough in politics, there was a good chance of some of it sticking. At Tamworth in northern New South Wales, Hughes repeated his earlier accusation: “The forces arrayed behind the campaign against the Government’s proposals could be divided into three sections, the Germans of Australia, the Sinn Fein and the IWW.”⁵⁷

That there was no truth in the story of assault which Hughes

had claimed at Stanthorpe and Wallangarra did not deter him. He was obviously in a highly excited state at Warwick and very likely imagined that when Sergeant Kenny grabbed his arm he was about to be physically assaulted. However, by the time he reached Glen Innes, seventy miles inside New South Wales and 130 miles from Warwick, he had had six hours to go over the event and to plan his tactics. He sent to Ryan and to the Brisbane and national press a telegram claiming to have been assaulted at Warwick "by a number of men". Senior Sergeant Kenny, he reported, had refused to arrest the two ringleaders, had connived at the disgraceful proceedings and had refused to obey the Commonwealth law. Hughes requested Ryan to suspend Kenny and to prosecute him under Commonwealth law.⁵⁸ The telegram, when substantiated by the newspaper reports published with it on the following morning, once more gave Hughes a tactical advantage over his prominent adversary. Just how strong a tactical advantage the Prime Minister felt he had gained may be judged from a letter he wrote to Munro Ferguson soon after the incident:

The Warwick incident has done much good; everywhere I have had splendid meetings; there's going to be a *great fight*. Glory to God for that!

I am trying to make Ryan, Fihelly and Co. realise that this is not Ireland as Sinn Fein would have it.⁵⁹

Ryan was reticent about discussing Hughes' telegram with the press until he learnt that they also had received a copy. He had already initiated an enquiry which on first reports suggested that Hughes' account was exaggerated. He replied to Hughes in these terms and told him there was no conflict between state and Commonwealth law in the matter.⁶⁰ Chief Inspector Short of Toowoomba was sent to Warwick to carry out a full investigation and to take sworn statements from police and reputable eye witnesses. These, taken from the local police magistrate, Nationalist officials and conscription supporters confirmed the exaggeration of the press reports. By then, other events had taken the headlines and these later statements never quite replaced the original press reports as the accepted account of the incident.

On Friday 30 November, the two summonses arising out of the *Hansard* speeches were served on Ryan in his office. The Premier handed the process-server a cigar which, the officer remarked with some surprise, was rather an unusual return for the performance of such an unpleasant duty. Theodore received his as quietly at the same time. These prosecutions seemed to be attempts to remove Ryan and Theodore from the referendum campaign rather than to prevent the dissemination of false material. However the calm with which Ryan received the summons belied the storm he was preparing for both Hughes and Pearce. During that afternoon, he announced that a High Court writ was being taken out on behalf of the State of Queensland against the Commonwealth of Australia, the Military Commandant of the First Military District (Queensland) and the Deputy-Chief Censor, challenging the powers of the War Precautions Act to allow them to enter the Government Printing Office and seize copies of *Hansard*.⁶¹ Ryan, in effect, was seeking some limitation to the arbitrary powers which the Commonwealth seemed to be able to exercise in added regulations to the War Precautions Act. The logical tribunal in Ryan’s view, to decide the limits of the Act, was the High Court. Ryan had now become the anti-conscriptionists’ hero with resolutions of support and invitations to speak pouring into his office from all parts of Australia.⁶² Some wanted him to go beyond the constitutional methods on which Ryan based his politics. But he appreciated that if he was going to defeat Hughes and the conscriptionists it would have to be through a legal and constitutional framework not through any violent uprising. In fact he warned his supporters not to be goaded into any rash actions by the provocative methods being employed by the Nationalists. “Strength lies in moderation and in the exercise of calm and sound judgment”, he replied in an interview for the *Daily Standard*.⁶³ If Hughes could use the law to try to inhibit Ryan, Ryan could do likewise.

The first charge against Ryan was that his statement that 109,000 men were left for purposes of reinforcement, was false. Since he had based this figure on the recent statements of Pearce and Legge in the *Sydney Morning Herald* and the *Argus*,

obviously the best witnesses for the defence would be Senator Pearce and General Legge. Ryan therefore wired Hughes asking that Pearce and Legge be sent to Brisbane.⁶⁴ He also wired Pearce informing him that since he was a necessary and material witness, he expected him to take the first available train to Brisbane, as the case had to be settled promptly in the interests of fair play and British justice. To demonstrate further his seriousness Ryan added that unless he received a prompt and positive reply, he would apply for a subpoena under Commonwealth law.⁶⁵ Hughes agreed to Legge's presence but would go no further. However, Ryan was out for blood. Legge's attendance was insufficient. He now demanded not only Pearce but Hughes himself, who had authorized the prosecution which Ryan wanted decided promptly.⁶⁶ Once again the two antagonists clashed. Hughes would not come. He replied that General Legge had prepared the memoranda with which Ryan's statement was in conflict and would be present; the request for Hughes' presence was a subterfuge intended to prevent him conducting the campaign.⁶⁷ Pearce likewise refused to attend. He was in Adelaide, he said, *en route* to Western Australia to secure reinforcements for the AIF to ensure British justice and fair play for the soldiers at the front.⁶⁸

The case opened on Monday 3 December with Legge the only southern witness. H. D. Macrossan and J. Mahoney (married to Mrs. Ryan's sister) appeared for Ryan and P. MacGregor for the Commonwealth. In many respects the case was concluded after the first witness, Captain C. Wood, the censor who had ordered the original cuts in the *Daily Standard* report, had been cross-examined by Macrossan. Wood agreed that Ryan's arithmetic on the basis of figures supplied to the newspapers by Pearce and Legge, was correct. Laughter rippled through the court when he agreed that Groom, who had also said there were 109,000 men available for reinforcements, should be prosecuted. In fact he felt that Groom's claim that these reinforcements would last eighteen months was more extravagant than Ryan's twelve to sixteen months. Legge's claim that only 298,000 soldiers had embarked contrasted with Pearce's and MacKinnon's 313,000 and further confused the numbers

position, as did his estimate of only 22,000 reinforcements being available.⁶⁹

These discrepancies in the estimates of the number of men who had sailed and in the number of those who were still available as reinforcements suggested that the Government had a weakness in its argument for conscription which Ryan saw and moved in to exploit. Now the tactical advantage was his. He wired Pearce informing him of Legge’s contradictory evidence and of the necessity of his being present to give evidence on oath. If Pearce went back to his speeches, or on the official reports of his department, Ryan informed him that he proposed to claim the right to apply to treat him as a hostile witness and cross-examine him.⁷⁰ On the following day, Ryan applied for a subpoena under Commonwealth law. He sent a telegram to Hughes also informing him that he was to be subpoenaed.⁷¹ Copies of the telegrams were released to the press which eagerly published them. There is no doubt that Ryan meant to use every possible device the law provided to fight Hughes and Pearce, and that he intended to follow the case through to the end. However the War Precautions Act foiled him and saved the Prime Minister and the Minister for Defence from some of the most uncomfortable moments of their lives. Under the Act, adjournments of longer than forty-eight hours were precluded and in Australia in 1917 it was not physically possible to serve a subpoena in another state in the time allowed. A subpoena was still served on Pearce, but it was really only a gesture.

In the witness box, Ryan claimed that during his conversation with Hughes at his hotel, the Prime Minister had not taken exception to his reinforcement estimates but had stated that another person (presumably one of the censors) had. Hughes’ receipt of his subpoena together with this indirect use of Hughes as a witness brought forth the latter at his vitriolic best:

It appears necessary to remind you that I am the prime minister of the Commonwealth . . . that you are being prosecuted because you have attempted to mislead electors in the exercise of their vote, that you and your colleagues have lent themselves to a conspiracy to defeat the laws of the Commonwealth through publishing lying statements . . . that the police of your state not only permit but encourage mob rule . . . It is a

device such as might be expected from one whom Dr. Mannix has declared to be an out and out Sinn Feiner.⁷²

The telegram, with its clever libel in the last sentence was published in the daily newspapers of the capital cities.⁷³ In his endeavour to have conscription carried, Hughes was prepared to draw on all the latent anti-Catholic feeling by associating Ryan with Mannix, Sinn Fein and Popish plots. Ironically, Mannix and Ryan had met each other only once and, despite his frequent visits to Melbourne, Ryan does not seem to have evidenced any great desire for a close friendship with the Archbishop.

Ryan replied with a writ against Hughes in the High Court for contempt of court in allowing such a telegram to appear in the press while a court case, involving the subject matter of the telegram, was in progress. He also publicly denied any association with the Sinn Fein or any right of Mannix to make such a statement, if in fact he had done so. The increase in temperature caused by all this friction brought on another fit of interpolations from the *Courier's* editor. When the case was resumed on 6 December – without Hughes or Pearce – Ryan was examined by MacGregor, but nothing new was brought forward. It was something of an anti-climax. Macrossan argued for a dismissal on the grounds that the whole case had been a political prosecution. The PM dismissed the case with the usual costs to the defence; these were given to the patriotic fund.⁷⁴

The referendum campaign gathered pace. Conscription and anti-conscription meetings were held every day in every major town. At both types of meetings Ryan had become a central figure either because of the fury raised by the mention of his name or because of his presence which guaranteed a packed crowd. Slowly the result of the investigations at Warwick were publicly confirming Ryan's earlier belief that Hughes and the non-labor press had grossly and deliberately exaggerated the reports of an assault on the Prime Minister. However Hughes kept to his story, rejecting any claims of political censorship and promising a Commonwealth police force with an officer at Warwick. It was not only with Hughes that Ryan engaged in legal warfare over the *Hansard* and Warwick incidents. Press

reports of his fight with Hughes over the *Hansards* had been nationwide and not always fair. Several papers had linked Ryan and his Government directly with the forces of disloyalty, Sinn Fein, pro-Germanism and the IWW. It was misrepresentation on a national scale abetted and assisted by the conscriptionists who in their widely circulated *Anti’s Creed* pamphlet included:

I believe the men at the Front should be sacrificed

I believe that our women should betray the men who are fighting for them

I believe in murder on the high seas

I believe in the IWW

I believe in the Sinn Fein

I believe in the murder of women and baby killing

I believe that treachery is a virtue

I believe in Considine, Fihelly, Ryan, Blackburn, Brookfield, Mannix and all their works

I believe in handing Australia over to Germany⁷⁵

Considine, Fihelly, Ryan and Mannix were included for their Irish background, while Blackburn, Brookfield and Considine were Labor politicians not only opposed to conscription but demanding an end to the war. Angered at the personal abuse being heaped unmercifully upon him, Ryan had his staff scrutinize all newspaper reports of the *Hansard* and later incidents and where he considered that libel was involved, wrote a stern letter to the paper’s editor, demanding a printed apology of the same prominence as the original article or threatening court action if this was not done. Many an amazed editor must have gone scurrying to his legal advisers. As newspapers from New South Wales, Victoria, South Australia and Queensland prominently published their apologies, the *Daily Standard*, the *Worker* and the *Australian Worker* gleefully reprinted them.

On 6 December the session of parliament closed and on the same day McCawley, as president of the Arbitration Court, proceeded to the Supreme Court to take his seat there. Opposition to the appointment was raised by several of the senior members of the Bar,⁷⁶ so that in addition to fighting the conscription referendum, and concluding an arduous parliamentary session, Ryan was forced to argue the validity of

McCawley's appointment and all the while it was necessary to keep an eye on how this combination was likely to affect the elections only three months away.

The McCawley appointment highlighted another role which Ryan had acquired. His tussles with Hughes had made him not only the acknowledged labor leader, which he readily accepted, but also, in the Catholic newspapers, one of the leading Catholic laymen, which he did not so willingly accept. It was perhaps inevitable that, given the racial-religious simplification of the conscription fight by Hughes and Mannix and their supporters and propagandists, Ryan's political victories over Hughes should be reported with some relish in the Irish Catholic newspapers of Brisbane, Sydney and Melbourne.⁷⁷ While never denying his Irish Catholic background, Ryan did not seek any special political favours from that quarter, nor did he give them. Ryan fitted well into his party's philosophy regarding the separation of religion and the state. The Labor party had eschewed any religious bias, though it was only to be expected that, because of the general support of the Labor party for Irish Home Rule, the simplified division of Australians by the conscriptionists, reinforced by Mannix, the presence of men like Ryan and Fihelly among the anti-conscriptionists, and ultra Protestant reaction to the appointment of a Catholic in the person of McCawley to a high office, there developed a greater feeling of sympathy among Irish Catholics in Queensland for the Labor party.

As there were only two weeks left in the referendum campaign, the question of the validity of McCawley's appointment was put to one side. However, there were still other issues for the law courts to decide which could affect the outcome of the poll. Having lost his first case against Ryan, Hughes ordered that the prosecution in the conspiracy case against Theodore, Butler, McDonald and Ryan be handled by the Commonwealth Attorney-General's Department. In the meantime, Ryan's solicitors were having great difficulty in serving on Hughes the High Court writ for the alleged contempt of court. Others in the Labor party were more concerned that Ryan should press ahead with his challenge to the war precautions regulations rather than

with his personal legal battled with Hughes. Boote, following closely the events in Queensland and having to endure at first hand the heavy handed censorship authorized under the Act, was particularly anxious for Ryan to challenge the whole war precautions legislation in the High Court as soon as possible. However, Ryan was quite capable of involving himself in a number of legal issues at the same time and further stirred up matters when he took out a writ in the High Court for £10,000 against the *Argus* for its editorial of the 29 November when it had accused the Ryan Government of entering “into the paltry and contemptible conspiracy with Germans and other disloyalists.” [See chapter 17 for details of this case.]

As the final week of the campaign arrived, there were mixed feelings in the labor movement about the final result. Boote was pessimistic.⁷⁸ The large number of disfranchised voters, he felt, would defeat the anti-conscriptionists. Many young men were preparing to resist forcibly any attempts to force them into the army.⁷⁹ Others were more hopeful. New South Wales was obviously the key state having in 1916 returned a “no” majority of 117,739 when the overall “no” majority was 72,476. Evans, secretary of the New South Wales Labor party, wrote to Ryan asking him to be present at a final demonstration in Sydney on Sunday 16 December. At first Ryan was unable to leave Queensland but after a further plea from Evans he changed his mind and decided to attend.⁸⁰

The final attempts of the Nationalists in Queensland to reverse the 1916 “no” majority involved some desperate measures. Mat Reid, for twenty years the strong man of the Queensland labor movement and the upholder of its socialist principles, was now a Nationalist senator and in speaking at conscription meetings revealed that Ryan in 1907 had been refused endorsement by the CPE as a “twister”. Reid, now a “twister” himself, was hardly the one to gain support from the labor movement by accusing an opponent of twisting. A Nationalist state parliamentarian from Victoria and a former Trades and Labor Council secretary called Tom Ryan was brought to Queensland to address conscription rallies. On the day that the school children “broke up” for their Christmas

holidays, Dash, using his title of Secretary of the State Reinforcement Referendum Council, sent packets of sealed envelopes to each school with instructions that they should not be opened at school but should be sent home with the children.⁸¹ Hardacre's instructions preventing their distribution were received with shocked amazement by the conscriptionists. The *Courier* seemed to have an inexhaustible supply of nameless soldiers writing letters to the editor claiming that Ryan in England had tacitly favoured conscription by pledging himself to the sending of all available men to England.

On Friday 14 December, Ryan left for Sydney. At the stations along the line he was met by crowds much as Hughes had been a fortnight before. By now, war weariness and straight out opposition to the war were becoming more apparent. What the effect of these might be after a "yes" or "no" vote was uncertain, but sensing their growing appeal Ryan made his message at each station the need for opposing lawlessness and maintaining the loyalty of Australia to the allied cause.⁸² In Sydney he was met by the biggest crowd of the whole campaign. A triumphal procession of brass bands, returned soldiers and anti-conscriptionists bore him through the streets like a conquering Roman general. The conscriptionist *Sydney Morning Herald* said it was reminiscent of the historic days of the visit of the American fleet or the inauguration of the Commonwealth.⁸³ It reported more than 100,000 people lining the street, while Ryan's arch opponent, the *Argus*, quoted the police as saying that the number approached 200,000.⁸⁴ Having cheered Ryan through the streets, the crowd flocked to the Domain where, from the several platforms erected there, Ryan delivered a short speech. Few probably heard it. At that stage this mattered little. He related how because three sets of official figures had been produced in court when he was prosecuted for making a false statement, he had given up trying to find out what the exact figures were. He repudiated the statement that all who were opposed to conscription were disloyal. "We are in favour of supporting our soldiers but we say we will do it by the voluntary method."⁸⁵ When Hughes arrived in Sydney two days later, soldiers were given leave and allowed to wear their

uniforms to stage a counter welcome for the Prime Minister.⁸⁶

So the polling day arrived and a “no” majority of 72,000 in 1916 became a “no” majority of 116,588 in 1917. New South Wales increased its “no” majority to 146,000; Queensland its “no” majority from 14,000 to 36,000; South Australia again voted “no” and even Victoria yielded a small victory for the anti-conscriptionists.

How much the Ryan versus Hughes controversy assisted the “no” campaign is impossible now to estimate. Certainly so far as Nationalist leaders such as Holman and Hall were concerned, Hughes’ near-hysterical behaviour in Queensland was considered a factor in the defeat.⁸⁷ Without a doubt Ryan had become the hero of the labor movement in the eastern states and the inspiration for the struggling Labor party in the west. With Boote and Tudor he shared the credit for having beaten conscription. Mannix was included in this praise. The call for Ryan to enter federal politics became more widespread. However, the defeat of conscription was not the end of the fight. There was an election in Queensland early in 1918 and in Europe there was an unfinished war in which Australia was involved. The conscriptionists in maudlin regret were belabouring their anguish in defeat. The *Courier’s* editor wrote: “To the unspeakable humiliation of the Commonwealth a great number of the electors have deliberately taken the path of shame.”⁸⁸ If anything was to demoralize the troops at the front it was this defeatism of the conscriptionists rather than the defeat of the referendum. Ryan immediately cabled Robinson in London:

Kindly make it clear to the British public that Australia’s rejection of the principle of conscription for service beyond her own confines will not imply any lessening of her zeal for the honour and safety of the Empire or any weakening of her desire to see the Mother Country and her allies triumphant over the armed despotism of central Europe or any intention in the future to relax the magnificent efforts she had made since the war broke out to do her share in the great struggle that is being waged by the Empire and its allies for civilization, justice and freedom.⁸⁹

The sentiments were meant not only for the Australian soldiers but also for the Australian public. Ryan had ensured that the Australian press received copies of the cable. Some immediately saw a contradiction in a man who could compose such a cable and yet lead the anti-conscriptionists. There was none. Ryan's was an uncomplicated character.



The Native Premier and the Imported Prime Minister.

J. T. Case, 226 Elizabeth-street, Brisbane.

"The Native Premier and the Imported Prime Minister", cartoon by Jim Case from the *Queensland Worker* of 6 December 1917. [Australian Workers' Union, Queensland Branch Executive and Mitchell Library, Sydney]

A MESSAGE FROM THE PREMIER.

15

The People of Queensland

On Thursday next you are called upon to decide the most momentous issue ever submitted to a free people. There has never been a time when it was more necessary for the workers of Australia to stand united.

Therefore let them be up and doing with an unwavering determination to strike a blow for freedom & democracy. Let it be Australia's proud record when the war is over that she has been second no other part of the Empire with the assistance which she has rendered; that she has sent no men from her shores against her will and that she has done her part for freedom's cause in freedom's way.

The responsibility of preserving a free and united Australia rests upon every man and woman. Let no one shirk that responsibility.

T. J. Ryan

Ryan's final message to the people of Queensland on the second conscription referendum which appeared in the *Worker* of 13 December 1971. [Australian Workers' Union, Queensland Branch Executive and Mitchell Library, Sydney]

14 “Solidarity Spells Success”

The unexpected announcement of the second conscription referendum had interrupted the closing of the parliamentary session and had upset the plans being made by both Labor and Nationalist parties for the vital 1918 election. With all the flurry over conscription the Queensland parliament continued to meet in November and December. Though the Labor caucus had wanted to close the session at the beginning of November, there remained several important bills still to be placed before parliament as well as those currently being debated, all of which would be vital in the coming election. In the latter group were the Regulation of Sugar Cane Prices Boards Act Amendment Bill, the State Produce Agents Bill and the Farm Produce Agents Bill. The last two were finally passed, after major Council amendments were conceded rather than have the benefits lost entirely, and the first Bill was passed much as it was presented, but only after an interesting passage.

Six weeks elapsed between Lennon's second reading speech in the Assembly on the Sugar Cane Prices Amendment Bill and the resumption of the debate in the Council. During that time, while the ASPA and the CSR had sought Hughes' support in opposing the amending Bill, the Governor had appointed the thirteen new Labor legislative councillors who, though they did not produce a Government majority, promised to provide a sizeable block vote. When the amending Bill passed to the Council the first time the new Labor members were not able to prevent vital amendments being included by their opponents, but, by having a full attendance of all Labor councillors when the Bill was sent to the Council a second time, a snap majority

enabled them to pass the Bill in an acceptable form.¹ Under the legislation, millowners and cane growers could not contract out of a local board; check chemists could under certain conditions inspect any farm or mill or any books or records of these relating to the manufacture or growing of sugar cane and the Minister could force millers to pay the award for cane or have their mills taken over by the State with compensation determined by the central board. The principal amendments sought by the cane growers were thus made law though it was not twelve months before the CSR was to find a further loophole.

With other bills, the Government was not as successful. The Popular Initiative and Referendum Bill once more was so mutilated as to become worthless and was again declared "lost". Hunter's Land Act Amendment Bill to enable the rents per acre of the larger pastoral lessees and the smaller grazing selectors to be equalized was finally passed but only after the Council had removed all clauses providing for reassessment of those rents. It would not allow repudiation to besmirch the good name of the State in London! Theodore's Income Tax Act Amendment Bill and his Land Tax Act Amendment Bill to raise the additional finance needed to make up the deficits were defeated by the Council and not returned to the Assembly; a similar tactic destroyed the Chillagoe and Etheridge Railway Bill much to the chagrin of the English shareholders. The confidence of a Labor defeat in 1918 overflowed into the debate on the Appropriation Bill scheduled to be passed on the last day of the session to provide finance for the Government until the end of June 1918. It was not reasonable, argued the non-Labor councillors, that a parliament in its last session should deal with finances that properly belonged to a future government. As the Council insisted on its right to amend money bills, on his final day in parliament Ryan was forced to submit to a free conference with the Council and allow the amendment of the money bill.²

In the previous two and a half years, Ryan's Government had reached the high point of political action by the labor movement and demonstrated the capacity of a Labor government to effect social and economic changes if the parliamentary party was led by men of intelligence, vision and determination.

For this one period at least, the capabilities of the men leading the parliamentary labor movement were able to match the aspirations of the movement. In intervening in the economic life of the State to protect the interests of wage earners and primary producers, in trying to bring the “natural allies” – the producers and consumers – closer together and in attempting to give the people a greater voice in government – local and State – it had shown that parliamentary means could achieve in Australia what many socialists had preached could only come about through revolution. Without the problems of the war and conscription, Ryan’s first Government would have gone beyond what was still an impressive record. Ryan himself had an ambition to reorganize the Crown Law Department with Public Counsel to complement the work of the Public Curator and create the largest legal department in the Commonwealth. This was to be another casualty of the war. At the same time his Government had seen the necessity of keeping trade and commerce functioning and of maintaining manufacturing production as a significant part of government with its overtones of employment and living standards.

While the closing of parliament on 6 December had released Labor and Nationalist members for the final fortnight’s campaigning in the conscription referendum, it had also allowed Ryan to devote more time to a number of legal questions of considerable importance. It had been only with some effort that he had been able to obtain a judge to replace Higgins as the arbiter in the north Queensland railway dispute. In late November, Judge Springer of New Zealand had signified his willingness to act, but shortly afterwards made this appear less certain and it seemed that by early December, Ryan would again be searching for a judge who would not be restrained from acting by the Prime Minister. This matter was less pressing than other legal questions.

In yet another attempt by those allied with the CSR to upset the Government sugar legislation, the Bundaberg milling firm of Gibson and Howes challenged, in the Full Court, the validity of the Regulation of Sugar Cane Prices Board Act to impose a levy on growers who were also millers. The Full Court had ruled in

favour of the Government³ but allowed an appeal to the High Court, which was set down to be heard in December. Ryan was able to combine his triumphal visit to Sydney to address the anti-conscription rally with the High Court appeal. Although only £90 was owed by Gibson and Howes, the principle of the millers' paying their fair share of the levy was important in itself and there were, in addition, a number of cases dependent on the outcome of this one. Much to the outspoken jubilation of Pritchard, the High Court upheld the appeal. Pritchard expressed his particular delight that Ryan had been personally and directly involved in the case.⁴ Believing the decision to be wrong, Ryan made application to the Privy Council for an appeal. Coincident with his application was the announcement that leave had been granted to the Queensland Government to appeal to the Privy Council in the Mooraberrie case. He was to argue both these cases before the Privy Council in 1919.

Ryan had again to pit his legal skill and knowledge against the Queensland Full Court, and later the High Court, in what became known as the McCawley case. That McCawley's appointment to the Supreme Court was perfectly constitutional and within the legal rights of the Executive, Ryan at no time doubted, but he acknowledged that its legality ultimately would be determined by the courts.⁵ On 6 December, when McCawley presented his judge's commission to the Chief Justice, Feez and Stumm, on behalf of the members of the Queensland Bar, objected, questioning not only whether McCawley had the necessary five years' standing as a barrister but also whether the appointment was constitutionally valid. Ryan, supported by H. D. Macrossan, defended McCawley's capacity to act as a judge and also the Executive's constitutional right to appoint him as a Supreme Court judge by virtue of his being president of the Arbitration Court. In view of the opposition of the two leading members of the Bar, it was obvious that a test case would be necessary. In the meantime, the Chief Justice announced that the Full Court would consider its decision in the matter. When finally their decision was reached in mid-February, while Ryan was involved in the pre-election campaign, not only was McCawley's commission as a judge of

the Supreme Court declared invalid but his appointment for the Arbitration Court was also declared ineffectual. Macrossan for the Crown was granted leave to appeal to the High Court.⁶

At the end of December, on his return from the Gibson and Howes case and the anti-conscription meeting in Sydney, Ryan took his family for a fortnight's holiday to recuperate before the heavy election campaigning began. The life of a politician could be an exhausting one. In Ryan's case, the combining of politics with law made this doubly true. Yet Ryan did not make himself a martyr at home though he may have done so at work. He lived well, employed a maid to look after the children and made full use of Government motor cars and secretarial assistance. Not long after becoming Premier he moved his residence from Clayfield to George Street, a few hundred yards from both Parliament House and his office. He continued to read little apart from law reports and journals, and periodicals and material directly related to politics. In this last area, he usually sought a precis from one of his secretaries. “Boil that down to six sentences” was his usual request.⁷ He entertained few friends at home except Hunter and occasionally Theodore.⁸ His wife was a major political asset; she attended to his personal correspondence, saw that letters of thanks were sent to friends and well wishers for any services performed and made sure that when necessary a note of congratulation or condolence was sent to a constituent or to political and other associates. Part of Ryan's success as a politician and premier was his wife's caring for so many of the small, yet, to the people concerned, important items of day to day politics.

With the downfall of Labor governments in the southern states, the apparent contradiction in voting patterns in three referenda and the federal election, and the uncertain state of north Queensland, Ryan was wary of becoming unduly optimistic about the coming election. He kept the press and the Nationalists guessing as to when, before June, the election would be held. In mid-January he took Coyne and Hunter on a pre-election tour of their part of western Queensland. The purpose of the tour seemed to be to try to gauge something of

the electorate's reaction to its first Labor Government. At each town he promised not to deliver an election policy speech and proceeded to do so, not in terms of new Government proposals, but rather by emphasizing and explaining what his Government had done for the State in the previous three years. Another uncertain factor was the Labor party itself. The 1916 Labor-in-Politics Convention had laid down that future conventions should precede, not follow, state elections. A convention which seriously divided the party would necessitate holding back the election until the division had, at least partly, healed.

On 28 January, the ninth Labor-in-Politics Convention opened in Brisbane. It gave promise of being hectic; there was a sizeable minority of delegates, who regarded themselves as the militants, and who wanted not only greater industrial control of the Labor party but also a definite anti-war as distinct from merely an anti-conscription stand by the party. In addition to these, there was a significant section concerned with liquor reform; they were suspicious of the Government's not having introduced early closing of hotels during the war. As the president of the CPE, Demaine should have chaired the convention but he persuaded Ryan to do so, while he was elected vice-chairman. In the political atmosphere of the convention it was a wise decision. Two leading members of the militant section were Ernie Lane and Tim Moroney. It is notable that nowhere in *Dawn to Dusk* did Lane castigate or ever criticize Ryan as he did so unmercifully Theodore, McCormack, Forgan Smith and a host of other Labor politicians,⁹ while in the tributes to Ryan in the *Daily Standard*, after his death, Moroney devoted half his piece to praising Ryan's interest in and constant attempts to assist the unions.¹⁰ Though not at the convention, Gordon Childe, who saw himself as reflecting the views of the militants, made similar references to Ryan's acceptance by militants as well as moderates¹¹ — a necessity in Brisbane in 1918. Ryan as chairman could thus expect to receive support for his rulings from all sections of the convention.

The main feature of the convention was the desire of the moderate-political section to head off that section of the

industrial movement which wanted to go at a faster rate than the majority consensus. It was not simply a politicians versus industrialists argument; there were proportionally fewer politicians at the convention than at any time since 1910. Demaine established the tone of the moderate section in his presidential address:

There has been amongst a certain section a tendency to expect too much from Queensland's first Labor Government. It wanted the millenium right away and overlooked the plain fact that the evils of 50 years of Tory-Boodle administration is not wiped out in a day . . . The industrial unionist who believes that the emancipation of the workers can be attained only through what is termed “direct action” must be shown that to attempt this without at the same time attaining control of the political administration is sheer folly.¹²

This was basically the philosophy of Ryan.

Ryan's direct part in the convention debates was small, though his indirect role of steering the delegates between the rocks of division was considerable. It was Theodore, McCormack and other members of the PLP who held the fort against Lane, Collins and Moroney. Motions calling for the introduction of a forty hour and forty-four hour week were defeated, as was a move by the liquor reformers for six o'clock closing. However, in the delegates elected to the CPE and to the federal conference there was a good mixture of militants and moderates, suggesting that permanent lines of division had not yet appeared. Collins, Moroney, R. J. Carroll, of the ASE, and Collings, regarded as militants, were elected to the CPE along with Fihelly, McCormack, McDonald, Sumner and J. G. Hall, of the Plumbers Union, moderates; Ryan and Demaine were also elected. As delegates to the federal conference, Ryan, McDonald, Collins and Ferricks were elected with Fihelly and McCormack. However, the militant-moderate division, so hard to maintain in considering the convention as a whole, broke down on a motion of Lane calling for a repeal of the compulsory clauses in the Defence Act and instructing the Queensland delegates to the federal conference to vote accordingly. After a lengthy debate a division was called giving Lane a thirty-eight to twenty¹³ majority. McCormack, Gillies, Riordan – President of the AWU – Tom Jones, Boote's long-time friend,

Cuthbert Butler, and David Gledson a former miner and the member for Ipswich, who was representing the small unions at the convention, were among those in the minority. Theodore and Fihelly voted in the majority, while Ryan neither spoke nor voted. It was accepted that he would vote at the federal conference as the convention had instructed.

Overall it was a keen convention, with some items producing bitter debates but not resulting in any permanent split in the industrial or political movement. It is significant that Moroney three years later recalled Ryan's tactful handling of that convention as one of the two clearest memories he had of the Premier.¹⁴ The tacit coalition of socialists and competent liberals, which had provided the strength of the Labor party in Queensland after 1909, was exemplified in his remarks. It was to be the departure of the competent and radical liberals from the PLP leadership and the inability of the socialists to provide a viable leader after 1920, that was to change the nature of political Labor in Queensland.¹⁵

After the convention, in an atmosphere of increasing labor disenchantment with the war and Australia's participation there, Ryan began his election campaign in earnest. He still refused to reveal the date. The Central Campaign Committee again prepared a number of leaflets dealing with the key issues; state enterprises, the meat question, assistance to farmers and returned soldiers, the profits made out of the war by graziers and the shipping combine and the money being collected from the Pastoralists Association and insurance companies to defeat the Labor Government. The AWU again contributed heavily to the campaign with a £300 donation; the waterside workers provided £100 and the other unions and donors £255. However, as Premier, Ryan was the recipient of the largest donations and passed £770 over to the CPE.¹⁶ To maintain the *Daily Standard*, a second Liberty Fair was held to provide finance for the paper, additional to that of the union levies and personal donations. At the same time the Nationalists became better equipped for campaigning with the appointment of Captain G. M. Dash, the former recruiting secretary, as their chief

organizer and the journalist M. H. Ellis as their publicity secretary. However, the advantages gained by having these men leading the campaign were partly lost in early February. In Toowoomba there was a deal of opposition by the Nationalists to the re-endorsement of Tolmie and an attempt was made to make him face a pre-selection plebiscite. He refused to submit to any pre-selection, had himself endorsed, became sick and resigned as leader a month before the election, leaving Macartney as leader for the second time in two years. Though they were both capable legal men, the contrast in political capabilities between Ryan and Macartney was as great as that between Ryan and Tolmie and not even Ryan's arch opponent, the *Courier*, could work up any enthusiasm for either Tolmie or Macartney as a leader.¹⁷

Having held large meetings in the metropolitan area, Ryan made an extensive tour of the electorates of Rosewood and Lockyer, to the west of Ipswich, where Farmers Union candidates had recorded large votes against the sitting Liberal members in 1915 and where now, with only Labor and Nationalist candidates in the field, any swing to the Labor party on account of its legislation for primary producers should have been evident. On completion of that tour, Ryan held a meeting with the BIC unions prior to leaving for north Queensland. There was a similarity in his approach to each group as he stressed what each had achieved under a Labor government and contrasted this with what the Nationalists, from their speeches in parliament, would do to the farmer and the trade unionist. On 12 February, as he left for the north, he announced the date of the election as 16 March giving a bare four weeks for formal campaigning. Labor campaigning on the key issues of returned soldiers and primary producers had been well under way for some time. Letters bearing Ryan's signature had been printed and sent individually to women with relatives in the AIF, quoting the *Soldier* as the official organ of the Returned Sailors and Soldiers Imperial League of Australia, from its issue of 18 January 1918 when it had said: “The Queensland government has done more and is still doing more for returned soldiers than any other government in Australia”. Similar letters

were printed for farmers in which Ryan commended particular Labor members for what they had done in parliament on behalf of the primary producers. In other propaganda prepared in late 1917, matters such as the rights of returned soldiers, loyalty and attitudes to the war were mixed in with what were essentially State items.

Though he was being opposed in Barcoo by an ex-soldier Nationalist, there was no danger of Ryan's being defeated and the WPOs there passed resolutions giving him leave to absent himself from the electorate during the campaign. Recognizing the crucial importance of north Queensland in the election, he set out on a tour of the coastal towns to bring him to Townsville on 18 February, where he delivered his policy speech. His choice of north Queensland as the venue for his policy speech reflected Ryan's recognition that Labor's main support still came from the traditional Labor areas of the north and west; it reflected further his concern for the most radical and turbulent area in the industrial movement and his concern for keeping the sugar farmers allied to the Labor party. North Queensland appeared electorally as an uncertain area which had generally voted against the abolition of the Council, but also against conscription. Concerned at the decreasing population in north Queensland, Theodore also had full regard for its importance and set aside £130,000 for railway construction from January to May, while the meatworks and sugar mills were closed down. Work on the railways obviated the necessity for sugar workers and meatworkers to leave the State during the slack season.¹⁸

Ryan's policy speech of 1918¹⁹ was very different from that of 1915. It was mainly a "what we have done" rather than a "what we will do" speech, with the first section devoted to repatriation and soldier settlement. As they loomed so large in every person's mind, the war and conscription could not be omitted even from a state election. By February 1918 Ryan's views on the war and conscription had become firmly fixed in the Ryan manner. It was another example of his caution in having weighed a question so that in the end he arrived at an opinion strongly held and well argued. To defend his Govern-

ment in the private war being conducted in Queensland he attacked the conscriptionists:

The principle of conscription is in itself a species of slavery, and it must never be allowed to take root in free Australia . . . It may be revived at any moment, especially at the moment when Australia is least prepared to resist it. The only sure preventative is eternal vigilance, and the best guarantee is the keeping in office in Australia of at least one Labor Government, which stands for the principle which has been so overwhelmingly endorsed by the people of Australia – a Government which is opposed to conscription not from motives of expediency, but on firm conviction that under the voluntary system Australia will be a more effective factor in the War than under any system of compulsion.

Though it was fundamentally a praise of his own Government's legislation, his speech contained promises of additional state action to assist the workingman, the consumer and the farmer against the middlemen and capitalists. The railway link between Rockhampton and Cairns was to be completed; the Bill to buy the Chillagoe and Etheridge railway and mines was to be reintroduced; the State Produce Agency was to be extended to other states so that the producers in the State would have closer contact with more consumers and, further, so that more middlemen would be eliminated, a new cold storage was to be erected on the Brisbane River for the primary producers' perishables. In other, grander fields, Ryan promised a state iron and steel works, a state shipping line, the development of state coal mines at Bowen and in the Dawson valley as well as investigations into the possibility of the establishment of salt works and fertilizer production. State enterprises figured prominently in another section of the policy where Ryan outlined the scheme drawn up by Ross whereby the state butcher shops, in conjunction with the stations, would provide cheap meat to all centres of population within five miles of a railway line. There was to be an extension of the humanitarian work already begun with the establishment of baby clinics and sanatoriums, pensions to widows and orphans and compensation to miners and other workers who had contracted industrial diseases. Arbitration, education, sugar, finance and the Public Service received mention. Having completed his speech to the crowd in the hall, he delivered a second similar speech to those

outside who had not been able to gain admittance. Leaving Townsville, Ryan worked his way down the coast to Brisbane and then out into the west.

Three days after Ryan had spoken in Townsville Macartney, flanked by returned soldiers, delivered the Nationalists' policy speech in Toowoomba.²⁰ A dour, northern Irishman, Macartney lacked electoral appeal and delivered a carping address critical of the Government for its entry into business undertakings, its attempts to extend adult franchise to local government elections, its attacks on the Council, its connection with the IWW and its destruction of the harmony between capital and labour. As alternatives, Macartney offered to make the Council an elective body, to modify and ultimately abolish land taxes, to protect private industry, to remove "the unconstitutional and some of the more extreme and unworkable provisions of the Industrial Arbitration Act" and to introduce six o'clock closing.

The speeches delivered, campaigning by both sides began in earnest. Where possible the Nationalists had chosen returned soldiers as candidates and these were usually given their army rank when reported in the non-labor press. The defeat of all the Labor candidates in the Water Board election in Brisbane on 23 February provided a slight set back to the Labor party, but possibly indicated that the metropolitan area was returning to its former non-Labor allegiance. Large size, paid political advertisements appeared in the daily press for the first time. Most of these came from the Nationalists' publicity officer, Ellis, and were aimed at Ryan personally or at the socialist nature of the Labor party. Attempts were made to show that Ryan was a capitalist, by large advertisements carrying facsimiles of Ryan's purchase of a Queen Street property in January 1914, while other exhorted electors to "Keep the Council, Keep Your Homes, Keep Your Savings Bank Deposits."²¹ The Labor advertisements in the non-Labor press defended state enterprises and questioned the source of the Nationalists' finance, reprinting a letter sent to graziers from the United Pastoralists and Grazing Farmers Association of Queensland setting out a levy on all members for the purpose of defeating the Labor Government.²²

As he passed from town to town, Ryan was greeted by large receptive audiences. His speeches seemed to improve as he became more confident of winning. Interjectors were handled with a wit which did not interrupt the flow of the argument, while the contrast between him and Macartney as political leaders became more obvious. A resounding victory for the Labor party would undoubtedly be attributed to Ryan's ability. On the other hand the divisions among the Nationalists, their lack of a challenging leader and their general weakness as an opposition all added to Labor's advantage. In Barcoo there was never any doubt about the contest. A meeting held in Barcaldine by the Nationalist candidate, Buchanan, a military medalist, ended with three cheers for Ryan.²³ Not even the intrusion of the McCawley case in the Full Court slowed down Ryan or his campaign. In the southern states and in the non-labor and Catholic press, the Queensland election campaign was closely watched. There was a great deal at stake for Melbourne's capitalists, for Irish Catholics and for the Australian labor movement. As the results were posted during the Saturday night on the special boards outside the *Daily Standard* office, it was clear that Ryan had won and won convincingly. Early in the night it seemed as though Labor might even win fifty-one of the seventy-two seats, though when the final results were posted a week later, it had won only forty-eight – an increase of three on the 1915 result and its percentage of the valid vote showing an increase from 52.06 per cent to 53.68 per cent. This remains the highest percentage of the formal vote obtained by Labor at any Queensland election.²⁴ In the metropolitan area it lost four seats – Bulimba, Kurilpa, Oxley and Windsor – and had its valid vote there reduced from 55 per cent to 50 per cent of the formal vote, while in the non-metropolitan area it had won seven new seats: Burke, an old Labor seat; Burrum and Wide Bay, sugar and dairying seats that had been possible swinging seats for some years; Tolmie's seat of Toowoomba and the three near-Brisbane farming seats of Lockyer, Logan and Rosewood. Clearly the policy of legislating for the rural areas had paid off.

Despite the Nationalist weakness, the election result was

essentially a personal triumph for Ryan. The Victorian *Labor Call*, not noted for placing a man above the movement, gave the personality of Ryan as the primary reason for the Labor victory in Queensland. He was, the paper said, "acknowledged to be one of the head pieces of Australia and a coming federal legislator."²⁵ The *Times* correspondent reported the Labor Government's sweeping victory as being attributable to Ryan's clever electioneering, the Liberal's feeble leadership and the reaction against Hughes' autocratic actions in Queensland.²⁶ Not all newspapers reported the result with pleasure. The *Argus* in its editorial wrote: "It is a matter for concern to the other states that Queensland should confirm by a second election since the war, the reckless financial and legislative policy with which the Ryan ministry had been associated."²⁷ But it was the perceptive Boote, the revolutionary through evolution, who recorded the dual significance of Ryan's success:

The sweeping victory of Premier Ryan in Queensland is a proof that fidelity to the principles of the Labor Movement, on the part of a Labor Ministry, is appreciated by the people . . . [but] I don't expect the result will be the advent of a millenium in Queensland . . . Much will be done of which Social Democrats can heartily approve, but changes of a fundamental nature there will not be. The people of Australia are not yet ready for drastic transformations. They want to get on but not too quickly.²⁸

The South Australian branch of the Labor party immediately sought Ryan's assistance in its campaign for the State elections of 6 April. As he had to see Hughes in Melbourne about sugar, repatriation and meat, and MacKinnon about the fall-off in recruiting, he agreed. When it became known that he would be going to South Australia, New South Wales, Victoria and Western Australia asked him to spend some time in their states. In accepting these invitations, Ryan was acknowledging the opportunity now offering to step from state into federal politics. Many of his legal friends (and political opponents) wished to see him take a position on the Supreme Court Bench, for which there was ample precedent. However, Ryan was a politician first and a lawyer second and the wider arena of federal politics with the prime ministership dangling invitingly

before him was more in tune with his ambitions than a place in a state judiciary.

It was in some respects paradoxical that this unrepentant Deakinite liberal of 1903 should now be a figure of adulation by the rank and file of the labor movement and the confident and friend not only of labor's industrial and political leaders but also of their opponents. To many Queensland Nationalist members he was Tom Ryan; even with their great differences in politics, he confided in Macartney and with the journalists of the non-labor newspapers;²⁹ he provided Macartney, as Leader of the Opposition, with a private secretary paid by the Government, the first time that had been done in Queensland. Despite the bitterness engendered in the conscription split, Ryan and Holman remained close friends and corresponded regularly on political questions; it was on Ryan's advice and through his intercession that the Victorian Premier Lawson was to maintain Sir Peter McBride as the Agent-General for that State in London;³⁰ Brigadier Lee, commander of the No.1 military district in 1915 and his successor remained Ryan's personal friends despite his stand on conscription; even Canon Garland, a conscriptionist and arch Protestant, who had roundly castigated Ryan for his switch after the Bible in State School Referendum in 1910 could write pleasantly to Ryan in 1918 thanking him for seeing his son at the front.³¹ A big, urbane, and friendly man, Ryan was at ease equally with graziers, businessmen, professional men, shearers, miners and railwaymen and could number close personal friends among all of them.

Yet despite his obvious affinity for the radical tenets of Deakinite liberalism and his enjoyment of the comfortable existence he led as a successful barrister, Ryan understood the Labor party as few other Labor politicians have. The party was willing to be led and to accept the direction of one man provided that he acknowledged at all times the technical supremacy of the party as a whole and its duly constituted bodies. To defeat Hughes, the federal Labor party would obviously need Ryan as its leader. Tudor knew this, Ryan knew this and the party knew it, but for Ryan to announce his intention of entering federal politics would have been political

opportunism for which few Labor leaders are forgiven. He would have to be asked by the party, though under the conventions there was nothing to prevent his motivating and assisting that call. In fact, Ryan was to parry the question for the following eighteen months with a semantic argument which prefaced his eventual entry into federal politics.

During the final week of the election campaign, Ryan had been forced to give up some of his campaigning during the day to attend the Full Court where the McCawley case had resumed. The earlier decision of the Full Court debarring McCawley from taking up his judgeship had been ruled by the High Court on 25 February as merely an opinion and not a binding decision. To settle the issue it was decided in the Justice Department to bring a case against McCawley to produce a definite verdict. Consequently G. A. Carter, the Under Secretary, issued an order calling on McCawley to show on what authority he claimed to be a judge of the Supreme Court. The order was also made to refer to his position on the Industrial Court since this too was in question. When Ryan was able to produce the necessary executive minute showing that McCawley had been constitutionally appointed to that Court, this part of the order was erased. The Full Court case, in which Ryan appeared by special leave of the Governor, for McCawley, against the Crown, was set down for 3 April but the war and recruiting, which overshadowed all else, was to delay the beginning of the case until August.

At the beginning of 1918, the call for peace negotiations to end the war, which had permeated the Labor party, was gathering strength in the wider community also as war weariness crept in and recruiting figures dropped. The combination of the bitterness of the referenda and the insincerity of the Nationalists' leaders in holding on to power after constantly declaring their inability to do so without conscription powers seemed to have soured large parts of the nation to the war. Recruitments for January, February and March totalled 2344, 1918 and 1518 respectively and a Federal Ministry of Recruiting was established, though without any marked initial success. On 7 February,

MacKinnon issued a stinging report³² in which he set out three conditions for any further success in recruiting: conscription had to be absolutely and finally laid aside, agreement was needed as to the approximate number of reinforcements required and there had to be a lessening of political tension particularly in New South Wales and Queensland. He was especially critical of the holding of the referendum in 1917 which had been “. . . if not fatal at least a heavy handicap to our efforts . . .” to obtain recruits. It is unlikely that the Federal Government accepted MacKinnon’s opinions, but since he had more experience than any other person in recruiting, and was a respected member of the Nationalist party, few would have accused him of expressing these views flippantly. To meet MacKinnon’s charges, the Government adopted two plans: the Chief Justice, Sir Samuel Griffith, was commissioned to enquire into the number of reinforcements required, while the Governor-General, nominally a non-partisan, after being approached by MacKinnon and Captain Carmichael, a former New South Wales Labor member, agreed to ask Hughes to call a conference of political, union and employers’ representatives to discuss the whole question of recruiting.

Griffith’s report³³ submitted on 14 March was studied by cabinet for three weeks before being presented to parliament on 4 April. His findings substantiated the figures given by Legge during the case against Ryan, that is, that there were only 20,000 men available in England as reinforcements with a further 8000 at sea on their way to war. To replace the estimated 4300 casualties each month and to maintain the five divisions plus the Middle East forces, he said, would require 5400 enlistments per month, allowing for wastage. In addition 34,000 troops would be needed immediately to restore the army to its establishment strength. The report reflected the strong influence of Legge.

Armed with Griffith’s reports, Hughes agreed that Munro Ferguson should call the recruiting conference for 12 April. Invitations and an agreement to meet all expenses were sent out to the Labor and Nationalists parties, to employers’ councils and to trades and labor councils. Labor reaction varied from

cautious acceptance to outright opposition. There was widespread suspicion of the commercial and political powers in Australia who in 1917 had tried to bludgeon unionism to death and conscript the working man into the army, but who were now appealing for sweet reasonableness by the labor movement to forget the past and provide the troops the Government had been unable to provide. Cognisant of the rising opposition to the war itself within the Labor party, Ryan, who was in Melbourne when he received his invitation, wired Theodore asking for a cabinet opinion on whether he should attend. The cabinet agreed to his attending and decided to postpone the first caucus meeting of the new session until his return.³⁴ Pope Cooper also decided that the conference was of sufficient importance to warrant the postponement of the McCawley case. However, although the PLP and the CPE agreed to have Ryan and Demaine representing them, the BIC would have nothing to do with the conference: "Peace by negotiations is the first consideration of the workers of Australia,"³⁵ the unions there said.

Having formally opened the conference, before he left, the Governor-General submitted a resolution for the members' concurrence. It asked that they would agree to consider impartially all the proposals made by the Imperial Government regarding reinforcements, specifying that such reinforcements would be raised under the voluntary system. MacKinnon, as chairman, moved the resolution and Holman, pro forma, seconded.³⁶ Despite the pleasant statements made in support of the resolution by Senator Millen on behalf of the Government and the Nationalists, the Labor representatives were not impressed. Tudor, as their leader, asked to be told precisely what plans the Commonwealth had for recruiting. Millen skirted around the subject without giving any real information until Ryan finally put the question, the answer to which the whole labor movement sought: "Have the Government finally abandoned conscription?" Any barriers and suspicions that the conference was planned to overcome were re-established by Millen's equivocal answer. Instead of giving a clear "yes" or "no" he retorted: "Indefinitely? Without limit as to time?"

Ryan wanted a simple clear answer, but Millen was neither prepared, nor able, to give an undertaking on the future of conscription. “A public man,” he said, “charged with responsibility who would definitely make a statement such as that, would be shutting his eyes to the possibilities. But the Government are not in any way considering any but the voluntary method.”³⁷ The conference seemed to be getting nowhere, a feeling heightened when Holman pointed out the discrepancy between the number of reinforcements needed, those detailed by the Governor-General in his opening address differing from those given by Griffith and published in the press. It looked once more as though the Government spoke with two tongues, whereupon Watson, present as chairman of the War Council, suggested an adjournment to allow the words of the resolution to be studied. Ryan seconded his proposal. Although the two conscription referenda had made necessary the close scrutiny of all official words, Ryan remained a supporter of Australia’s continuing in the war and was as keen as the Nationalists to see that reinforcements were sent.

When the conference resumed on the following day, the new Minister for Recruiting, R. B. Orchard, a New South Wales Nationalist, outlined the Government’s proposals for increasing recruitment. However, during the previous evening’s adjournment, the Labor delegates had met and drawn up a list of conditions to be fulfilled before there could be any harmony in the community, that is before the labor movement would agree to support any Government recruiting proposals. The hand of Ryan was evident in the drafting of the conditions which Tudor presented after Orchard’s speech. Broadly, they demanded that the Government should announce definitely that conscription had been abandoned, that de-registered unions should be re-registered and that the War Precautions Act should not be used for political censorship.³⁸ Holman immediately said that the New South Wales Government would give consideration to Tudor’s proposals, but proceeded to cut to pieces the basis of the Labor demands and to ask if Tudor could guarantee that the Labor party would become a recruiting agent if the governments concerned agreed to the proposals. Tudor was no match

for Holman in debate. Ryan was and stepped in to defend the Labor case.

During the discussions that had taken place during the previous night with the Labor representatives, Ryan had become aware of the deeper questions being considered. Therefore when he took up the debate against Holman, he was not concerned simply with the question of gaining recruits but raised the more significant question of recruits for what. His primary humanitarian liberalism, tempered by the collective ideas of the working class representatives, once more provided the synthesis of a new political belief. Some 300,000 Australians had been sent overseas, 55,000 had been killed and another 150,000 repatriated to Australia as casualties. Ryan now posed the question that an increasing number of people in and out of the labor movement were asking – what had three and a half years of war achieved for Britain, Germany, Australia or the other peoples of the world?³⁹ It was not, he said, as Holman had argued, simply a matter of healing internal differences so that Labor and Nationalist, employer and unionist could combine to send more Australians to the front. The question of negotiating a peace with the Germans was now seriously considered by Ryan and raised at the conference; not a peace which would concede conquered territory to Germany, but a peace that did not have to wait for a complete defeat of the Germans and an unconditional surrender by them. From here it was a logical step to demand a clearer assessment of Australia's role in the war: "It would have been better" he said to the conference, "if, before now, there had been some definite statement of what our aims are and what are the terms on which we are prepared to negotiate a peace." The conflicting estimates of reinforcements required, as exemplified in the two conscription referenda, had made him and other Labor delegates suspect and question each Government statement and as a consequence begin to question the whole feasibility of maintaining a flow of reinforcements for an indefinite period. Ryan now sought an estimate of how many men were in fact available to send overseas when allowance was made for Australia's own defence and for the provision of food and minerals for the

Empire.

This represented a new line of enquiry which neither the Government nor the Labor party had publicly considered, but which the federal caucus had considered on the day before the conference⁴⁰ and which the Labor delegates discussed during the lunch adjournment that day, coming to the conclusion that the answer was fundamental to any support for a recruiting drive. Part of the Government's answer would concern the future of conscription to which Ryan was to return often during the seven-day conference. He could not see any unanimity or harmony emerging until a plain statement was made that conscription had been finally abandoned. Holman, similarly, appreciated the division that conscription had produced and, in seeking a return to the national unanimity of 1914, tried to produce an acceptable compromise by suggesting that the Government make some practical declaration of the abandonment of conscription by defining the circumstances under which they might have to resort again to conscription.⁴¹ His proposal fell on deaf ears. After two days the conference seemed to be achieving nothing in the way of aiding recruiting, a feeling heightened when the New South Wales union delegates, sensing their temporarily stronger position, concentrated on bargaining for re-registration of unions and the reinstatement of dismissed railwaymen.

On the third day a special conference of the Commonwealth leaders and State premiers, excluding Ryan, met to consider their reply to Tudor's proposals.⁴² Following this meeting, Cook sought from the delegates a select committee of seven from each side to come to some agreement on the Labor proposals. However, the Labor delegates would have nothing to do with such a committee; any decisions to be made would come in an open debate. As the whole conference looked as though it would prove to be abortive, Hughes decided to attend in person and, being quite ill, read from a prepared statement. His appearance was hardly likely to engender the spirit of harmony and co-operation that people like MacKinnon and Holman were trying desperately to achieve. On the two crucial items of the re-registration of certain unions and the abuses of

the War Precautions regulations he said, bluntly:

We are firmly of the opinion that the action of unions in striking during war time . . . has deserved the severest condemnation. Deregistration was the inevitable penalty for such unpatriotic conduct and the blame for whatever consequences followed from it must rest upon those responsible for the strike. As for the assertion that the War Precautions regulations had been used for political purposes we declare this to be without foundation.⁴³

He also sought a select committee representing both sides to consider the Labor proposals, but with Ryan leading the Labor delegates in the debate on his motion, the depth of animosity towards Hughes and the distrust of his word as a politician made the likelihood of carrying such a motion impossible and Watson suggested that nearly all that the Labor delegates sought should be granted. Hughes finally concurred and agreed to Tudor's requests even to indicating that New South Wales would re-register the unions by a special act. After seeking some minor clarifications, Tudor was ready to accept Hughes' word, but Ryan, although not the nominal leader of the Labor side, was not convinced so easily of Hughes' sincerity. He began to speak at length about the broad proposals, to no definite purpose it seemed, but nevertheless probing Hughes to force him to say exactly what he meant on a range of vital issues. Through his cross-examination, he found what he had suspected to be the case: conscription had not been finally abandoned nor were there any definite intentions for dealing with those making huge profits out of the war. Having found his opening, Ryan plunged in, taking each point in turn and debating with Hughes his interpretation, while Holman attempted to act as referee and prevent the conference falling apart once more. With Ryan's constant references back to the question of conscription, the New South Wales labor delegates became uneasy about the worth of the assurances regarding the re-registration of the unions. Consideration of both questions was postponed.

After six days, several of the delegates having been forced to return home, a desperate effort was made to frame a resolution on which all could agree and which would indicate that the conference had not been in vain. Hughes proposed that "in view

of the expressed willingness of the Federal and State governments to join in the removal of grievances which have been regarded as obstacles to recruiting”, the delegates would pledge their full personal co-operation to secure an immediate and continuing increase in Australian recruiting on a voluntary basis,⁴⁴ but the Labor representatives were not prepared to agree to anything proposed by Hughes. None of them trusted their former leader. Tudor and Ryan put forward a counter resolution declaring that they would make all efforts to avert defeat and to secure an honourable and lasting peace.⁴⁵ With the allies on the defensive, Hughes would not countenance any motion which spoke of peace and finally Ryan’s friend Lawson, the Nationalist Premier of Victoria, proposed that in the Ryan-Tudor resolution the mention of peace be replaced by a wording which signified a uniting to secure reinforcements under the voluntary system. This was carried.⁴⁶ For all the worthwhile intentions of MacKinnon, the conference had achieved nothing. Only Ryan, exposed to the scrutiny of industrial labor leaders from the other states, successfully confronting the Nationalists leaders from six states and the Commonwealth and being undoubtedly compared and contrasted with Tudor, gained any personal and political advantage in the seven days.

Such was the fullness of Ryan’s political life that he rarely moved outside his State for one reason alone; usually he tried to combine several conferences and private meetings and more so if he happened to be called to Melbourne. Since the question of sugar was rarely out of politics, it was one of the items about which he met with Hughes to pass on the request of the millers and growers in Queensland for an increase in the price of sugar from £21 a ton to £24. With a large surplus on hand from the previous season’s crop, Ryan was not confident that Hughes would grant the increase. However, though the Prime Minister refused, he agreed to place the matter before the Interstate Commission during 1918. Of more personal importance were the court cases between Ryan and Hughes, which remained unsolved and, though the central issue had been resolved on 10

December, they gave promise of lengthy proceedings. To ascertain how Hughes' telegram to Ryan (reporting Mannix's claim that Ryan was a Sinn Feiner) had come to be printed in the newspapers – the basis of Ryan's contempt case against Hughes, – W. F. Ahern of the *Sydney Worker* staff was engaged to find out how and by whom copies of the telegram were distributed. After some questions around the gallery, he was able to report that carbon copies had been handed to all reporters who had been in the Prime Minister's office in Sydney. However, when he sought more specific information, no one could remember who had handed these out or any other exact details.⁴⁷ When Hughes later denied having authorized the publication, either expressly or implicitly, he made Ryan's charges particularly difficult to prove.⁴⁸

Though public honour demanded that each voice his determination to press on with his own charges, privately moves were being made to produce some compromise. Webb, the Queensland Crown Solicitor, and Sir Robert Garran, the Commonwealth Crown Solicitor, began exploring possible means at the end of February. Garran made the first move suggesting that not only the conspiracy and contempt cases be dropped, but also the *Hansard* and *Argus* cases, even though the last mentioned had nothing to do with the Commonwealth. He argued that continuance of this case would defeat the object of the whole settlement.⁴⁹ Through his Melbourne solicitors, Ryan stated that he was agreeable to having the *Hansard* and contempt cases dropped, but wished to have the conspiracy case proceeded with as a serious criminal charge, without foundation, which had been laid against him and he wished to see it quashed by the court. He would agree to dropping the libel case against the *Argus* only if that newspaper published a withdrawal similar to that of other papers and agreed to pay his costs.⁵⁰ Since the *Argus* would not agree to this, the case was to continue. It was during the Governor-General's conference that an agreement was reached between Ryan, himself, and Garran.⁵¹ In the conspiracy case, the Commonwealth was to instruct its Brisbane representatives to cancel the charges, while neither party would appear when the High Court resumed the

contempt case.⁵² Honour was thus maintained by both sides.

Honour was not maintained in the aftermath of the Governor-General's recruiting conference. Neither Labor nor the Nationalist-employer alliance believed that the conference had produced any unanimity in the community regarding recruiting; the former, deeply suspicious of the Federal Government's intentions on conscription, took as a test of the Nationalists' sincerity the speed with which the New South Wales government acted to re-register unions and reinstate dismissed railwaymen to their pre-strike position. Holman's tardiness caused the New South Wales party to adjourn indefinitely any consideration of the report of the recruiting conference. The acting secretary, Arthur Rae, whose own sons were at the front, summed up their attitude:

No one wishes to see the Germans win the war on conquer Australia, but at the same time, while the knowledge exists amongst thousands of the working classes of the community that they are being victimised and many of them half starved, there will not be any willing response to appeals until these injustices are remedied.⁵³

New South Wales was not the only State where war weariness, suspicion of anti-Labor governments and disgust with the human and material waste of the war were turning the labor movement away from recruitment and towards peace proposals. The Victorian Labor party's manifesto for a by-election in the federal seat of Flinders began:

The Labor party stands for peace by negotiation . . . The Central Powers cannot beat the Allies . . . The Allies cannot beat the Central Powers . . . The Labor Party believes that the humiliation of a nation creates in its people a spirit of revenge which breeds future wars . . . The Labor Party stands for the immediate cessation of fighting and for the calling of an international conference to settle peace terms.⁵⁴

The manifesto was not authorized by the Federal PLP nor by the Federal Executive. It was not Labor party policy, though many in the Labor party agreed with its sentiments.

Such statements put Ryan in a somewhat invidious position. He was in accord with the idea of seeking an international

conference to negotiate a peace settlement, but did not support any lessening of Australian effort in recruiting or any suggestion of a unilateral Australian withdrawal from the war. At the same time he did not want a further split in the labor movement with one section, largely the industrialists, supporting immediate peace and Australian withdrawal, and the other, largely the members of parliament, supporting continued participation in the war, but at the same time pressing for peace negotiations. A divided labor movement, Ryan knew, could not provide the solid support for a political Labor party to recapture the power of the State and use this power on behalf of the labor movement. At the Governor-General's conference he had indicated his attitudes to the war in seeking an investigation by the Commonwealth Government of Australia's capabilities and a statement of the nation's aims. Consequently when asked for a comment on the Victorian manifesto, he refused to be drawn into any commendation, rejection or support of the manifesto.⁵⁵

In Brisbane, he continued to address recruiting meetings for the State Recruiting Committee though these were becoming more unpleasant as bands of women heckled him continually and did their best to destroy his call for volunteers. There seemed to be a conspiracy by the conservative press and conscriptionists in Queensland to undermine the whole recruiting effort so long as the voluntary method was maintained. The publicity agent of the Queensland Recruiting Committee, while confessing himself a Nationalist in politics, had written despairingly to Ryan complaining about the unwillingness of the Brisbane daily press to give any free space to advertise the voluntary recruiting drive.⁵⁶ In the case of the *Daily Standard*, reflecting the influence of the unions which financed it, this could be understood, but it was hardly in keeping with the patriotism of the *Courier*, *Daily Mail* and *Telegraph*.

Ryan's willingness to allow his name to be used for recruiting appeals was known in Melbourne, where he had sought out MacKinnon to discuss the recruiting problem. A close personal friendship had grown up between the two men, who came from the same area of Victoria, though from different backgrounds

and different social groups. A respect for each other's ability seemed to provide sufficient basis for such a friendship. MacKinnon went with Ryan to see Orchard who was searching for new methods of raising reinforcements. One gimmick suggested to him was that the names of prominent men might be used to try to attract a thousand recruits each. When Orchard visited Brisbane early in May, he suggested to Ryan that he might allow his name to be used for a “Ryan Thousand”. Ryan agreed, though without any great enthusiasm. The recruitment of a thousand men, raised quickly, would be another personal triumph, but the more likely result of a smaller number being raised in the waning enthusiasm for the war could have damaging political ramifications for himself and for the Labor party. In the bitter atmosphere of Queensland politics in 1918, it would have been better to have given the name of a thousand to some non-party political figure, though to have found such a person would have been almost an impossibility. While Ryan recognized the likely consequences of his agreement, so too did his opposition. From the day of the announcement of the formation of the “Ryan Thousand”, the *Courier*, *Telegraph* and *Daily Mail* set out to subvert it, twitting Ryan for not working hard enough for recruits and for not supporting conscription as all other premiers had. Because of the private battle going on in Queensland, a method of gaining recruits which Orchard had considered to be within the concept of harmony and unanimity was worked up into a political controversy centred upon personal attacks on Ryan.

So poisoned had the political atmosphere in Brisbane become that, at the launching of a spectacular “march for freedom” on 22 May to begin recruiting for the “Ryan Thousand”, the Premier could barely be heard above the din when he addressed the inaugural lunch-time meeting outside the GPO. Once again a crowd of well-dressed women had placed themselves about the dais, where they kept up a continuous (and well reported) stream of interjections. Ryan was coming to the end of his patience. Losing his calm, he retorted heatedly that any person who interrupted a recruiting meeting was a friend of Prussian militarism and when the cacophony of hostile voices drowned

out his mention of the "Ryan Thousand", he yelled back angrily at his interjectors: "Go on, go on! Do the work of Prussia! The more you do that sort of thing the less recruits you get."⁵⁷ Exasperated not only with the frustrations of trying to address recruiting meetings, but also with the subversion of the voluntary recruiting campaign, he wrote to both MacKinnon and Orchard calling their attention to the "flagrant manner in which a section of the Brisbane press is prejudicing voluntary recruiting" and, despite the Governor-General's conference, continuing "actively to advocate conscription in leading columns and generally to encourage extreme conscriptionists to hamper and discourage efforts to secure reinforcements."⁵⁸ Orchard replied deprecating the attitude of the press and promising to bring the matter before Hughes.⁵⁹ MacKinnon reported similar experiences in Tasmania and promised to try to stop it.⁶⁰ Neither had much success; the private war in Queensland had become more significant than the one being fought in France.

The great fear of the Nationalists and their allies in Queensland stemmed from Ryan's election promise to consider an election victory a mandate from the people to abolish the Legislative Council. Following the results of 16 March, the non-Labor members of the Council interpreted Ryan's campaigning speech to mean immediate swamping. A deputation approached Goold-Adams to receive a statement setting out their opposition to any further appointments. The statement was couched in high-sounding terms, defending constitutional government in the State and opposing the "violent and extreme expedient of swamping the Council" with partisan nominees, which would "tend to destroy the Upper House as an impartial, deliberative and revisory Chamber." Fourteen reasons were advanced as to why there should be no change in the composition of the Council.⁶¹ In a tense political issue such as this, Goold-Adams wisely acted with constitutional propriety. While receiving the petition and promising to consider it, he indicated to Ryan that he would go no further than this.⁶² Ryan had already held discussions with him concerning the Council, but subsequent events seemed to suggest that the

Governor preferred to wait and see what attitude the Council took to specific legislation rather than make any precipitate appointments. Cognisant of this, Ryan, when questioned by the press about the Council's future, remained non-committal,⁶³ an attitude which no doubt appealed to Goold-Adams more than brash threats.

Ryan's ability as a political leader was evident outside Queensland, and as the PLP began to reassemble for the new parliament, southern newspapers became more open in their prediction of Ryan's imminent move to federal politics.⁶⁴ While Tudor's lack of political appeal was brushed over in the labor press, it was openly discussed in the non-labor and Catholic press. The *Sydney Freeman's Journal* in a March editorial "Will Premier Ryan become Labor's Federal Leader" commented: "Mr. Tudor has many excellent qualities and his services are highly valued by his colleagues but he is not sufficiently picturesque to grip the imagination of the general public."⁶⁵ Rumours of the retirement of Ryan's close friend, Jim Page, to provide a seat soon passed into the realm of fact, according to the press reports.⁶⁶ The *Times* correspondent wrote: "Negotiations between the Australian Labor party and Mr. T. J. Ryan . . . have resulted in Mr. Ryan's expressing his willingness to enter Federal politics."⁶⁷ While there is no doubt that there were endeavours to have Ryan leave Queensland politics, his entering federal politics could not be as simple as that. If he were to change over it would obviously be with the ambition of becoming leader, yet there were capable men, such as Higgs, with long histories of service to the labor movement who saw themselves as Tudor's successors. Ryan constantly denied that he was considering entering the House of Representatives, but his denials were far from convincing and indicated that in any case he had laid down certain terms of entry: "I have fifty good and sound reasons for not leaving Queensland politics for the federal arena. In the first place I have not been asked. It is therefore not necessary for me to deal with the other forty-nine reasons."⁶⁸

Such statements only raised further speculation. On 8 May the *Age* reported: "It was authoritatively stated on Wednesday

that the premier of Queensland, Mr. Ryan had been invited by the Federal Labor party to lead it at the next Commonwealth election. Mr. Tudor it was said had acquiesced in the arrangement." This was embarrassing not only to Tudor but also the Federal PLP members who directed Tudor to give an official denial of the *Age's* report. Significantly though, an addendum to this caucus resolution stating that the party had never discussed the entry of Ryan into federal politics or any change in the federal leadership, was lost.⁶⁹

At the pre-session meeting of the PLP in Queensland, a new cabinet of Ryan, Theodore, Fihelly, Hardacre, Huxham, Lennon, Coyne and Hunter was elected with Gillies becoming the Assistant Minister to Ryan. The portfolios remained the same except that Fihelly was appointed to railways and Coyne to lands. There was some opposition in the caucus to Hunter's continuing as a member of parliament and not taking up his position as Agent-General, but Ryan valued Hunter's ability too highly as an advisor and an administrator and it was on his recommendation that Hunter was elected Vice-President of the Executive Council until his departure for England.

It was the war that stood out as the most important issue for most Labor members. Two questions: the internment of Schache for no apparent reason other than his German name and his politics, and the demands for peace negotiations, had special interest for Queensland Labor politicians. Ryan had taken up the internment case with Watt when he was Acting Prime Minister and again when Hughes returned, but to no avail on both occasions. A complete blanket had been placed over the whole question and though Ryan personally interviewed Hughes specifically on Schache, the Prime Minister would confirm or deny nothing. At the caucus meeting, Ryan reported on his endeavours.⁷⁰ Cuthbert Butler, the new member for Lockyer, and H. L. Hartley of Fitzroy, indicated that they would continue to press for some action on the matter. Most of the debate at this first meeting centred on the dual questions of recruiting and peace, where it was evident that there was not unanimity. Once again Ryan's ability to sense the extent of feeling was required to arrive at a statement acceptable to all.

He had included a paragraph on voluntary recruiting in the Governor's speech which, after a long debate, he agreed to delete. The caucus further resolved, narrowly, that the whole speech should be referred back to the cabinet for the inclusion of some reference to the peace proposals adopted at the Labor-in-Politics Convention.⁷¹ Some members wanted to go even further and use the opening speech as a pointer to Queensland's attitude at the Interstate Conference in Perth in June when the national policy on peace negotiations would be decided. Appreciating the potential danger such a statement could have in causing a division in the party, Ryan assured the caucus that he would move a specific resolution in parliament on the peace proposals according to what the Perth conference decided. As a reasonable proposition, this was accepted by caucus and business relevant to a state Labor government was resumed.

So Ryan began his second term as Premier. Ten years before, he had been a relatively unknown Rockhampton barrister declining to stand a second time as a Labor candidate for a seat that he thought could not be won. Now as he prepared for the opening of parliament he was engaged in one of the most significant constitutional cases of the State's history – the McCawley case – where his interpretation of the law was being pitted against men much his senior in the legal profession about his belief that the elected representatives had full power to decide the laws of the State. At the same time he was the one political figure in Australia whom conservatives feared could break their hold on economic and political power, and his presence would obviously be critical at the coming Labor conference in Perth where a decision to oppose further participation in the war or in recruiting could cause as great a split in the Labor party as that of 1916. Ryan understood that solidarity was the keynote to the success of the labor movement and the Labor party, but there were many inside the party who were not so concerned about this. Significant numbers of people other than those in the labor movement were watching with interest Ryan's approach to a problem, which seemed almost beyond solution.



Their Only Argument.

. Comment on the Nationalist election campaign, 1918. Cartoon by J.T. Case which appeared in the *Queensland Worker* of 21 February 1918. Australian Workers' Union, Queensland Branch Executive [John Oxley Library, Brisbane]



Ryan at his desk in London, 1916 [Miss Mary McLean]

15 The War in Europe Ends

Queensland's twenty-first parliament opened on 28 May 1918. The opening speech contained one short reference to a hope for "an honourable and enduring peace", avoiding the more strident demands of sections of the labor movement for an outright declaration of an end to the war. In brief paragraphs it dealt with the establishment of a cannery at Bulimba on the Brisbane River to serve the returned soldiers' pineapple farms; the supply of meat; the wheat, sugar and dairying industries and the extension of the Arbitration Act to cover police, teachers and other branches of the Public Service. It was proposed to extend the facilities for secondary and technical education and to push ahead with the completion of the north coast railway to link Rockhampton and Townsville. In the final paragraph reference was made to the rejection and mutilation of much useful legislation by the Council and to the duty of the Government "to take such steps as will in the future prevent such flouting of the expressed will of the people." The list of bills appended indicated that neither Ryan nor his cabinet had allowed three years of government to lessen the ideological fervour of 1915.¹ Despite the respect which he had for Ryan, Goold-Adams was perturbed and offended by the further contentious legislation which the Government proposed to introduce.²

By 30 May the address in reply debate was concluded with only the mover and the seconder speaking on the Labor side. One of the reasons for the quick despatch of the address in reply, and indeed the earlier session, was to allow time for Theodore to introduce new taxation proposals to make up the

deficit caused by the Council's refusal to pass earlier taxation proposals. By the end of June, Theodore anticipated that the deficit would be about £417,000. While these taxation proposals were being debated, other bills rejected by the Council in the earlier parliament were reintroduced.

Having attended the opening of parliament, Ryan prepared to depart for another parliament – the federal parliament of Labor in Perth where the tenth Interstate Conference was due to open on 17 June. Throughout the history of the Labor party, some federal and state conferences have provided the occasion for splitting the party, sometimes over vital questions, but often over personal animosities. In many cases, the exercise of tact and compromise could have held the warring factions together until tempers cooled, the immediate issue subsided and good sense prevailed. On other occasions it seems that nothing could prevent a permanent split with its consequent damage to the party. Whether it was able to rise again quickly or over a long period depended on a number of variable factors. The 1918 conference could just as easily have split the Labor party disastrously as allowed it to stagger on, alive, but bleeding. That it did not provide a split was due to the good sense of the delegates who, in 1918, were conscious of the effects of the 1916 split and of the vital need for unity against the Nationalists and employers.

The war, recruiting and compulsory military training were obviously the questions which would cause sharp division in Perth. In Queensland, those who saw themselves as the militants wanted a clear definition of Labor's attitude on each one of these, and since four of the states had already passed peace resolutions at their conferences, the militants felt confident that the Perth conference would be forced to vote for immediate peace, the end of recruiting by Labor politicians and the abolition of compulsory military training.

Pressure to prevent Labor parliamentarians assisting with recruiting was being exerted by many trade unions and by the BIC. The latter stated its attitude at a meeting on 29 May when an executive report on recruiting was adopted, which declared

that the workers were the ones to suffer most in any war, that Australia should seek an armistice to open negotiations for peace "on the basis of no indemnities and no annexations" and that any member of the political or industrial labor movement who took part in recruiting "fails to interpret correctly the view of the workers on this question and displays lamentable ignorance of the fundamental principles of the working class movement."³

As the BIC resolutions did not concur with Ryan's public attitudes and utterances, the *Courier* sought some comment from him.⁴ However, three years as Premier had taught Ryan the necessity of seeing the full document before making any comments. On the other hand the *Courier's* editor was not without experience also and after Ryan had had a week to consider the resolution, a reporter was sent back for a statement. Evading traps set by newspapermen is part of a politician's stock in trade. Ryan said he had "glanced at the whole of the resolution" which seemed to express many of the ideas held by thinking people throughout the world, but he did not think the BIC resolution sought to disarm allied forces and allow a surrender to Prussian militarism.⁵ To keep the pot boiling, Holman was asked to comment on Ryan's remarks. The New South Wales Premier, while praising Ryan's recruiting efforts, claimed that any treaty with the German Government would be useless and that the value of seeking a negotiated peace would be nothing.⁶ However, Ryan had culled from a speech of Lloyd George in January 1918 a quotation which he used often against the detractors of peace by negotiation. Lloyd George had said: "The moment the Germans show a disposition to negotiate for equitable terms, there should be no reluctance to negotiate with them."⁷ For the time being the question was dropped.

When the conference opened in Perth on 17 June, thirty-two delegates were present. South Australia had been able to send only three out of its six and Tasmania four. John Curtin, editor of the *Westralian Worker*, was added as a proxy delegate for Tasmania. Queensland, with four state politicians, one senator and McDonald, had almost all politicians as delegates in contrast

to the other five states which had only seven politicians among their twenty-six delegates.

The peace proposals to be discussed were those passed by the New South Wales conference twelve months before and endorsed by state conferences in Queensland, Victoria and South Australia. But when, after several hours debate, the conference appeared to be making no progress, Arthur Rae, one of the New South Wales delegates, suggested the appointment of a committee to draft a resolution embracing the views which had been expressed.⁸ Rae's suggesting this was in itself important. He was regarded as a militant and was in favour of the more militant resolutions; at the same time he was prepared to accept a compromise in the interests of unity and to avoid a split in the party. Such an attitude augured well for the remainder of the conference. His suggestion was accepted and a committee of Ryan (Queensland), Maurice Blackburn (Victoria), Donald Cameron (Western Australia), Norman Makin (South Australia), Senator James Long (Tasmania) and Rae (New South Wales) was elected with Ryan to act as chairman. Of the six Ryan was patently the least radical or militant, yet his standing with radical unionists was such that there was nothing incompatible with his chairing such a committee and using his influence to draft the final resolution. The committee sat during the evening and delivered its report on the following day.

Ryan had never been one to speak often at Labor conferences, preferring to use his influence in committees or in private counselling. The 1918 conference was to be no exception. He did not attempt to advocate any particular course when the committee on peace negotiations met, but listened with care to the views of the other five members, intervening at times with a question or an observation but weighing up in his usual judicial manner the gravamen of each argument and mentally drafting the resolution that would reconcile the different opinions and be acceptable to all.⁹ As chairman, he presented the committee's report to the conference. It recommended, with the addition of two phrases, the peace proposals already adopted in four states, urging that immediate negotiations be initiated for

an international conference to arrange equitable terms of peace and to include working-class organizations and women delegates. To achieve lasting peace, ten principles were proposed which included the use of existing armies and navies to restore devastated countries and the simultaneous abolition of conscription in all countries. In addition, the committee recommended that an international labor conference should be held to discuss peace terms and that Australia would be represented.¹⁰ After a lengthy debate the report was adopted.

Before the war and again during the war period, the Labor party had rightly acknowledged the greater importance of the Commonwealth Parliament over the states and had sought to increase its legislative power. At the 1918 conference this resulted in a motion for unification with centralization of legislative power in the Commonwealth Parliament and the creation of provincial councils to administer power at a local regional level. As a reasonable assessment of Australia's future constitutional requirements, there was much support for it, but in the heady atmosphere of democracy which pervaded the conference, Blackburn and Rae sought not just unification but a people's convention to recast the Federal Constitution. Cameron, Makin and Scullin joined them while, on the other side, Senator O'Keefe and McCormack tried unsuccessfully to bring the debate back to the realities of Australian politics in 1918. To prevent the party's being loaded down with an unreal plank, Ryan entered the debate. He had no objection to redistribution of powers between federal and state authorities but, he pointed out, there were only two ways in which such changes could be brought about — through a referendum or by an act of the Imperial Parliament. The danger he saw in the constitutional convention or peoples' convention being sought at the conference was that there was no certainty that Labor ideas would prevail. However, since the delegates wanted some revision he suggested as a compromise a special federal conference to deal with the question of providing for the supremacy of the national parliament.¹¹ Fihelly and McDonald took the point and moved accordingly. This was defeated, but the conference returned to reality and a committee was

appointed to recommend the changes in the platform necessary to provide for the supremacy of the national parliament and for the creation of local provincial councils. Fihelly chaired the committee whose report embraced the required clauses.

The usefulness of committees having been demonstrated and the conference having so many items of consequence to consider, early on the third day a number of committees was appointed with representatives from each state. Ryan confined himself to those committees having immediate political relation to the war and was appointed chairman of the largest and most important – that dealing with the war and recruiting. This committee was to convene for almost forty-eight hours before it could present its report. When it finally emerged it was clear that the report was a compromise between the views of those who wanted an immediate cessation of Australian participation in the war and those who wanted Australia to remain fighting with the allies until the war officially ended. Despite the deficiencies it was said to contain, the report provided a basis for agreement and for holding the party together. The hands of Ryan and Catts were strongly evident in the drafting through Blackburn also seems to have had a part. Its clarity reflected Ryan's often repeated dictum that not only should documents be written so as to be understood, but also they should not be capable of being misunderstood.

The preamble described Labor's attitude to the war in 1918 showing it to be the same as that of 1914, viz, "For liberty and democracy and the independence of small nations; for the honouring of publicly made treaties and for the maintenance of public international law." However, the section dealing with the party's attitude to recruiting was of more moment. It provided that further official participation in recruiting should be dependent on a statement of allied war aims and on the Government's ascertaining Australia's own requirements for home defence and essential industries. This section was not to become operative until endorsed by a referendum of all branches and unions.^{1 2} Ian Turner has commented, in regard to this referendum, that referring a contentious issue back to branches is an old political ploy designed to kill or delay the

issue.¹³ His point is well taken, but it is also correct to note that the democratic ideal of the referendum was still strong in the party and, more importantly, on an issue such as this, which held the seeds of a split, it was common sense to have a greater party consensus. In both of these cases, Ryan would have found plenty of scope for arguing for the inclusion of the referendum. Additionally, on the basis of his previous tactics regarding the Legislative Council and the northern railway strike, it would not have been out of character for Ryan to support the referendum to give the party more time to weigh the options.

When the report was debated, the Conference agreed by fifteen votes to seven to delete the word "official" from the reference to recruiting, which but for the referendum clause would have effectively prevented Ryan, Tudor or any other parliamentary leader from participating in future recruiting meetings. It was the referendum which caused the greatest stir. Collins from Queensland moved for its omission and was supported by two New South Wales and two Western Australian delegates. But, despite the accusations of spinelessness and a call among the militants and those of more moderate leanings for the conference to shoulder the responsibility of a firm decision, there was an acceptance that, though the referendum clause had definite drawbacks, it was preferable to a party split. Willis, one of the more militant delegates from New South Wales gave an opinion that Ryan might well have echoed: "it [was] of paramount importance to keep the movement intact, and while dissatisfied with the result, he was prepared to accept it in the spirit of solidarity of Labor."¹⁴ It was not a case of the right selling out the left or of scheming politicians outsmarting militant unionists, but was a reasonable solution to an almost impossible problem.

Having decided upon the Labor attitude to recruiting, the conference began the arduous task of sorting out an agreed policy on the Defence Act. There were a number of resolutions dealing with compulsory military training, several conflicting, and many binding state delegates. Holloway moved the Victorian resolution calling for the abolition of compulsory military training and compulsory service in time of war.

McDonald, acting on instructions from the Queensland Labor-in-Politics Convention, sought to amend this by deleting "in time of war". Blackburn, though bound to vote as Victoria had directed him, said that he favoured an army of citizens compulsorily trained and certainly did not go along with the Queensland proposal. It soon became evident that, despite the war and two conscription campaigns, many political and industrial leaders in the party still favoured compulsory military training. They, as deeply as other Australians, had an ingrained fear of Japan and no great faith in the ability of Britain to engage in the war against Japan.¹⁵ Tudor described any repeal of the compulsory training clauses as a most retrograde step and found in his company radicals like Willis, Scullin, Rae and Makin. Curtin agreed with other delegates that there was a menace to Australia but thought that aircraft would provide a better defence than an army; he supported compulsory military training at eighteen. As delegate after delegate stood up and declared his opposition to militarism, but support for compulsory training – motivated by their strong fervour for white Australia – McCormack and Fihelly changed their opinion on compulsory military training and defied the ruling of their state convention by supporting the retention of such training. Ferricks, on the other hand, gave his support to the repeal, though he said he personally did not believe in it. Ryan was absent when the vote was taken and Holloway's motion was defeated by eighteen voted to nine.¹⁶ It was a convenient absence and since he had not spoken in the debate, Ryan's precise attitude was then unknown. While in Perth, Ryan had spent some time away from the conference having discussions with the Western Australian Premier H. B. Lefroy and the parliamentary Labor leader Philip Collier. With Tudor, he hoped to heal the breach in the Western Australian labor movement and to entice some of those who had gone over to the National Labor party to return to the "official" Labor party. It was nevertheless convenient that he had been absent when the vote was taken, particularly in view of the stand taken by Fihelly and McCormack.

A further committee with Ryan as chairman was elected to

draft recommendations to democratize the Defence Act. The report contained eighteen clauses which broadly provided that only persons able to vote should be called up for service; saluting would be abolished; officers would be elected and no person would be compelled to serve outside Australia. This last point was subsequently deleted.¹⁷ In line with the anti-colonial and anti-Hughes attitude of most of the delegates, a resolution was later passed opposing any retention by Australia of captured Pacific islands.¹⁸

After eight days of long and arduous debate the conference closed. Given the large number of groups within the party all clamouring for views to become official policy, the Conference had been successful largely because moderates and militants, unionists and politicians, had been prepared to come to some compromise. The group most disappointed were the militants outside the conference who had hoped and expected that Labor would have opted for an immediate end to the war and recruiting, though neither of these was for the Labor party in Australia to decide. But if the conference delegates were castigated by the militants in their own ranks, they were even more harshly treated by their opponents outside. The secrecy surrounding the debates, the unwillingness to allow any press reports of movers and seconders of resolutions and the complete inability of the press to find out any more about the conference than the bare resolutions passed, angered Australia's conservatives. By the time the official report was available, the delegates would have been back at their homes and the news value of the moment would have passed. As Ryan returned to Queensland he spoke at meetings along the way. These enabled him to place the conference resolutions before labor people and the labor press in clear terms that could not be misunderstood. Furthermore, since he was the outstanding figure in the Australian labor movement and had appointed himself chief spokesman on the conference, he could expect to have his accounts of the conference recorded in the press and so reach the wider, non-committed audience.

At the Adelaide Town Hall, Ryan and Rae addressed a packed audience. Ryan went through the important resolutions

dealing with the war, emphasizing that they desired peace – not peace at any price – but peace on an equitable basis. This was not quite what a large section of the labor movement sought, nor exactly what the Perth resolution said, but it expressed clearly enough the mood of the conference in terms that could not be misunderstood. Regarding recruiting, he emphasized the consistency of his views as expressed at the Governor-General's conference and in the resolutions passed at Perth. The resolution did not interfere with pure voluntaryism he said, but Australia had to approach its recruiting problem in a practical way; unless and until the requirements of home defence and essential industries were known, it would not be honest for him to urge men to go to the war.¹⁹ Here and later Ryan showed an unwillingness to advocate any unilateral withdrawal of support for the war or for recruiting, despite the opposition in the labor movement. This may be accounted for partly by the turn of the war itself, which still did not show that either side could win, and partly by his own assessment of the Australian people who, though becoming weary of the war and losing interest in concepts of total victory, were not prepared to turn their backs on their British kinsmen or French allies. However, despite his "understood and not misunderstood" dictum, there was an uncertainty about the real implications of the recruiting resolutions which the newspapers were anxious to probe. The non-labor press in Australia has not been noted for its dissection of the speeches of non-Labor politicians, yet its editors have been educated to question minutely the meaning and implication of speeches of Labor leaders, particularly in times of stress. Ryan, not Tudor, was the tacit leader whose speeches and motives were most closely scrutinized regarding Labor's attitude to the war and recruiting. What did peace negotiations mean? Would Labor parliamentarians cease recruiting? Did the conference resolutions in effect prevent Ryan from further assisting with recruiting?

Ryan was forced to answer these queries during a Sunday night meeting in Melbourne on 31 June.²⁰ An overflowing crowd had come to hear the policy explained, but also to be given heart that the Labor policy was right. In the game of

politics, particularly on the Labor side which depends so much on voluntary efforts, giving heart to supporters has always been important. Even if he was not able to convince the sceptics on the other side, Ryan, the politician, soon had his audience in hand, laughing at his quips and cheering his challenges. What he said did not vary greatly from the reports of his speech in Adelaide, but its clarity and simplicity of language ensured not only that it could be understood but also that it could not be misunderstood. Peace, he said, must be sought on the basis of no annexations and no indemnities, as history had shown that nations which insisted on the annexation of territory sowed the seeds of future wars; while he would still support voluntary recruiting for the war, he was not going to be cross-examined regarding his immediate intentions; he would please himself whether he went on a recruiting platform or not. Not satisfied with his explanation of how peace by negotiations could be achieved, the *Age* questioned whether he could be really serious in his proposal. It commented: "As an intensely patriotic public man, still burning with the devotion to Great Britain which he expressed so admirably while in England, Mr. Ryan seems to have lost his clearness of vision." It wondered how Ryan could be sure the Germans would be prepared to negotiate when the available evidence suggested otherwise.²¹

Labor leaders, as Ryan well knew, could not alone solve the problems of those who made up the working class. The main factors which would hold back the fulfilment of any Labor aspirations were division and internal dissension. Such were the problems looming for the Labor party and the labor movement in 1918. Solidarity was more important than what were loosely termed "principles" and when Ryan therefore concluded his address with "solidarity will spell success", he was telling the members of the Victorian labor movement that it was more important that they should agree to accept the decisions of the conference; for each small group to pursue its own line would allow the forces of capitalism to divide and conquer the labor movement. It was not possible to convince all his political allies about the wisdom of the conference resolutions. The BIC declared that the conference had shirked its responsibility by

referring the question of recruiting to the workers instead of boldly pronouncing on it.²²

The problems facing Ryan on his return did not relate only to explaining the Perth resolutions and answering questions about his own intentions on recruiting. The Legislative Council had once more openly challenged the Assembly by refusing to pass a money bill. During Ryan's absence, Theodore had passed through the Assembly bills to amend the Income Tax Act, the Land Tax Act, the Succession and Probate Duty Act as well as the Chillagoe Railway Bill. The attitude of the non-Labor majority in the Council to this attempt to tax more heavily themselves and their associates came on 3 July when a further ruling from the chairman of committees that the Council could not amend a money bill was defeated. A week later the Council amended the Income Tax Bill. Ryan conferred with the Governor who agreed that the Council was wrong in the stand it had taken, but said he was unable to do anything about it, nor was he prepared to appoint more members.²³ The Assembly debated the Council's action at length with Ryan referring again to the 1886 Privy Council case which clearly set out that the power over money bills resided with the lower house. More importantly, Ryan let it be known that since he had been returned by an increased majority at the recent election, if the Council again rejected the money bill "the Government would re-consider the question of how they would deal with them."²⁴

As the newspapers discussed the crisis and the deadlock between the two houses, some councillors took stock of the threat of abolition and sought to adjourn the question for a time. From this adjournment came a request from the Council for a free conference to which the caucus agreed provided that no concessions were made by the Assembly.²⁵ While Ryan fought the Council over this constitutional question, others in the State were fighting their own private wars, which also directly involved Ryan.

At least three Queensland citizens – W. J. Fegan and T. Fitzgerald of South Brisbane and Schache of Gladstone – had been interned for more than six months without trial or inquiry. Despite deputations to Pearce by Ferricks and other

Queensland politicians regarding Fegan and Fitzgerald, police reports and lengthy correspondence between Ryan and Hughes regarding Schache and personal representation by Ryan during the Governor-General's conference, there was still no prospect of an inquiry or trial for any of the internees by July 1918. Basing their authority on a High Court decision of September 1915 that the minister need not give reasons for detaining any person, Hughes and Pearce claimed that the Queensland internees were of hostile origin, which was sufficient under the War Precautions Regulations.²⁶

Incensed at this flouting of Australian citizens' rights, Cuthbert Butler had written a letter to the *Queensland Times* of Ipswich setting out the details of the internment of Fegan and Fitzgerald only to find that the censor had refused permission to the editor to publish the letter. Once again *Hansard* and the Legislative Assembly had to be used to protest against political censorship. Ryan laid on the table of the house copies of the correspondence dealing with the internees and a week later Butler moved the adjournment of the house to discuss the matter.²⁷ Successive Labor members outlined the facts of the case with Butler having his censored letter incorporated in *Hansard* and George Carter, member for Port Curtis where Schache resided, reading Ryan's correspondence with the Commonwealth to have this also incorporated in *Hansard*. It was intended once more to distribute as widely as possible copies of the *Hansard* 17 containing the debate. Though the War Precautions Act came under heavy fire from the Labor benches, Ryan did not attack the Act itself but its administration. It was very easy to be wise after the event, he said, and the Labor members who had passed the original Act would probably wish they had not granted so much power to the executive. But no matter how wide the power, it depended upon the manner in which those powers were administered – good laws could be very badly administered. He did not disagree with the supreme government's having drastic powers in war time – that was necessary for national safety – what he sought was the exercise of those powers in a way that was consonant with the principles of British Justice.²⁸

Once again, however, the censor was to thwart the Labor party's intentions by refusing to allow this *Hansard* to be published. Ryan protested to Watt, the Acting Prime Minister, who supported the censor and insisted that the publication of that particular *Hansard* would jeopardize the war interests of Australia.²⁹ Nevertheless Ryan was able to negotiate with him to allow part of the debate to be published, but while these negotiations were proceeding, the censor in Brisbane sent a military detachment to occupy the Government Printing Office to ensure that the censorship requirements were obeyed. In view of Ryan's coming to an agreement with Watt, the military intervention was quite uncalled for and reinforced doubts about the bias of the War Precautions Regulations. Ryan refused point blank even to discuss the question with any military authority and threatened legal action.³⁰ Eventually the *Hansard* was allowed to be published with all but Butler's letter.³¹ Ryan had agreed at an earlier caucus meeting to allow the *Hansard* to be published with blanks if this were possible. Apparently it had not been. Nevertheless *Hansard* 17 used a larger type, and had greater line spacing, where the correspondence was printed, than the normal *Hansard*. The atmosphere in Queensland remained tense and there were indications of a possible repetition of November 1917. A public meeting was advertised to demand "for all interned Australian citizens who demand it, a fair and impartial trial." Ryan was to be the principal speaker.³² However, the noisy rumblings in Queensland produced some results in Melbourne where Watt instituted a judicial inquiry into the internments. It was not to be the open trial in a court of law which Ryan felt was necessary but was sufficient of a compromise to allow both sides satisfaction. Further attempts by Butler to place in *Hansard* Government opposition to the censorship were quietly dropped by Ryan in view of the results achieved.³³ In any case, the fight with the Legislative Council was of more importance than a further prolonged squabble with the Commonwealth.

Throughout the war, Queensland had been the only state not to introduce early closing of hotel bars. Childe has argued, rather simplistically, that this was due to a link between the

cabinet and the liquor interests,³⁴ couching his arguments in the “scheming politician defeating the honest socialist” thesis of intra party politics and neglecting the wider issues involved. Ryan had not been opposed to early closing but had been adamant that the decision was one for the people themselves through the processes laid down in the Initiative and Referendum Bill. The Labor-in-Politics Convention in March had reaffirmed this policy by forty-four votes to twenty-two despite strong pressure from a section of the party to legislate for six o’clock closing. Since it was obvious that the Council was not prepared under any circumstances to allow such a bill through, the question of liquor reform became embroiled in the conflict between the Labor majority in the Assembly and the non-Labor majority in the Council. Ryan could not agree to any early closing legislation or referendum without conceding Fowles and his cohorts a tactical victory. As a first step towards implementing the Labor policy on liquor³⁵ the Government had established a state hotel at Babinda in north Queensland in 1916. Despite the financial success of this hotel and the early promise of “a chain of State Hotels throughout Queensland”³⁶ Ryan had made no mention of new state hotels in listing proposed state enterprises in his 1918 policy speech, while Huxham, the Home Secretary, was to indicate in August 1918 that there was little likelihood of any additional state hotels being built.³⁷ Few on either side of the parliament believed that state hotels or the Labor platform were really the beginning of the answer to the temperance societies’ demands. The first step they sought was a lessening of the supply of liquor. Consequently P. M. Bayley, Independent Nationalist member for Pittsworth, a Darling Downs seat, had moved for a non-party bill to be introduced to provide for six o’clock closing, insinuating that the reticence of the government was due mainly to its close association with liquor interests.³⁸ When this bill came forward the strong temperance section in the caucus, frustrated at the politics and delays in introducing liquor reform, threw down the gauntlet by demanding the immediate implementation of the party’s platform in regard to liquor. By including in their motion the promise of state

enterprises, the temperance advocates very nearly forced the Government's hand and were headed off only by an amendment, supported by Ryan and Theodore, to postpone the demanded action until a further attempt was made to have the Initiative and Referendum Bill passed. The amendment was carried by twenty-three votes to seventeen.³⁹

However, the women of the Six O'Clock Closing League were not nominally concerned with the game of politics and, after a heartening meeting in the Centennial Hall, several hundred of them marched on Parliament House chanting "the women of Queensland want six o'clock closing." On their arrival at the House, a note was sent to Ryan from the chairman of the meeting and from Mrs. J. Williams, president of the Women's Christian Temperance Union, asking him to receive a deputation. Ryan had never been politically impressed by displays of physical force and having been so recently returned at an election with a two to one majority, he was hardly likely to be overcome by the present display — even if it were one of feminine force. Having listened to their case, he promised to consider the points raised, his normal answer to deputations, but made it clear that he would not be lectured to nor would he allow himself to be forced into any action because of a demonstration.⁴⁰ This, however, was not an ordinary crowd nor an ordinary demonstration, but 600 emotionally-charged women, most of them involved in direct action for the first time, and in a complex political atmosphere which few of them understood. Having received little satisfaction from Ryan, they stormed the Visitors' Gallery chanting: "The women of Queensland want six o'clock closing". A non-plussed McCormack tried in vain to restore order while cards bearing the chanted slogan showered down into the Assembly where the members, without success, tried to speak above the row. Ryan and McCormack held a short conference, after which the lights were turned off until a police inspector and detachment arrived and proceeded to remove the struggling ladies singing "God Save the King".

The women of the Six O'Clock Closing League claimed to have been motivated by patriotism and loyalty to the Empire.

For the same reason, meetings calling for peace were broken up and "Cromwellian direct action" demanded against those attempting to fly the red flag. At the other end of the political spectrum, those who believed that the war was merely an imperialist plot and who dreamed of a bolshevik revolution in Australia saw little reason to restrain themselves in their political actions either. For the Labor Government in between these two factions the end of the European war – a real possibility in August as the American presence became evident and the German army fell back – was heartily sought.

On 2 August the free conference on the Income Tax Bill met but adjourned without reaching any agreement. The Council representatives expected Ryan to call another meeting but when finally they saw him, over a fortnight later, he said he saw no advantage in having a further conference. The inference was not lost on Hawthorn and Leahy, the Council representatives. Hawthorn told the upper house "We are now faced with the position either to give in...or insist on our amendments...thereby running the risk which we have been threatened with of reinforcements being introduced into this House...and the future effectiveness of this side of the House will be absolutely gone."⁴¹ The Council did not insist further on their amendments. A week later the Council again backed down after an abortive conference on the Land Tax Bill. Despite these concessions, plans were already being drawn up by the cabinet to deal with the Council. Ryan had met with the Governor to try to seek more Labor appointments, but though the Governor refused these, there was no doubt in the caucus that either by swamping or by referendum, there would be a further attempt during that session to remove the Council.⁴²

Among the most sacred pieces of legislation sought by the Labor Government was the amending of the Land Act to allow the Land Court to increase the rentals for grazing properties to take account of their true values and not to be restricted to a maximum of a fifty per cent increase at each reappraisal. The Government argued that when this provision was introduced in 1905 to favour pastoralists against grazing farmers in the rents each paid, its necessity had been due to the severe drought

which had affected the productive capacity of western runs. This favourable discrimination was no longer needed. To the Opposition and large land lessees in London, the Government's amending legislation was repudiation of a sacred contract. On the two previous occasions when the Amending Bill had been passed by the Assembly, it had been thrown out by the Council and now, at the end of August, the Council threw it out a third time. There could be only one Labor reaction. The *Courier* reminded Ryan that the will of the people was that the Council should remain. In the Assembly, Ryan reminded the *Courier* and the Nationalists that an election had since been held where the Council's future had been made an important issue by both sides and in fact, the *Courier's* last words to the electors in March had been: "a caucus victory today means the abolition of the Legislative Council."⁴³ Ryan again held several lengthy meetings with the Governor without any conclusions being reached. In the midst of the negotiations the McCawley case began in the High Court in Melbourne, necessitating Ryan's presence there. The caucus agreed to postpone a decision of tactics against the Council until his return.

When the Queensland Full Court had ruled on 22 August in the re-convened case,⁴⁴ that McCawley could not take his seat on the Supreme Court bench, Ryan had appealed to the High Court, where the case opened on 10 September. Appearing with Ryan for McCawley were Sir Edward Mitchell KC and H. D. Macrossan. Ryan argued that under the Colonial Laws Validity Act every colonial legislature was given power to establish, abolish or reconstitute courts of judicature or to alter its constitution. Under that power the Arbitration Court was properly constituted and McCawley's appointment was valid. The president of the Arbitration Court had been made a Supreme Court judge for life to give him security of tenure and dignity and to enable him to act with greater independence within the scope of his arbitral powers. The case continued for three days with little indication of what the result might be. When the judgment was delivered on 27 September, a majority of four, Griffith C. J., Barton, Duffy and Powers J. J. to three, Isaacs, Higgins and Rich J.J., held that the appointment was

invalid.⁴⁵ An appeal to the Privy Council was instituted.

On his return Ryan again took up with the Governor the question of additional appointments to the Council, and when the latter's refusal was reported to the caucus the re-introduction of a bill to abolish the Council was proposed from the floor of the meeting.⁴⁶ Not all members of the PLP were yet convinced that this was the best solution. Some wanted to confront the Governor with a formal recommendation from cabinet to make the necessary appointments. Stopford and Theodore moved for this to be done, but a combination of an unwillingness by Ryan's supporters to do battle with the Governor in this way, particularly in view of the adamancy of his earlier refusals, and of a lingering ideal that the Council should be abolished by a vote of the people and not by a backdoor method, produced a majority. The Stopford-Theodore motion was defeated by twenty-two votes to twelve and the PLP once more set about the process of abolishing the Council by referendum. On this occasion the pill was to be coated by the provision of an advisory committee of members of both sides of the house to scrutinize all bills before these went to the Governor.⁴⁷ As members' salaries had been fixed at £300 a year since 1896, they were to be paid a special allowance for the abolition campaign. This was to be incorporated in the £25,000 to be set aside for the referendum and was to be included in the Appropriation Act which the Governor assured Ryan the Council would pass.⁴⁸

While the caucus and the press had been concerning themselves over the problem of the Council, debate over the Perth conference resolutions, particularly that relating to "peace by negotiations", had not abated throughout August and September. Within the PLP there was a small group, headed by Butler, who constantly urged Ryan to move a motion in the house calling for peace negotiations and embodying the Perth resolutions. Ryan was reticent about raising an issue about whose acceptance by the party he was unsure and about which there was to be a referendum. He seemed to prefer to allow the matter to lie. There was nothing for the Labor party to gain by

publicly raking over its peace proposals until the referendum was held. If peace was to come it would be because of factors outside Australia's control. Australia's part in the war was very large for her size — losing more men killed than Canada, Belgium or the United States — but it was comparatively small in absolute terms and as the Hughes Government was settled in the middle of its term there was little chance of influencing it towards seeking a peace settlement. Moreover, as he was still receiving published apologies from newspapers for libellous articles written during the conscription campaign, Ryan had no wish to bring the press down about his ears once more by inviting their criticism that he was propagating resolutions about which he was not, himself, entirely enthusiastic. When Butler insisted on Ryan's moving a specific resolution in the house relating to peace by negotiations, the caucus showed by defeating Butler's motion sixteen votes to nine,⁴⁹ that it too preferred to leave matters stand until the referendum.

Despite the call of the labor press for a heavy "yes" vote in favour of the adoption of the recruiting proposals, unanimity on the proposals did not exist inside the Labor party, particularly among members of parliament. On 2 September nine New South Wales federal parliamentarians, including Senator Gardiner, the Deputy Federal Leader, issued a press statement asking for a "no" vote in the referendum. The statement said:

To abandon voluntary enlistments now would mean pulling out of the war, and leaving those trade unionists in the trenches without the help we should give them. The proposals you are asked to adopt may be interpreted to mean that, as a party, we should take no part in the war. This would be a distinct break of faith with the electors, and a base desertion of our soldiers.⁵⁰

Though Ryan sympathized with their point of view and possibly agreed to a large extent with them, he could certainly not support such a lack of political tact. Despite newspaper interpretations to the contrary, he had argued from Perth to Brisbane that the Labor party would not desert the troops, but wanted a clear statement from the Government and the allies as to their war aims and specifically their aim with regard to the

annexation of territory. Scullin, president of the Victorian branch of the Labor party and regarded as a militant, had also spelt this out clearly the night before the statement was issued: "Labor's proposals did not mean surrender, they meant that negotiation should be entered into . . . Labor would not say to the men 'drop your arms'. But it would urge the combatants in the name of God to get together and try to bring about Peace."⁵¹ His words were given greater strength by the four months lapse, since the Governor-General's conference, during which the Commonwealth had done nothing publicly to initiate an enquiry into the nation's war aims and capabilities.

The upshot of the issuing of the statement was that, far from ensuring the solidarity of the party which the parliamentarians claimed to be seeking, the party was subject to a further threat of splitting apart. Tudor carefully avoided either supporting or repudiating the statement. Others were not so tactful. Arthur Rae asked whether the movement was to be run by the Interstate Conference or by a handful of politicians.⁵² Ryan avoided stirring any further animosity in either side by declining to comment until he had seen the full statement. Yet he could not have been pleased with the action. The labor movement was already in a state of turmoil and required coolheadedness not argument. "The times ahead of the labor movement" he said "were such that they would need all the solidarity it was possible to maintain."⁵³

The statement and the press controversy caused Ryan and the caucus to reverse their decision on raising the peace proposals in the house. At the caucus meeting held after the statement appeared there was a considerable discussion and, despite the previous rejection of Butler's proposal, Ryan was asked to speak to the house at the next opportunity on the Perth conference resolutions.⁵⁴ As the debate on supply was to be resumed that afternoon, Ryan used the occasion to speak for over an hour on the peace proposals⁵⁵ and also on the future of the Council. The local press could take its choice as to which was the more important. It was at once the kind of situation which brought Ryan to his top, using language that could not be misunderstood, and repeating the important parts of his

speech so that they would be remembered by the members and by the press reporting them. He was, above all, concerned to show that there was a consistency in the Labor attitude to the war and that the Perth resolutions on peace and recruiting followed on logically from what had been said at the Governor-General's conference. There was an indication in his speech that the delay in the closing of the ballot until 1 November had not been simply due to administrative difficulties or to a hope that the end of the war would be in sight by then, but was due rather to the fact that it was an opportunity for the Commonwealth Government which, at the Governor-General's conference, had apparently been in earnest in its desire to gain the co-operation of the labor movement, to begin its enquiry into home defence and essential industrial requirements and to seek to influence the British cabinet to enter into negotiations for peace.

Neither Ryan's speech in Queensland nor an attempt by Higgs in the Federal PLP to smooth matters over had much influence on those who wanted to go their separate ways. Two federal Labor politicians from Victoria, J. Fenton and D. McGrath, a returned soldier, gave tacit support to the statement, while the Victorian executive resolved to support a "yes" vote. As Ryan had done, Tudor attacked the press for trying to cause a split in Labor rank, but the division was already there.

The restrictions of public debate imposed by the War Precautions Act and the progress of the war, were taking any purpose away from the referendum. While the editor of the *Daily Standard* complained of the impossibility of discussing the referendum in his columns with such strict political censorship,^{5 6} the allies, reinforced by increasing numbers of Americans, throughout September pushed the Germans further back. South Australia and Tasmania were reticent about even conducting the ballot and finally opted out. Several unions in New South Wales also declined to take part and as the end of the war approached, despite the brave outward show of many party officials, interest in the referendum declined.

The anti-war feeling which had motivated the original peace proposals was reflected and maintained strongly within the

CPE. Since the individual unions had been represented directly on the CPE following the 1916 convention, a group comprising Carroll, from the ASE, Moroney and J. Heeney of the QRU, Lane of the AWU, C. Boulton of the Meat Industry Employees Union and Collings, had sought not only a Labor commitment to peace and an end to recruiting, but demanded also of the Government the immediate cessation in state schools of bugle blowing, drum beating, marching and everything that had any military connection.⁵⁷ It was the members of this section of the CPE who were most anxious to debate and dissect the resolutions emanating from the Perth conference.

In his "Jack Cade" columns of the *Daily Standard*, Lane had already made known his disgust with the referendum proposals and his further contempt for the political representatives from New South Wales for canvassing a "no" vote in the referendum. But his real anger was reserved for the Queensland delegates who had voted against their instructions at Perth on the Defence Act resolutions. Like the Irish, the Labor party has members who do not forget easily, and though the war was obviously now coming to an end and it was four months since the conference, Lane was determined to have Ryan, McCormack and Fihelly, the three politicians who he thought had disobeyed their instructions, censured. When the CPE meeting began on 10 October, Lane began by criticizing the report for the absence of division lists, which would reveal precisely how each delegate voted on every resolution, and moved a censure motion against Ryan, McCormack and Fihelly for ignoring the direct instructions of the convention on the question of the deletion of the compulsory clauses in the Defence Act. He also asked that the resolution be forwarded to all WPOs and affiliated unions. Moroney seconded. As Lane was developing his speech, Ryan entered the meeting and was informed by Demaine of the motion. As he had been absent from the Perth conference when the vote was taken Ryan was saved from any censure, though had he been present, he said, he would have carried out the direction of the State convention. Lane retracted his remarks as they concerned Ryan and, while in the position of being one down, agreed to omit the sentence

asking that the resolution be forwarded to WPOs and unions. Other union delegates on the CPE did not wish to go as far as Lane and sought a softer resolution merely deprecating the actions of Fihelly and McCormack, while Ryan and Collins asked the executive to wait for the official report. Both amendments were lost, but so was Lane's initial resolution.^{5 8} The matter passed into limbo.

On 26 September when Ryan introduced the Constitution Act Amendment Bill into the Assembly to abolish the Legislative Council, he had ample grounds for accusing the upper house of being unnecessarily obstructive.^{5 9} In addition to their attitude on the Income Tax and Land Tax Bills and on the Land Tax Amendment Bill, it seemed highly likely that two bills regulating the fares of the Brisbane Tramway Company and giving the Government power to purchase the tramways before the set date of 1921, would be rejected by the Council. Both had been withdrawn in 1917 after facing similar opposition to that of the Meatworks Bill in 1915. Furthermore, the Meatworks Bill, the Popular Initiative and Referendum Bill and the State Produce Agency Act Amendment Bill had been either rendered unrecognizable or amended in a form the Assembly could not accept; the Trades and Labor Hall Land Grant Bill had been thrown out and it seemed likely that the Council would once again reject the Chillagoe and Etheridge Railway Bill. The new abolition bill was the same as that introduced in the previous parliament except that it removed a referendum red herring by stating clearly that the King remained part of the legislature; it also outlined the composition of the standing advisory committee, consisting proportionally of members of the Government and the Opposition, which was to be appointed to scrutinize each bill before it was sent to the Governor. This was in the nature of a sop to those who feared that a unicameral system of government could lead to an abuse of power. In conciliatory tones, Ryan dwelt on this advisory committee in his second reading speech but he also held the stronger card of the High Court decision to remove any legal difficulties.

Countering arguments that the Council referendum of 1917

had been decisive, Ryan referred at length to the debate on the future of the Legislative Council by both sides during the recent election campaign. The Legislative Council had been an election issue and his party, by being returned with an increased vote, had been given a mandate to remove the Council. However, the people's interests were to have two safeguards he said: the revisory committee and the Initiative and Referendum Bill which had to be taken in conjunction with the Abolition Bill. As the High Court decision had removed the strongest of the Opposition's arguments — that the Council could not be abolished — Macartney in reply resorted to a defence of the upper house as the "bulwark of the true interests of Queensland", being better constituted to study the questions which came before it as its members were not responsible to the votes of constituents.⁶⁰

Where the earlier threat of swamping appeared to have changed the Council's views on the Income Tax and Land Tax Bills, this concrete attempt at abolition hardened their determination to stand for their rights and privileges. Of the £25,000 appropriated by the Assembly for the referendum, £13,000 was to be divided into £200 allowances for the sixty-five members who were not ministers and £12,000 set aside for conducting the referendum. This Ryan promised would be held in 1919. Several members of the Opposition objected to the allowances as being backdoor methods of increasing parliamentary salaries. The same attitude was adopted in the Council where, after the defeat of the Constitution Act Amendment Bill, the non-Labor members sought a free conference before passing the Appropriation Bill in which the allowances were included. The Assembly having agreed, Ryan and Gillies met with Fowles, Leahy and Hawthorn. The meetings of the free conference solved nothing except that Leahy, fearing that a rejection of the Appropriation Bill by the Council could cause the Government to call a general election on that issue, decided to allow the Bill to go through and persuaded five other non-Labor councillors to do likewise. From Leahy's speech in the Council, it seems that Ryan in the free conference had mentioned the threat not only of a general election but also of the public servants'

holding the Council to blame for not passing their salaries. He thought that allowing the Bill through was the lesser of the two evils and so it passed, with the *Courier's* editor fulminating against the Councillors in a leader entitled "The Collapse of the Council". A last ditch stand by Thynne to amend the message to the Assembly by including a statement that the Council considered it had the right to amend money bills was lost by a narrow sixteen to fifteen vote.⁶¹

Leahy had probably interpreted Ryan's intentions correctly. No longer facing the prospect of a lengthy court case over the referendum, the Premier seemed determined to force the Council into a bad light with the electorate or to force them to allow legislation through which they would otherwise have rejected. Yet he did not attempt to overplay his hand. When a bill to reduce the voting age to eighteen met with vociferous opposition, he quietly dropped it, but insisted on a bill to give all absent soldiers a vote if they were over eighteen. When the Council refused to agree to this bill it was declared "lost", along with the Insurance Bill to allow the State Insurance Office to operate outside Queensland.⁶² It was somewhat ironic that the select committee of the Council on the Chillagoe and Etheridge Railway Bill should bring down a favourable report, three weeks before the war ended and over two years after the Bill had been originally proposed.⁶³

On 7 November the Assembly adjourned for the Christmas recess. There was little of the joviality in their speeches that was normally to be expected on such an occasion. The prospect of peace relieved some of the burdens, but the old animosities were too deeply embedded to be brushed aside by this one welcome event. Overall hung the prospect of a bitter fight over the future of the Council in the following months. In December, the CPE moved to form a special Legislative Council Abolition Committee.⁶⁴

The long war in Europe at last seemed to be coming to an end. At the beginning of October, Bulgaria surrendered and Turkey was expected to seek peace in the near future. Celebrations were held in Brisbane with the Governor, Ryan and Macartney

being invited to speak. It was evident that though the war in Europe was concluding, the private war in Queensland was maintaining its full fury and, indeed, was somewhat aggravated by the approach of peace in Europe. At the demonstration in front of the GPO convened by the Mayor of Brisbane on 2 October, Ryan spoke after the Governor and from the beginning of his speech was subjected to constant heckling. Such was the din that the Mayor interrupted Ryan's speech to ask for a fair hearing for the Premier. He might have saved his breath. The interjections continued. The editor of the *Courier* may not have been directly behind the hecklers, but he was at least their most powerful ally. Personal attacks on Ryan in the Assembly were highlighted in the *Courier* while at least one and sometimes three letters appeared in that paper each morning from "Old Soldier", "Unionist" or similar unnamed persons attacking the Premier and using a vocabulary and phrasing not unlike that appearing in the editorials.

While the people of Australia waited for the news of peace, industrial trouble flared again in north Queensland. In Townsville sanitary workers went on strike, employees at the state butcher shops ceased work while a strike against the non-payment of award wages by some hotels at Hughenden spread to the transport and railway unions at Townsville which refused to load any goods for Hughenden publicans. When several firms dismissed carters who refused to handle goods for Hughenden, the Townsville Industrial Council took control of the dispute which looked as though it might extend to a general strike throughout the north. As Fihelly was on a visit to the United States, Ryan was acting as Minister for Railways and by coincidence Theodore was then in north Queensland whence he was able to give Ryan first-hand information of the union leaders' attitudes. It was fortunate that Ryan and not Fihelly was the minister in charge since neither the employers nor the railway unions had very much respect for Fihelly.⁶⁵ Ryan, on the other hand, was a man whom even the most militant unionist respected and, more importantly, trusted as a Labor minister. Employers also knew him as a man to be trusted and one who, though not actively siding with them, stood firmly by

the policy of arbitration and wished to see industrial disputes resolved quickly and amicably.

To both the striking sanitary workers and the striking butchers, Ryan pointed out that arbitration was the only means of settling disputes. He also made this clear to the railway unions reminding them that "it [was] the duty of employees to stand for the platform of their party, namely conciliation and compulsory arbitration for the prevention and settlement of industrial disputes."⁶⁶ There were, Ryan well knew, strong sections of the northern railway unions who were not impressed by arbitration and who preferred direct action and direct negotiations. He had to ensure that these were not forced into such a position or did not manoeuvre themselves into such a position as to damage the effectiveness of the system of arbitration which he, Theodore and McCawley had planned and worked so hard to make a success. To avoid the opportunity for more trouble to be precipitated, Ryan ordered the closure of all Hughenden hotels for seven days, at the same time holding conferences with the AWU, the Waterside Workers Federation and the Seamens Union, all of whom agreed to stand by him in the northern trouble and to abide by the policy of conciliation and arbitration. Gillies was sent north, ostensibly to visit his own electorate, but really as an emissary of Ryan to negotiate directly with the Employers' Federation. A combination of the success of the black ban on the Hughenden publicans, the unwillingness of the railway and maritime unionists in Townsville to lose further pay and the conviction of the employers that they had nothing to gain by further sacking of employees produced an end to the strike on 6 November.

Having averted one potentially dangerous industrial dispute, Ryan was confronted by a dispute of a far different character which soured the thrill of the end of the war. One of the side effects of the hysteria and suspicion engendered by the two conscription referenda was a pathological fear by some individuals and groups of anything pertaining to the red flag, the bolshevik revolution in Russia or terms such as communism and socialism. It would be fair to say that in 1918 a "red scare" gripped some Australians more strongly than the fear of a

Hunnish invasion ever had in 1916 or 1917. Some took their fear so strongly as to be prepared to wreck any meeting where the red flag was unfurled or where bolshevism was to be commended or even mild reformist labor socialism proposed. Badger changed the red warning flags in front of his trams to yellow.

To celebrate the anniversary of the Russian Revolution, a group of socialists in Brisbane had booked the Centennial Hall for Friday 8 November. On the assumption that it was the Russian Revolution and the overthrow of the Czar that was being commemorated, Collings, the Labor party organizer, and E. N. Free, the militant Labor member for South Brisbane, agreed to speak, but withdrew when it was announced that the meeting was in fact to commemorate the first anniversary of the bolshevik revolution. On 7 November a deputation from the Queensland Loyalty League waited on Ryan to ask him to suppress the meeting as it would incite a breach of the peace. Ryan refused, not through any sympathy or fellow feeling with the bolsheviks but, firstly, through a reaction, which such patriotically titled bodies had set up within him and his consequent suspicion of their being more anti-government and anti-Labor than pro-Empire, and, secondly, through a belief, consistent with his attitude in the recent northern strikes, that the rule of law was the basis of good government actions. He believed that, provided those attending the meeting did not break the law, then they had a right to hold their meeting. Such a belief was incomprehensible to the deputationists who were shocked that bolsheviks could be allowed freedom of speech, nor did the opinion of the Police Commissioner, F. C. Urquhart, that there would be no disturbances if the Loyalty League left the meeting alone, convince them.⁶⁷ Ryan's attitude brought every Brisbane daily newspaper, except the *Standard*, and a host of non-Labor organizations down upon him and caused telegrams of protest to be sent to Pearce who settled the question at half past three on the Friday afternoon by using the war precautions regulations to order the closing of the hall.⁶⁸

The matter might well have rested there but for a counter demonstration, in the same hall on the same night, by the

Loyalty League. The result was a melée, the loyalists using force to eject those who came to attend what they thought was quite a different meeting. The animosity and ill temper stirred in the loyalists carried over to a peace celebration rally in the Exhibition Ground on Saturday night where Ryan was unable to be heard. So it was in Queensland on Monday 11 November that peace in Europe was announced. On the day before, the Federal Executive of the Labor party decided not to go any further with the peace ballot.

It is hardly necessary to record here the feeling of relief and the scenes in Queensland towns when the Armistice was announced. 416,809 Australians had enlisted included 57,705 from Queensland. 331,781 had actually embarked for the front, of whom 215,585 were casualties either through wounds, gassing or death which accounted for 58,000. Where the revenue of the Commonwealth Government had totalled £16m in 1914, by 1918 this was £37 million of which £21 million went in expenditure on war. Further, where there had been no federal income tax in 1914, by 1918 this was providing £10 million a year in Commonwealth revenue. Apart from these financial burdens were the tensions which the war itself had produced in individuals and in the community and which had been heightened almost beyond the level of endurance by the two conscription referenda. The optimistic nationalism at the beginning of the new Commonwealth was no longer evident and a less cocky, less united Australia danced through the streets on 11 and 12 November 1918.

In Brisbane a grand peace procession danced and sang its way from the River at North Quay to the Exhibition Ground where several platforms were erected about the oval and a major platform at the western end to overlook the massive crowd. At half past three the Mayor opened the celebration, introducing Ryan and Macartney, the State's two political leaders. For Ryan, this was to be a public meeting with a difference. After several attempts to speak were drowned out by cheering, he was finally able to commence. An attempt by a section of the crowd to count him out was overwhelmed by a cheer for the Premier from the majority. Ryan's theme was that Australians had

pulled their weight in the war and must now pull their weight in the reconstruction. The bitterness and differences which the war had engendered had to be forgotten, bygones had to become bygones. In a dramatic gesture which took the crowd and Macartney by surprise, he walked over and firmly shook hands with the Leader of the Opposition.⁶⁹ Had Ryan planned this as a piece of political strategem, the result could not have been equalled, but it was more likely that this was an honest gesture in keeping with his past political character. Macartney responded accordingly, but it was Donaldson, the Anglican Archbishop of Brisbane, a conscriptionist, who appreciated the significance of Ryan's gesture, and became the Premier's ally. He was, he said, "... fed up with the kind of behaviour that had occurred at public meetings of late. And so when the Premier spoke of burying the hatchet . . . I know he was voicing what every decent citizen wants."⁷⁰

One of the "other wars", that between Ryan's Government and the pastoralists, was to move into one of its most significant phases at the end of 1918 as Ryan prepared to leave for England to appear once again before the Privy Council, on this occasion, in the Mooraberrie case. In July 1918, Robinson had cabled him asking whether the *Theodore v. Duncan* action – the Mooraberrie case – was likely to be a test case and if so what the total amount of money involved would be in the event of his Government's losing the case.⁷¹ Webb compiled a list of proclamations under the Sugar Acquisition Act which included such varied items as sheep, explosives and ships. It was impossible, he said, to estimate the liability for damage to persons under threat of having their stock acquired under the Act, but he noted that about £3 million had been involved in the Stock Embargo case and thought that in the Mooraberrie case this would amount at least to some hundreds of thousands of pounds.⁷² On receipt of this information, the British Government asked Robinson to write to Ryan seeking his appearance in the Privy Council appeal to be heard in November. Having discussed the matter with cabinet and obtained the consent of the PLP to his going to England, Ryan

cabled his agreement to Robinson but asked that the case be heard in January or even later. Now, with the parliamentary session ended he proceeded to leave. Quite apart from the political importance of the case, he was very much in need of the rest, having become so tired and worn out by the strain of the continued fighting in the past three and a half years as to be seriously considering retiring from politics and going to the Supreme Court.⁷³

A round of farewell dinners was given by the PLP, the Queensland Irish Association, the BIC, Labor ex-servicemen, the Australian Comrades of War League, and a special citizens committee headed by the Lord Mayor of Brisbane. In Sydney and Melbourne, Labor organizations wanted him to address meetings before he left but such was the heavy pace of politics that he replied to one life-long friend, Parker Moloney, the former Labor member for Indi, "Really, I can never see 48 hours ahead of me."⁷⁴ One of the reasons which seemed to be behind the southern invitations was the press speculation about when, not if, Ryan would enter federal politics; another was the dissatisfaction within the party, sometimes emerging in public, with Tudor's leadership.⁷⁵

At each dinner, Ryan was praised and returned the compliment by delivering what appeared to be a well-prepared speech,⁷⁶ having some specific point that he wanted to make to that group. The reason for Ryan's success as a political Labor leader and his popularity with the rank and file was spelt out by Theodore, the man who had been able to study Ryan closely for ten years. At the PLP's farewell dinner Theodore said:

Whatever failures the Party had encountered or whatever mistakes had been made certainly could not be attributed to the leadership. Mr. Ryan had the great facility of being able to keep the party united. The result was that the Labor Party in Queensland had been and still was probably the most united party in the Labor movement anywhere. This was largely the result of Mr. Ryan's great tact and ability in handling his team.⁷⁷

A fortnight later, Ryan was farewelled by the mainly anti-war and largely anti-arbitration delegates of the BIC. In seconding the vote of thanks, Carroll accepted that Ryan's stand regarding

arbitration was probably right in the present circumstances, concluding:

Arbitration was certainly the policy of the Labor party but it was a *cul de sac*, led to nowhere, and the sooner the workers realised the truth about arbitration methods the sooner they would attain their industrial freedom, though he agreed with Mr. Ryan that while it was the recognised policy of the Labor party they should support it.

In returning thanks, Ryan deftly sidestepped the opportunity of agreeing wholeheartedly with the militants, or confronting them when there was no obvious benefit to himself or the Labor party. He was prepared to concur with their long-term goals, yet his final words indicated clearly where he stood in 1918:

When the Labor Party's objective was achieved viz, the production, distribution and exchange of all wealth for the benefit of the whole community, arbitration courts, price fixing boards and other palliatives would be unnecessary and cease to exist. In the meantime however they should work and progress along the lines laid down in the principles and methods which at the present time were accepted by the workers generally.⁷⁸

To the audience of businessmen and community leaders at the Mayor's dinner he presented a different side, that of the Australian statesman wanting to bury the bitterness of the past and proceed with the economic development of the nation. This included preserving a white Australia policy. In the former case, he spoke of the changes needed in the system of government before Australia could develop as rapidly as she must: "We may have to give more power to the central authority and at the same time have more local autonomy – two things which are not inconsistent."⁷⁹ In a later speech he expanded this by explaining that he envisaged the creation of more states, providing decentralization of power as the broader powers were given to the central government. For his second point Ryan provided no explanation – none was needed. White Australia was an accepted article of political faith which he did not challenge.

Prior to his leaving, word was received that the Privy Council had also granted leave to the Crown to appeal against the High Court decision in the Gibson and Howes case. It was an added

reason for Ryan's presence in England.

Having journeyed to Sydney early to address a packed crowd in the domain, Ryan left with his wife, children, nurse and valet plus Webb and his private secretary, J. D. O'Hagan, for Vancouver.⁸⁰

ATTITUDE TO THE WAR AND RECRUITING.

Interstate Labor Congress, Perth 1918;

ATTITUDE TO THE WAR.

1. The attitude of Labor towards the publicly declared objects of the War is what it was at the outbreak of the War - -
 - (a) For liberty and democracy, and the independence of small Nations.
 - (b) For the honoring of publicly made treaties.
 - (c) For the maintenance of Public International Law.

2. The aims of Labor in participating in the War purposed - -
 - (a) Assistance to Great Britain, under the voluntary system, in maintaining the publicly declared objects for which she entered the War, (as described in the first paragraphs) and those only) to the best of our capability, consistent with Australia's paramount and essential needs.
 - (b) Bringing about an enduring world Peace on terms of equity and justice to all mankind.

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ATTITUDE TO RECRUITING.

Further ~~of~~ participation in recruiting shall be subject to the following conditions:-

- (a) That a clear and authoritative statement be made on behalf of the Allies asserting their readiness to enter into Peace negotiations upon the basis of no annexations and no penal indemnities.
- (b) That Australia's requirements in man-power be ascertained and met with respect to - -

1...Home Defence.

2... ~~()~~ Industrial Requirements
An immediate inquiry upon which the Australian Labor Party shall be adequately and officially represented shall be held and its decisions immediately given effect to.

Provided that this determination shall be immediately submitted by each State Executive with a recommendation from this Conference for its adoption - to a referendum of all branches and affiliated organisations, and shall become operative upon a majority of ~~such membership voting~~ in the affirmative. X

The ballot to close not later than Nov 1st

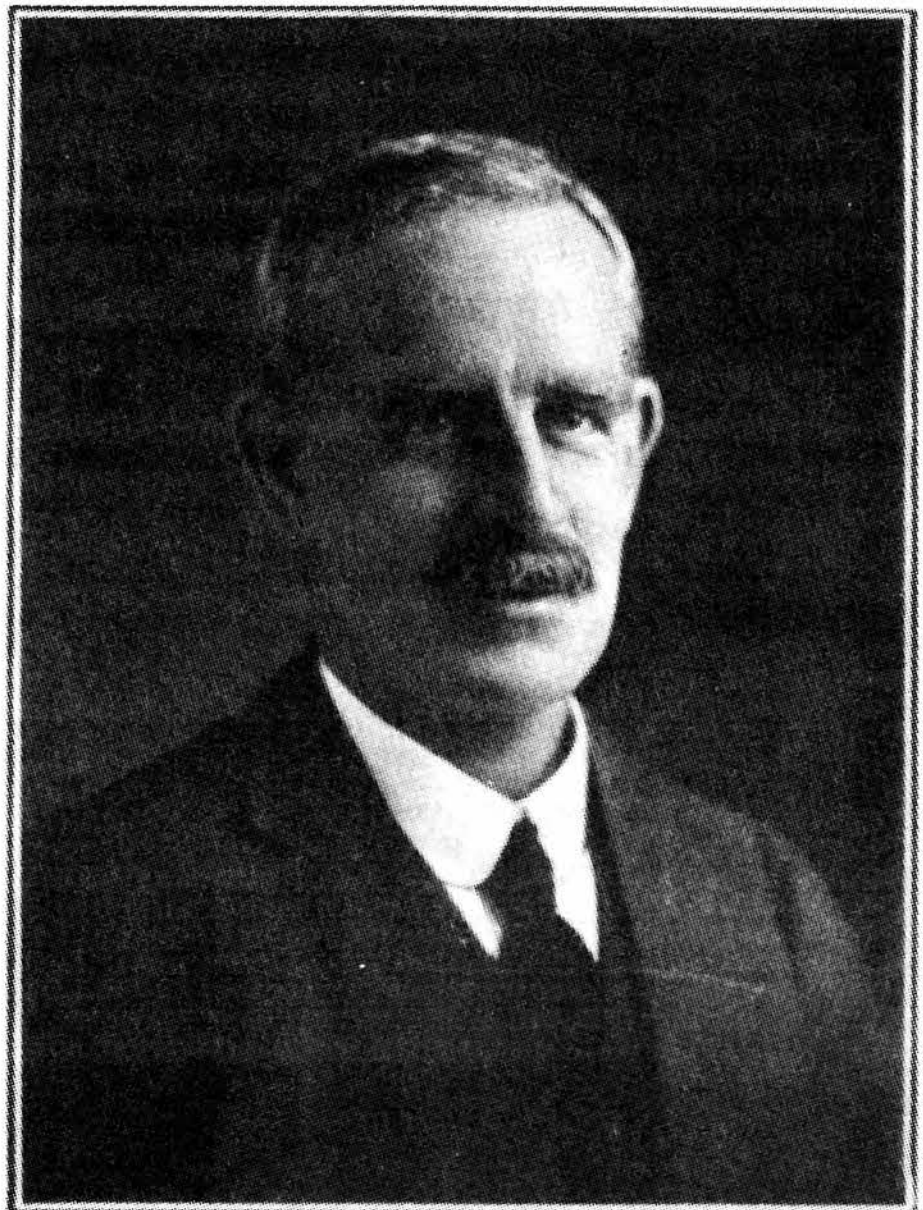
member

under the direction of the Federal Executive of the votes of those who were at the time

In the event of the Commonwealth Government interfering with the conduct of the ballot, the foregoing shall thereupon be immediately operative.



James Catts [*Commonwealth Parliamentary Handbook: 1901-1926*]



Frank Tudor [*Commonwealth Parliamentary Handbook: 1901-1926*]

16 A Different England and a Different World

While Ryan and his party crossed the Pacific to San Francisco, a post-war influenza epidemic raged, killing more people than had the armies of the combatants. In Europe, Hughes and the Australian delegates wrangled with Wilson and the European politicians about the future of the former German colonies in the south-west Pacific. From Australia's point of view the problem was a combination of fears about her future defence and her right to maintain her own immigration laws. During the war, Australian forces had captured and occupied German New Guinea and the islands south of the equator, while Japan had occupied the Marshall and Caroline Islands of the north. In 1917, during the crisis caused by the unrestricted submarine warfare of the Germans, the British and French Governments had agreed to support the Japanese claim to these islands as well as to the former German possessions in China. Fisher, it seemed, had tacitly agreed to something like this in February 1915, though Scott doubts that Hughes was aware of this.¹ In return, Japan agreed to acknowledge Britain's claim to the German islands south of the equator. At the Peace Conference however, there was disagreement among the British Empire's delegates as to what should be done with the German colonies in the Pacific and in Africa.

It is extremely unlikely that Ryan, even as a state premier, was aware of these secret assurances or of the pressures that Hughes had been applying in England for the annexation by Australia of the Pacific islands. The Perth conference in 1918, imbued with the spirit of heady democracy that Wilson's fourteen points had evoked and conscious of the close presence

of Japan which the war had brought, rejected any annexation of the captured Pacific possessions. Ryan, no less than Hughes, feared Japanese control of the islands or any settlement which would allow them to become a base from which Asian immigrants could flood into Australia or from which a Japanese military attack could be launched. The Labor party had sought some form of international control of the German Pacific islands. Hughes and his cabinet rejected the concept of international control as impractical and likely to allow Japan or even Germany at some future time to obtain possession, leaving Australia in an unguarded position. However, at the Peace Conference, there emerged an odd agreement between Australia and Japan on annexation, whereby Japan was prepared to concede Australian ownership of the territories south of the equator provided it was given similar control of those to the north.² Though Wilson was irrevocably opposed to this, he was agreeable to a mandate under the proposed League of Nations and at the beginning of February 1919 it seemed that this compromise would be accepted by the conference despite the rearguard actions of Hughes and W. F. Massey, the New Zealand Prime Minister.

On 22 January, Ryan arrived in San Francisco where he was interviewed by the *San Francisco Chronicle* regarding the future of the Pacific Ocean. His reported answer read more like an editorial of William Lane than that of a liberal humanitarian:

Australia had little desire to mingle in an economic or social war with any nation not of our race. We have an affection for only the English speaking people and believe that between them they should have full control of the Pacific, for here is where the great battle of trade and commerce will be fought in the future. We must stand together and retain this control for the generations to come and must not permit one of the alien races to step in.³

The party then proceeded by train through New Orleans to New York where he and Mrs. Ryan spent four days meeting the Australians who had entertained Australian soldiers during the war and meeting also the soldiers waiting to go home. It was therefore about four weeks after leaving Australia that Ryan prepared to depart from New York for Liverpool. As a leading

Australian statesman he was asked his views on the Peace Conference. Ryan's statement suggested that he had not briefed himself as well on foreign policy matters as on other questions. Like Hughes, he was concerned at the desire of the Japanese to have possession of the Caroline and Marshall Islands, but he tried to play politics against Hughes and to denigrate the real efforts Hughes had made at the Peace Conference to guarantee Australia's physical safety and her immigration policies. Ryan claimed that the Australian Government was really supporting Japanese claims to the islands by being opposed to a system of international control. Throughout his political career, Ryan had recognized that Australia's obvious friend and ally in the Pacific area was the United States and while on American soil he made his attitude on the Pacific quite clear: "Australia and the United States should look to each other to prevent any power from getting an unfettered hold upon important bases in the Pacific which will become a real menace to them."⁴ While there was obvious good political sense in this, his rider that Australians would prefer to have the two groups of islands internationalized rather than dominated by Japan was an assumption that his countrymen were giving as much thoughts to foreign policy questions as he might have hoped.

The England to which Ryan came in February in 1919 was different from the nation he had first seen three years before. Apart from the social changes that two and half years of war had produced, the major change that his wife noted was the increased price of food and accommodation which seemed to be three times that of 1916.⁵ Ryan himself was perhaps more concerned to discuss the larger sums of money which his Government wished to borrow to build the railways and open the land to develop the State of Queensland. Such developmental works had a social purpose as well as the economic one of providing employment for returning soldiers and for those civilians among the 6.6 per cent unemployed in Australia.

The shortage of State funds had been highlighted by Theodore at the end of 1918 when he had expressly asked Ryan not to purchase any further stations or other properties which involved a cash outlay as he needed all available funds for the

works programme.⁶ Theodore attended the Premiers' Conference early in 1919 called to have the Commonwealth act as the sole borrower for the states. Here he tried unsuccessfully to obtain additional loan moneys from the Commonwealth and after the Conference he cabled Ryan informing him that as the State would need £2 to £3 million by June Ryan should try to obtain this in England.⁷ In the meantime Theodore was attempting to raise all or part of the loan in Melbourne. However, the *Argus* did its best to sabotage his efforts, through editorials, reports of repudiation of contracts and of confiscation of property and through unfavourable quotations from English financial journals regarding the Labor Government's attacks on laissez-faire capitalism. From the *Argus* reports, it was apparent that Ryan too would face some difficulty in London from English financiers who were being served a rich fare of confiscation, socialism and repudiation of honourable contracts in the newspaper reports there.

Soon after his arrival in England, Ryan had discussed the availability of loan money with the Governor of the Bank of England. Robinson had also arranged for a deputation from financial institutions interested in investing in Queensland to interview Ryan regarding his Government's much published legislation.⁸ The urbane Ryan, in person, was undoubtedly the best means of allaying the fears of investors and of assuring them that Queensland was no bolshevik nor IWW state where investments were in danger.

Before he could discuss these financial agreements or appear before the Privy Council, Ryan and his wife caught the dreaded influenza. For several days they lay in the Hotel Cecil with their doctors and nurses expecting their death at any hour. Friends and associates in Queensland become worried as no word arrived from Mrs. Ryan whose reputation for absolute reliability in attending to correspondence was widely known. The silence was ominous. The *Western Champion* noted that Ryan had cleared up his will on the last day before he left Brisbane remarking that, looking ahead, it was the wisest thing he could have done.⁹ It was not until the third week of March, four weeks after becoming infected, that they were able to take a

cottage for a week at a southern beach resort to recover. With Ryan's history of bronchial and nasal infections, the influenza probably left some permanent respiratory weakness.

At the beginning of April, when he had sufficiently recovered, Ryan once more confronted his political opponents in the Mooraberrie and *Lennon v. Gibson and Howes* cases. Of the two, the Mooraberrie case, both financially and politically, was the more important. To win that would be to demonstrate indubitably that the Government had the right to govern and that provided it did so within the law it could be challenged only at the ballot box and not hounded through the courts by those with money to pay high legal costs. In addition, winning the Mooraberrie case would rank him with Sir Samuel Griffith as the leading constitutional barrister whom Queensland had produced.

Having concluded the two cases, successfully he thought in the Mooraberrie case at least,¹⁰ Ryan returned to his task of seeking loan money for his State. He spent some time interviewing the committee of the London stock exchange regarding the Brisbane tramway legislation. The conflict in Queensland, he explained, was whether in compulsorily purchasing the tramways the basis of valuation should be the value of the plant or of the company as a going concern. He emphasized that his Government was anxious to deal in absolute fairness with the British investors.¹¹ However sweet the words Ryan may have used to the English financiers, his newspaper opponents in Australia were not impressed. The *Argus* wrote:

If Mr. Ryan wishes to re-establish the reputation of his Ministry with the London investors, he will find that what he says in London is not so important as what he does in Queensland. He knows and London financiers know that political vindictiveness had dictated the actions of his party against the Brisbane Tramway Company . . . The land measure designated as the "Repudiation Bill" is also well known to London businessmen. The Queensland premier may deceive himself into the belief that attempts to alter leases that have some years to run may not be called ugly names. He will deceive no one else.¹²

On 23 April the Ryans with Webb and O'Hagan made a brief visit to Ireland. Since the influenza had put back all their

schedules, the visit was only of one day's length but it did enable Ryan to have several hours discussion with the Lord Mayor of Dublin, L. O'Neill, with the leader of the Irish Labor party, William O'Brien, and with John Dillon. Ryan was also able to have a lengthy interview with Eamon de Valera, and was photographed shaking his hand, a gesture which lesser Australian politicians in 1919 would have considered traitorous or at least foolhardy. He came away convinced that de Valera was the leader Irishmen wanted and that Ireland was now an international as well as an imperial problem which required a solution "in accordance with the principles of self determination."¹³

Part of the reason for Ryan's short visit to Ireland was the opening of the second session of the International Socialist Conference at Amsterdam on 26 April. Ryan and Frank Anstey had been appointed as the Australian delegates by the Labor party's Federal Executive shortly after Ryan had left Australia. Among the thirty-four delegates were Arthur Henderson and Ramsay Macdonald from Britain and representatives from Russia, the Ukraine, Georgia and Germany. In spirit the delegates would probably have been more at home with some of the militants from the BIC than with this urbane barrister whose appearance suggested capital rather than labour as his milieu. Yet Ryan had a charm that had broken down the barrier between himself and proud working class representatives before and if the marks of applause noted in the report of his speech to the Conference are an indication of his reception then again he had established rapport with those far to his left.¹⁴ Among the few private papers of Ryan that remain are some brief notes he made at the conference regarding a resolution on the League of Nations. Ryan rarely spoke without having made some notes — generally only brief headings with a few particular phrases he had chosen — and even more rarely without having gone through the agenda, underlining those points which he considered of importance (more lines for the more significant of these), bracketing those phrases or clauses about which he had reservations or with which he disagreed and inserting additional phrases or clauses in the margins when he wanted these added.¹⁵

On the proposed League of Nations motion, Ryan had strong reservations. He was no Marxist or Rousseauist, nor was he an international socialist. His political ideas had remained liberal, radical and humanitarian in basis and were couched in terms of what could be achieved by a political Labor movement in the existing capitalist world. When the socialist conference called for a League of all the independent nations of the world, all having equal rights and duties, he was sceptical of how the machinery of this could be provided and what the term "independent" would include. His alternative was that the conference should press for a League to include all states and self-governing dominions and colonies with delegates elected by their own parliaments. He was further unsure of just what "equal rights and duties" might be, having suspicions that this was a phrase that was likely to break down Australian immigration laws by allowing any person to enter Australia or any country for that matter. When the delegates next argued for the League's being a supra-national authority with the duty of establishing regulations to abolish all legal hindrances to international commerce and to organize world production and distribution, Ryan again drew the line. He was not a free trader and supported the right of a country, particularly his own, to determine its own tariff policies as it determined its own immigration policy.

As an experienced Labor politician he knew how easily opposition could build up within a conference and how necessary it was to try to achieve some consensus. He knew that it would be better to pass one resolution on which all the delegates had some measure of agreement than several on which only some agreed. He therefore suggested similar machinery to that which had produced the consensus at the 1918 federal conference:

I am satisfied that it is desirable that a reference should be made to some sub-committee for a final draft of the resolution which would contain something to which the representatives of Labor from every country could agree. I feel the more we confine the resolution to the democratic principle for guaranteeing the world's peace and the general outline of the machinery for achieving this, the more likely shall we be able to achieve success with our resolutions.

Ten years as a Labor politician and four years as a successful Labor premier had confirmed Ryan's innate sense of the need for clear, straightforward resolutions that could be understood by the ordinary workers whose interest the socialists claimed to represent. Ryan did not want the ideals of socialist theory to blot out the reality of international and liberal-capitalist politics. He concluded with his favourite warning:

I know – and you know – that any resolution that may be passed here will be the subject of misrepresentation. As representatives of Labor we know it is one of the common tactics of Labor's opponents to use misrepresentation. Therefore, I think our resolution should be as brief and plain as possible and be confined to things upon which we can all agree – I think the resolution should be in language which not only can be understood but cannot be misunderstood.

With Arthur Henderson he tried to draw up such a resolution concerning the League of Nations; but it was a case of trying to weld the pragmatism of a radical Australian liberal with the idealism of a British socialist. Ryan believed that the success of the League would depend on each individual's having an equal voice in the government of his country. "If we can lay down that there should be universal franchise in every country," he said, "you need hardly lay down any other condition, because if you give that to the people you prevent the possibility of war. It is not the people who go to war – it is the governments." Henderson's reading of socialist literature obviously far outweighed Ryan's. He wanted a world alliance of socialists, trade unionists and co-operatives "to combine the workers of the world as citizens, producers and consumers for peace purposes with a policy of international action to be put into immediate operation whenever necessary because of the failure . . . of the League of Nations or action on the part of any government which would plunge the people into the sufferings and horrors of war." Though there was a large area of agreement, it was impossible to combine the two into one resolution.

On conscription and the causes of war there was no disagreement. Addressing the conferences on these, Ryan said:

Not only do we want total disarmament, but we require the abolition of conscription, which is the tap root of militarism, and that abolition

must take place in all countries simultaneously. These two things should be given prominence — the universal franchise to be the basis of all government and the abolition of conscription. If we secure these two things we shall have gone a long way in preventing future wars.

Professional armies, he later added, should replace those of conscripts. When the vote was taken on the two issues, namely the League's imposing universal free trade and unrestricted immigration, Ryan dissented from the other delegates and insisted on his dissent being recorded. Whereas in Australia, an audience would have appreciated his references to white Australia, in Europe, 13,000 miles from Australia's principal fear, Japan, people were "not aware that we are confronted with the problem of colored labour." If the resolution were adopted "we should have in Australia to compete on unfair terms with the poorly paid Japanese labourer and with nations whose industrial requirements and conditions are essentially different from those of our Nation." To explain more exactly what he meant to the members of this group, impelled by a belief in the brotherhood of man to attend such a conference, he went beyond his normal enunciation of the sanctity of white Australia concluding:

Perhaps you have not been confronted with the problem of the colored races, but if colored labour is freely admitted to Australia it will lead to the deterioration of the race and results will follow which would not be an advantage to Labor anywhere.¹⁶

Though Ryan left the conference before it voted for the return of German colonies, his attendance had been widely reported not only in England but also in Australia where his conferring with "the enemy" received significant reporting, his constant critic the *Argus* even devoting an editorial to the matter.¹⁷

While the *Argus* and other newspapers continued their attempts at the political destructions of Ryan and the Labor party for their radical attacks on capitalism, the party itself in Queensland and in other states seemed bent on providing its own destruction of that unity of thought and political action which had brought it so quickly to government. Many had hoped that

the Labor party would become a revolutionary socialist party, an impossible dream if it were also to be a mass working-class party, for the workingmen wanted tangible reform. Theories of revolution or the immediate overthrow of capitalism were beyond the political comprehension and interest of the majority of workingmen, though not of some of their leaders. That New South Wales should have been the State with the greatest upheavals was not surprising, but in Queensland, where the Labor Government was obviously pressing on with the introduction of radical Labor policies, there were also problems for the political wing. These stemmed largely from those in the union movement, and a few outside, who were inspired by the apparent success of the workers' revolution in Russia and then in Germany in 1919 and who thus found IWW ideology more in keeping with their own goals for the movement. For those radicals more attuned to the reality of Queensland society in 1919, the abolition of the Legislative Council held greater potential than unclear theories of revolution. But to those who saw themselves as the true militants, such palliatives were to be scorned. To fly the red flag, to preach the coming of the new workingman's paradise and to urge the workers to take control of their industries — these were the real elements of Labor politics. Though the dreamers and the preachers were not always or even often the organizers in Labor politics, nevertheless their statements of hope were often taken literally as statements of fact by those outside the labor movement, and indeed by many of the rank and file inside, and these injected fear into the hearts of economic conservatives and into many trade unionists. The result was a loss to the Labor party of liberal and trade unionist support and also of that essential unity of purpose which Ryan knew and warned was the pre-requisite of industrial and political success.

When Ryan arrived in Britain in February, the Labor party in Queensland found itself coming under increasing attack from within its own ranks from those preaching of favouring bolshevism, IWWism and communism, instead of traditional laborism. In the metropolitan area, a refusal by the CPE to sanction a demonstration to fly the red flag in direct con-

travention of the War Precautions Act, aggravated the division.¹⁸ A series of militant articles in the *Daily Standard* was to cause McCormack to complain in the caucus rooms of the attitude of that paper towards the Government and towards members of the PLP.¹⁹ The *Daily Standard* continued to be financed largely through donations from the BIC unions and since the AWU was dominant within the PLP and not affiliated with the BIC there began to develop between these two major union bodies a conflict for supremacy in power and in ideology within the Queensland labor movement. In 1919, there was sufficient depth in the conflict to make a radicals versus conservatives, left wing versus right wing or unions versus politicians, explanation seem plausible, though the differences were more complex than this. Apart from the physical separation which exacerbated divisions, there was no person, during Ryan's absence, among the industrial or political leaders with sufficient prestige and tact to begin to bring the groups together. Theodore certainly had the power, but he was tied too closely to one camp and lacked those elements of charm and trust that had placed Ryan beyond intra-party and intra-movement squabbles.

Theodore was a tough politician and ambitious in his own right; he was not one to sit back and wait for Ryan to return to solve his problems. Furthermore, both he and McCormack had grown up in a school of politics where opponents were defeated, not allowed a liberal rein nor asked to find some middle line on which all could agree. At the Queensland Central Executive (QCE) meeting on 18 February, he launched an attack on the IWW and those supporting it. A clear choice was to be given Labor party members either to support the goals and methods laid down at successive conventions and stay in the party or to support the goals and methods of the IWW and leave. On McCormack's recommendation a committee of McDonald, Theodore, Demaine, Lawson, Heeney, Collings and Lane was appointed to prepare a manifesto calling on party members to close the ranks and pull together.²⁰ Lane's absence in Sydney prevented his sitting down with Theodore to write conjointly the manifesto, but the piece which he did write from

Sydney was incorporated into Theodore's draft.²¹ When the manifesto had been adopted at the QCE meeting on 25 March the names of all the QCE members, present and absent, militant and moderate, were appended to the bottom and copies were sent to the labor press, WPOs and the affiliated unions. The thousand word manifesto boldly headed "Solidarity or Disruption"²² began:

The Queensland Central Executive of the Australian Labor Party being desirous of consolidating the industrial and political wings of the Labor Movement, in order that a united front may be presented to those conservative and reactionary forces opposed to it, declares that any element in the rank of Labor, political or industrial, which deflects the Movement from its true aim, or which destroys its discipline or undermines its authority, or which, by unfair or unwarranted criticism endangers its solidarity, is detrimental to the interests of the Movement and must be combated.

It went on to point out that it was not simply attacking radical or left wing opinions: "Without the driving force of the left or extreme wing of Labor and an intelligent and advanced criticism, progress and virility are impossible." All sections of labor thought were to be welcomed provided these sought to improve and consolidate the labor movement and not to disrupt or destroy it. The manifesto aimed itself unequivocally at those who favoured an IWW approach to politics: "The essential difference between the IWW and the Labor Movement", it continued, "is that the former adheres to a policy of violence and sabotage, condemns political action for the working class movement and scoffs at the minor industrial and social reforms; whilst, on the other hand, Labor's methods are educational and constructive." There was a direct challenge in the conclusion to those of "more advanced thought", who had condemned the slowness of political action, to move into the leadership of the party and formulate the policies and tactics instead of remaining as critics on the sideline. That they did not or could not was to be a principal factor in the Queensland Labor party's losing much of its radical fervour and becoming more conservative in the 1920s and beyond.

The political trouble faced by the Labor Government was not wholly caused by militant elements within the labor movement.

Egged on by the Brisbane press, the Nationalists and the ultra patriotic, pro-Empire groups of returned soldiers were taking up aggressive stands against anything of a left wing character. This was partly caused by the frustrations of unemployment and preference to unionists which many of the returned soldiers found on their return home, but also by the beginnings of that Australian legend that somehow the digger was a special person with special privileges and a truer insight into the political needs of the nation. During a march on Sunday 24 March organized by the BIC to protest against the War Precautions Act, a group of Russians in the procession unfurled a number of small red flags in contravention of the war precautions regulations. With such a large crowd watching and participating there was little the police could do except to prosecute the flag bearers later on.²³ However, a group of returned soldiers, dissatisfied with what they saw as a weak kneed attitude of the police, took the matter of retribution into their own hands and announced their intention of storming a number of houses in Merivale Street, South Brisbane, occupied by Russian émigrés who were accused of being in league with the bolsheviks. Huxham ordered out the police who took up positions armed with rifles and bayonets to protect the Russians. The soldiers withdrew and, spurred on by near-hysterical editorials and explosive reports in the *Courier* and *Daily Mail* returned the following night in greater numbers to find both foot and mounted armed police standing between them and the Russian buildings. Shots were fired, the Commissioner of Police and a police magistrate were injured and parts of the Russian quarters were damaged. Following a public meeting on the next evening to denounce the Government for its sympathy towards the bolsheviks, a group of returned soldiers set out to wreck the *Daily Standard* building in Adelaide Street, but were deterred by the cordon of police drawn up about the building.²⁴ Despite Ryan's absence in England, he was included in the denunciations of the Queensland Government which appeared not only in the Brisbane press, but also in those of the southern states. One of these editorials, from the *Hobart Mercury*, when shown to Ryan caused him to institute a second case for libel in the High Court.

The *Mercury* wrote:

... On Sunday these persons [anarchists] with a large crowd of sympathisers marched through the streets of Brisbane, carrying red flags, and held meetings at which sedition and anarchy were openly and impudently preached. The Queensland Government has shown itself quite friendly and sympathetic with those enemies of the community and especially has encouraged the parade of the red flag, which is the recognized symbol of anarchy. Indeed Mr. Ryan and Mr. Fihelly who are at present in England, have been as open in their sedition as the worst of the men whose demonstration on Sunday led to the violent intervention of the returned soldiers.²⁵

These persistent attacks from the conservatives in politics heightened the tension within the party between those who sought continued constitutional action and those who favoured direct action. At the May Day celebrations, Theodore urged the crowd to hold together the industrial and political movements, but the red flag was flown and Free and Carroll were prosecuted under the War Precautions Act. Unemployment and local strikes continued to plague the whole labor movement. In Townsville further industrial trouble was brewing, again involving the railways; in New South Wales the party was preparing to split itself completely at the approaching annual conference; and though the situation in the federal Labor party was perhaps less turbulent, it was still nevertheless grim. A federal election was due in twelve months, yet the party nationally was leaderless, rent with old cliques and suspicions and quite unable to bring itself to consider the reality of fighting an election. If Hughes could retain the leadership of his own quarrelling party he would retain the prime ministership with little difficulty. The stark truth of Labor's having "blown its brains out" in 1916 was now painfully obvious. On the same May Day as Theodore was seeking unity in Queensland, King O'Malley, less a clown and more a shrewd politician and political observer than is often credited, wrote to Fisher in London:

Many people ... are of the opinion that Labor will not win the next election under Tudor's leadership, good little fellow as he is. If you could arrange to take a flying trip to Australia a month at least before the next general election and Tudor was able to step aside, as I think he would to let you take the leadership up, I believe the Labor Party has a fighting chance to win a majority.²⁶

As Theodore and O'Malley attempted to produce solutions to Labor's problem, Ryan received the news that in both the cases he had argued before the Privy Council his Government had won.²⁷ The Mooraberrie decision was quite clearly the more important both politically and constitutionally. In delivering the judgment, Lord Haldane said:

The question is not one of property or prerogative, but of Ministerial administration which was confided in the present instance to the discretion of the same set of Ministers under both acts. No court of law can interfere with that discretion if no provision enacted by the Legislature is infringed. Ministers are responsible for the exercise of their functions to the Crown and Parliament only, and cannot be controlled by any outside authority if they do nothing illegal.

When the decision was announced Ryan had only just returned from visiting Australian soldiers in Europe and from the battle fields of Belgium. Lord Haldane's words reflected his own initial judgment of the power vested in the Government. He commented:

The most satisfactory point of the judgment was the decision that the bona fides of the Executive could not be challenged in the Queensland court. This should effectively prevent any further attempt to transfer contests as to the bona fides of the Executive from the constituencies to the Court.²⁸

In Australia, the non-labor press reported the judgments, without comment, but it was in the Catholic and Labor circles that the significance was appreciated.²⁹ To the former, an Irish Catholic premier, despite the abuses hurled at his race and religion had overcome his enemies, while to the latter, a leader, who had once more successfully taken on and defeated the representatives of capitalism, should obviously not be confined to one state but should be brought in to the national arena.

Ryan had hoped to have the Privy Council hear the McCawley case also while he was in England as it revolved about a similar point concerning the power of the Executive. However, delays in having the necessary information sent to London prevented its early hearing and Sir John Simon was briefed to conduct the case for the Queensland Government at the beginning of 1920.

Since Ryan's Government had excited widespread comment

in the British press because of its range of state enterprises, which seemed to be introducing new degrees of government intrusion into private enterprise, he was asked to delay his departure to give evidence before the commission appointed by the British Government to investigate the nationalization of the coal mines. The members of the commission were anxious to hear Ryan's views on a number of contentious points associated with government enterprises. When questioned about the economic side of state enterprises, he painted a rosy picture of the stations, butcher shops and state insurance. A constant point of debate was the amount of work performed in state as against private enterprises. Ryan's answers not only scotched the idea that state employees did less work, but revealed something of his attitudes towards government enterprises. Although employees in the state butcher shops received five shillings a week above the award, he rejected the idea of state employees necessarily receiving higher wages than those in private enterprise, as being opposed to his ideal of arbitration tribunals fixing wages. Ryan's concept of state enterprises was that they reduced the prices of goods and services to workmen by demanding less profit and, by competing with private enterprises they forced these also to lower their charges. Their willingness or unwillingness to use state enterprise divided Australian politicians like Deakin and Ryan. For where the former shrank from such government intrusion into the business world, the latter had no such inhibitions. It was to remain one of the key areas dividing those liberals who gravitated to conservative parties from those who became a part of the Labor party. The further division between the radical liberals in the Labor party and the socialists in the party was reflected in Ryan's continued remarks. At a time when the idea of worker control of industry was replacing state enterprises as the means of producing the socialist state or the co-operative commonwealth, Ryan firmly rejected the idea of handing control of an industry over to those employed there. However, he agreed that it was both useful and necessary to have consultative committees of workers and managers.³⁰

During Ryan's second visit to England, Hughes had been in

London and Paris. If they met on this occasion, it was not with the same cordiality or at the same functions as in 1916. At the Paris Peace Conference Australia had gained New Guinea and the adjacent islands as mandated territories. Though no fortifications could be erected there, no other power could use them as a military base nor could they be used as stepping stones for migrations. The Prime Minister's second visit had been spectacular and full of good newspaper copy. By contrast, Ryan's visit would seem to have been lacking in the same fire or drama. Yet in its own context it was as significant. Hughes did not conceal his admiration for Lloyd George either as a national leader or as a politician. He seemed to have been particularly impressed with the "Khaki election" of December 1918 when the Liberal Prime Minister romped home on the basis of his war-time leadership. That Hughes was so impressed with this election, was apparently obvious to others in England, for soldiers to whom Ryan spoke remarked on the number of rumours of a similar early election in Australia as soon as the troops returned home.³¹ On 6 May, the Ryans left Southampton for Australia, travelling on this occasion through the Suez Canal. Ryan used the voyage to rest, recuperate, ponder his political future and talk to the returning soldiers. As he arrived in Fremantle, Hughes left London.

Before he had left Queensland at the beginning of 1919, Ryan had been seriously considering retiring from politics. There were ample precedents in Lilley and Griffith in the State as well as Barton, Isaacs and Higgins in the federal area for a leading barrister-politician to resign from active politics to go to the bench. Ryan was tired physically and mentally from the strain of almost four years as Premier in circumstances that no other political leader in the State had ever had to face. Apart from Hughes, of the nation's political leaders, Ryan had had the most rugged period of office; because of the war, his attempt to curb the power of Australian capitalism in Queensland and his lone opposition to conscription, he had made bitter enemies of almost all the national press. Ryan was essentially a friendly man who preferred consensus and rational agreement to rancour, yet each morning for the previous four years he had

awakened to find himself abused, libelled, misrepresented or accused of being a traitor, a stooge of the IWW, a tool of the Sinn Fein or a friend of Germany. The human spirit, even in one so strong in character as Ryan, has limits to the strain it can bear continuously and at the end of 1918, Ryan was nearing that limit. He was beginning to show this in small ways: whereas earlier in his political life he had had little need of reminders about papers, meetings or people, by the end of the war he had constant need for reminders and for his secretaries to keep notes of what he had to do each day.³² He was fortunate in having an astute and capable wife who took on herself the responsibility of answering the large quantity of personal mail he received. The consideration he had already given to retiring from active political life was given more thought after his near death in the influenza epidemic. When, therefore, Ryan left England in 1919, he had almost completed his assessment of his future and was about to rule in favour of retiring.

The Ryans arrived in Fremantle on 9 June. In place of the normal interview which the press anticipated, he issued a written statement repeating his earlier comments on the Privy Council cases and the failure of the delegates at the Peace Conference to uphold white Australia; he added a warning of an early federal election and made some comments on his attendance at the International Socialist Conference.³³ The *Courier* reported his statement under the headline "A Talk to the Gallery"; nothing, it seemed, had changed in his absence. When he arrived in Melbourne a huge crowd had gathered to welcome him. His comments to the reporters were brief, a reiteration of his Perth statement. When asked whether it was possible or probable that he would enter federal politics he said simply: "I cannot discuss that". But the spontaneity and size of the welcome by those who made up the grass roots of the labor movement had some effect on his inner debate about his political future. Ryan was man easily moved to emotion despite his firm outward control, but, beyond this, he took his role as a Labor party leader seriously and was unwilling, when pressed, to let down his supporters or his own group. In addition to this

positive stimulation to his remaining in politics, there was a strong negative one, in the Australian newspaper commentaries concerning his visit to Britain and the socialist conference; these he had been able to study on the journey across from Fremantle to Melbourne. Before joining the train to Sydney for the Federal Conference at which he was a Queensland delegate, Ryan attended a special function at the Celtic Club with Tudor and G. M. Prendergast, the Victorian State Labor leader. The sniff of battle revived some of Ryan's old fire as he replied to the press criticism of his visit to England and the policies of the Queensland Government, and delivered the judgment on his immediate political future:

I seriously thought when I returned to Australia that I would retire from politics as I felt I could make a better living in another sphere. That was my inclination, but when I got to Australia and found that the press would not leave me alone while I was away – some "tripey" stuff appeared in the *Argus* this morning – I made up my mind not to retire from politics. I have found that the great body of the Australian public would stand with a man when he was willing to fight, particularly for a good cause. That has been my experience in the past and I hope it will be in the future.³⁴

As it was a Celtic club, he made reference also to Ireland. If the Irish kept up their agitations, he thought they would eventually achieve their goals; however, he was quite unequivocal that the first business of Australians was to concern themselves with their own country and not to be distracted into trying to solve the problems of Ireland from 12,000 miles. The *Courier* reported his speech under the heading "More Talk to the Gallery".

It was a brief pause only in Melbourne before he boarded the train for Sydney and the Federal Conference. Ten days later, on Friday night 27 June, Ryan arrived back in Brisbane. If he had wondered if the people in Brisbane (and in Queensland) really cared about whether he stayed in politics or retired, the answer was evident in the welcome which greeted him at every major station along the line and which culminated in a torch-light procession through Brisbane. His old adversary, the *Western*

Champion, said that such a welcome was only ever seen before "when Griffith came back from England after trying to fasten the steel rails' contract on McIlwraith."³⁵ The *Daily Standard* quoting, it said, another source, reported that never since the arrival of King George as Prince of Wales had there been anything like it in spontaneity and enthusiasm.³⁶ Leaving Central Railway Station with an escort of several hundred returned soldiers carrying lighted torches, Ryan passed along the streets, jammed with thousands of cheering spectators, to Parliament House where he replied to his initial welcome home. With so many returned soldiers in the audience and their increasing political significance, he directed much of his speech to them. Australia, he said, had done more than her fair share in the war, losing more men than Belgium, Canada or the United States and spending £175 million more on a population basis than Canada. But, he continued, she had sent no man to fight against his will. Now that the soldiers were home after four years' fighting, they would want to know who had let the profiteers loose on the people, a question that was more important than raising the red bogey of Russia. Ryan had been quickly made aware of the internal problems the Labor party faced from those who wanted to move away from the slower, less dramatic, constitutional means to the more romantic and revolutionary actions. These, Ryan appreciated, constituted the greatest problem the party faced, not only internally, but externally with the electors and with the great body of trade unionists. He therefore made a point of rejecting openly any similarity between the aims and methods of the bolsheviks and those of the Labor party. The *Daily Standard's* comments were particularly noteworthy: it was "a fighting speech . . . which showed quite conclusively that the Premier's return was the signal for closing up the ranks of Labor in a new phase of the struggle for the great ultimate victory to which he referred." The whole demonstration had been a stimulus to the Labor party and a personal triumph for Ryan. The *Western Champion* remarked:

It is idle to argue against Mr. Ryan's popularity in the face of the demonstration . . . The streets were not lined but packed . . . The whole

affair was well organised and it might be as much to show one of the leading daily papers how far out of touch it is with public opinion.³⁷

On the Saturday morning, Ryan was once more in his office at nine o'clock for meetings with cabinet ministers and heads of departments. The *Courier* reporter called on him for a special interview regarding the rumours of his entering federal politics and for his comments on bolshevism. To the former questions, he gave his standard reply that there were a number of reasons why he should not enter federal politics, one of them being that he had not been asked.³⁸ It was still not clear by whom and how he would have to be asked to consent to enter the wider political sphere. During the previous year the Nationalists had printed a number of pamphlets attempting to equate bolshevism with the Ryan Government.³⁹ They were rather clumsy pieces of political propaganda and Ryan treated them as such. As far as the issues in Australian politics were concerned, he told the reporter, bolshevism was like the flowers that bloom in the spring – it had nothing to do with the case. The major problem of Russian bolshevism in 1919 was that there was so little reliable information available concerning it. Ryan confirmed this problem of assessing their role, by relating the difficulty observers encountered even in Europe of finding out clearly what the facts were concerning bolshevism. Certainly, he said, it had nothing to do with the Labor party in Australia.

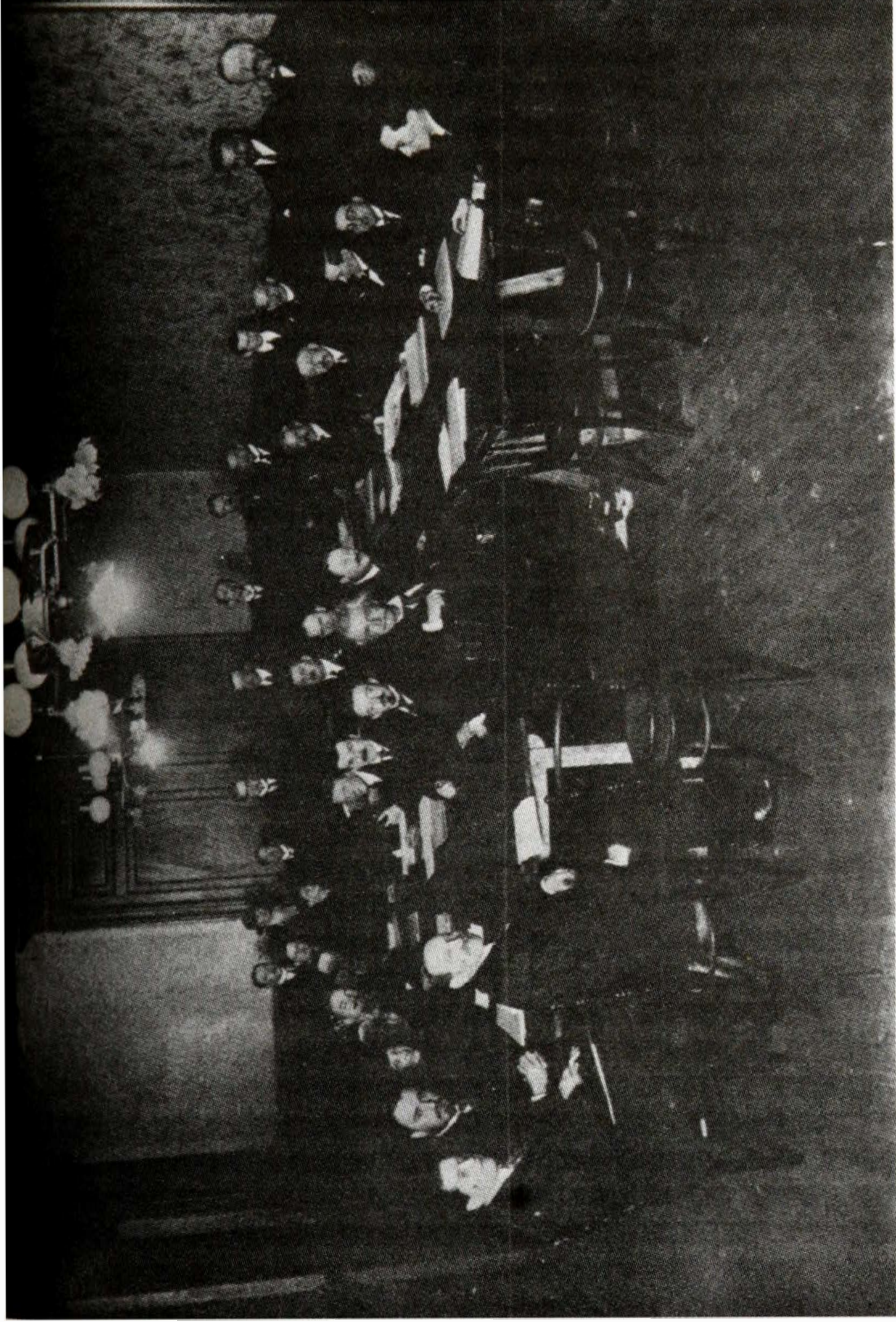
The official Labor welcome to the Ryans at the Exhibition Ground a month later reflected not only the concern felt within the labor movement about internal unrest and possible splits, but also the faith that somehow Ryan's presence and counsel would avert any calamitous division. In speaking of Ryan's qualities as a leader, Theodore emphasized his success in holding the Queensland party together, while W. Wright, President of the Trades Hall Council welcomed him in quite blunt terms: "Industrial turmoil seemed to be in the air . . . [but] he was satisfied that with Mr. Ryan at the helm things would be dealt with tactfully and manfully with credit to the Labor party and justice to those seeking redress." Only Billy Demaine, President of the QCE, spoke of Ryan personally and not of the problems of the movement. "There was 'no dog' about Tom Ryan," he

said, "he was a white man from the sole of his feet to the top of his head."⁴⁰ Since Ryan had opted to remain in politics, the problem of the lack of party unity concerned him most. There could be no hope of winning a federal election until the party was united not only in its aims and platform but also in its purpose. He began his reply by warning that, while Australians could not escape the general unrest throughout the world, it was necessary for them to keep their heads while making other people keep their places. "This was a critical period in which immeasurable harm might be done to their own labor movement by unwise counsels from within . . . The sure course of success for the Labor party was to adhere strictly to the platform and keep on the straight road which had brought them so far successfully." His position of trust in the labor movement had been achieved by trying always to bind not divide. What of that group to the left of Ryan, termed the extremists, whose actions could so easily split the party? These, he said, who often wanted the party to go faster than the majority thought wise, were no danger to the party so long as they stayed within, but if they left the Labor party then they were no longer extremists but political opponents and must be treated as such.

With the troubles caused by a major north Queensland strike, with prisoners in jail for flying the red flag and with the public brawling in the New South Wales party threatening to destroy the key branch of the party, Ryan might well have pondered as to whether he had made the right decision regarding retirement. The question was no longer whether he would stay in politics but whether he would go into the Federal Parliament. If he opted for the latter, a bigger question was how it could be done.



The Premier and Mrs. Ryan, London 1919 which appeared in the *Catholic Freeman's Journal*. [The Catholic Press Newspaper Company Limited]



International Socialist Conference, Amsterdam 1919. [John Oxley Library, Brisbane]



BILLY'S NIGHTMARE

Billy's Nightmare: J.T. Case's cartoon for the *Worker* of 20 November 1919. [Australian Workers' Union, Queensland Branch Executive and Mitchell Library, Sydney]



TROUBLE IN THE BARNYARD.

Premier T. J. Ryan, at the request of the Federal Labor Executive and other political and industrial Labor organisations, has decided to enter Federal politics.—News item.

The Labor party placed great faith in what Ryan would achieve in Federal politics. *Labour News*, 18 October 1919. [New South Wales Branch of the Australian Labor Party and the Mitchell Library, Sydney]

17 Federal Parliament

The eighth Commonwealth Conference of the Labor party should have been held in June 1921. However, at the 1918 Perth conference, Curtin had argued for a further conference before the federal election, due in May 1920. The delegates had agreed and it was decided to hold a special conference in Sydney in June 1919.¹ During his absence in England, the QCE had elected Ryan, along with Lewis McDonald, Demaine, Theodore, Ferricks and Page as its delegates to this conference.² Theodore had met Ryan at Melbourne on his return and accompanied him back to Sydney. On the way he briefed him on political developments in the previous six months and on the agenda items before them.

The debates and theorizing about a new type of organization for trade unions and new political objectives for the working class had continued and developed during Ryan's absence. However, where the state and Federal Labor parties had been primarily concerned with practical objectives that their members and supporters could conceive, there was now growing in strength a view which wanted to take the party away from these practical, though radical, objectives, and carry it, not in effect further to the left in Australian politics, but rather into the realm of academic politics more suited to the revolutionary *émigrés* of London and Paris than to Australian trade unionists of 1919. Ryan had witnessed the idealism and romanticism behind such ambitions among the delegates at the International Socialist Conference in Amsterdam and, though he sympathized with their dreams, his basic Australian laborism could not equate itself with a belief in immediate socialism. He had

remained essentially a practical politician and, though he thought much about the nature of such politics, he remained convinced that any overthrow or mitigation of the worst of capitalism in Australia would not come through pious conference resolutions, nor through any revolution or similar upheaval; the hope for Australian Labor lay in a united political and industrial labor movement devising radical and reasonable policies, effecting these in government and then assessing the new priorities.

When the conference met it seemed that it was the season for new objectives. At that stage the Labor party's Federal objective read:

The cultivation of an Australian sentiment, based upon the maintenance of racial purity, and the development in Australia of an enlightened and self reliant community.

The securing of the full results of their industry to all producers, by the collective ownership of monopolies, and the extension of the industrial and economic functions of the State and Municipality.

The prevention of war through the settlement of international disputes by a tribunal clothed with powers sufficient to enforce its awards.

F. Birrell, the South Australian secretary, was the first to seek a change by moving for the adoption, federally, of the South Australian objective as far as the second paragraph was concerned. He argued that the party's objective should be clearly stated and unambiguous, in short in line with that of South Australia, which would then make the second paragraph read:

To secure the adequate representation in Parliament and on other public bodies of the organised workers and producers, for the purpose of securing to each person the full result of his/her labor by the collective ownership and democratic control of the means of production, distribution and exchange and to ensure to each person full religious, political and social freedom.³

Theodore, accepted as the leader of the Queensland delegates, followed Birrell and agreed with him regarding the necessity for removing ambiguities; but he did not agree that Birrell's amendment was clear and unambiguous. He moved as an

amendment a three-point objective which he believed would set out the goals that Labor in Australia could hope to achieve in the lifetime of those present. His objective read:

- a) Emancipation of human labor from all forms of exploitation and the obtaining for all workers the full reward for their toll.
- b) The development in Australia of an enlightened and self reliant community.
- c) The maintenance of peace between nations by the establishment of an international tribunal with adequate power to hear and settle disputes.⁴

It was then the Victorians' turn and T. C. Carey proposed as a further amendment the objective passed at the Victorian conference which read:

1. That the objective of the Party shall be the peaceful overthrow of the capitalist system and the substitution of collective ownership of the collectively used means of production, distribution and exchange and the institution, in co-operation with the organised workers, by brain and hand, of democratic control of industry.
2. The full democratic self government of Australia.
3. The maintenance and extension of fraternal relations with the people of all countries.⁵

With virtually four objectives to be debated the conference seemed destined to bog down and become involved in an acrimonious debate on what was a piece of academic politics. When all the amendments had been moved, Ryan spoke. He was not impressed by the arguments posed for changing the objective: "Objectives do not cut a great deal of ice when election campaigns were in progress. The people at such times were anxious to know what were the programmes of the respective parties in the fight."⁶ For Ryan, politics, like law, was about commonsense and practical matters. What worried him now was how a new objective would be drafted. He knew and appreciated the relevance of words, particularly political words, and warned against any substantial changes that would lead to the cry of bolshevism from their political opponents. He did not, as did those who constituted the Workers Industrial Union of Australia, or some of the socialist groups, confuse the ideal of what could be achieved in Australia with the reality:

It was all right when the people understood that an objective was an ultimate goal, but, after all, the real thing that people looked for was summed up in the question "what are the goods you are going to deliver?"

If there were to be a change, he concluded, he favoured the amendment of Theodore, but he wanted to see added to this "the cultivation of an Australian sentiment."⁷ Ryan the nationalist had not changed since his first sally into federal politics in 1903.

This dampening by Ryan of the idea of a new objective posed a challenge to those who wished the Labor party to display a more theoretical socialist front and caused the Victorian and Federal President, E. J. Holloway, to leave the chair and come down to the floor of the meeting to speak. Holloway argued for an objective to incorporate worker control of the means of production, distribution and exchange,⁸ illustrating as he spoke the difference between the Victorian branch with its greater orientation towards theoretical considerations and the more pragmatic Queensland branch.

As the good sense of averting a split which had characterized the 1918 conference was still evident, a committee of Theodore, John Gunn, later to become a South Australian premier, Senator Gardiner, Carey and Andrew Clemenston, a friend of Curtin from Western Australia, was appointed to draft an objective which would represent the broadest views of the members of the conference. This was by no means an easy task and it was not until the fifth day that the committee brought back its new objective which was to read:

- i) The cultivation of an Australian sentiment, the maintenance of White Australia and the development in Australia of an enlightened and self reliant community.
- ii) Emancipation of human labor from all forms of exploitation and the obtaining for all workers the full reward for their toil by the democratic control of all agencies and production, distribution and exchange.
- iii) To ensure a lasting peace, the maintenance and extension of fraternal relations with Labor organisations in all countries.

With the deletion of the first phrase in clause (iii), the addition of "collective ownership" to clause (ii) and of a new clause moved from the floor by two Queenslanders, McDonald and Demaine, viz "The prevention of war through the settlement of international disputes by a tribunal clothed with powers sufficient to enforce its awards," the new objective, represent-

ing a compromise of all views, was adopted.⁹

Accepting the new objective, Ryan took little part in the remainder of the conference. He was absent during the debate on unification and did not seek to be a member of the committee to draft the planks for a constitutional amendment to provide increased power to the Federal Government. With Theodore he voted in the minority against removing the £5000 exemption on federal land tax, but voted for amending the Defence Act to abolish compulsory military training. Apart from these unspoken contributions, his only other parts in the conference were to report on his attendance as Australia's delegate at the International Socialist Conference and to move the motion protesting against the Federal Government's deporting of residents of the Commonwealth. Before the conference adjourned, the deletion of arbitration from the platform was defeated and though there was no division list printed, there would have been little doubt as to how Ryan voted. It was agreed that the next conference would be held in Brisbane in two years time.

Having concluded his business in Sydney, Ryan and his wife set off for home and their heroes' welcome. Queensland, however, was far from being a state for heroes. Brisbane was in a ferment with its citizens still arguing the rights and wrongs of the Merivale Street riot and the imprisonment by the State courts of men convicted, under the War Precautions Act, of flying the red flag. There was unanimity in the labor movement about the wrongs of the war precautions regulations and the Commonwealth's abuse of the defence powers to prevent the expression of political views. Both the AWU and the BIC awaited Ryan's return to seek his support in challenging the use of this power.¹⁰

Despite the political ferment that greeted Ryan in Brisbane, the capital city was calm compared with the atmosphere in Townsville. A dispute in the southern states between the Seamen's Union and the Commonwealth Government had resulted in a complete stoppage of coastal shipping with a consequent food shortage in north Queensland. Theodore had attempted to solve this latter problem by chartering vessels

from the Commonwealth, which the seamen had agreed to man. However, when Watt refused to sanction this, tension, caused by the bank up of goods to be shipped out and the growing food shortage, once more mounted in the northern towns. When this was further heightened by industrial unrest in Townsville, the situation approached a crisis. A strike had been held at the Alligator Creek meatworks in May 1919 involving members of the AMIEU, but not the AWU. Following a second strike by AMIEU members at the end of June, McCawley had withdrawn preference for that union at the works. The militancy which had characterized north Queensland unionism in the railways and the sugar, mining and meat industries, bubbled to the top. Northern unionists required no IWW doctrines or inspiration to voice their grievances against employers, governments or the Arbitration Court and despite the attempts by two members of the strike committee, Michael Kelly and Pierce Carney, to restrain their members, a number of strikers took direct action and broke down fences holding 500 head of cattle. Thereupon the Townsville police arrested Kelly and Carney.

Following a rowdy meeting under Townsville's "tree of knowledge", a crowd of strikers and hangers-on moved down to the lock-up to demand the release of the two leaders.¹¹ Rymer, of the QRU, advised them not to resort to violence as this would do their cause more harm than good. A police constable who had attended the meeting reported the approach of the crowd to the watchhouse keeper, Acting-Sergeant Purser, who armed himself and each of the three constables detailed to assist him with a rifle and a revolver. A crowd of about 1000 approached the lock-up, stones were thrown on to the roof and Purser went out to ask what they sought. He was almost immediately punched in the face, a shot was fired by someone in the crowd, missing Purser, who, in staggering back from the punch, caused the constable near him to believe he had been shot. In the confusion that followed the constable grabbed Purser's rifle and deliberately or in a panic discharged it into the crowd. It is difficult to piece together exactly what happened in the following moments, but it seems that the fire was returned

from within the crowd and that the police, fearing that the station was about to be stormed, fired back. Nine people were wounded before the crowd dispersed.

The tension in Townsville was almost at breaking point. Not even in 1891 or in 1912, said old unionists, had the police actually fired on a crowd.¹² In this atmosphere, it was not surprising therefore that the reports reaching Ryan on his arrival back in Queensland were garbled and conflicting. Despite the aura of impending revolution which so much of the literature available to workmen in 1919 created, Ryan did not accept that there would be any revolution by unionists in Townsville. Moreover, he knew that only when order was restored could any purposeful negotiations take place. Kelly and Carney were released on bail on the following morning and again tried unsuccessfully to restrain those unionists and others who wanted immediate action. The situation had been further aggravated after the night street meeting by raids on several Townsville gun shops and the stealing of a number of rifles and a quantity of ammunition. To this had been added an urgent police call for the enrolment of special constables. If anything was guaranteed to cause further trouble it would be the presence of the "specials" who had acquired a reputation in the 1891 and 1912 strikes for brutality and panic. Australian unionists did not have a love for regular police, but accepted that the police had a job to do and at least respected their authority.

Unwilling to countenance the use of "specials", but recognizing the need to restore order, Ryan and the cabinet despatched a special trainload of regular police to Townsville. Hardacre was sent to Townsville as Ryan's envoy and McCawley was asked to convene a compulsory conference of union officials and employers. The despatch of the 200 police brought sharp recriminations from both the AWU and the BIC. At a meeting of the latter a resolution was passed "view[ing] with disgust and apprehension the dastardly outrage by the Townsville police in shooting defenceless workers and deprecate[ing] the action of the Government in sending additional police to Townsville to bludgeon the workes into submission."¹³ Un-

fortunately an omission by a member of the strike committee made this sending of police appear even worse in unionists' eyes. Hardacre had been told by Theodore that no special constables would be enrolled. He had passed this on to Tom Foley, the Labor member for Mundingburra (which included Townsville) and a member of the strike committee. As Foley forgot to inform the other members of his committee, there was uncertainty in the north as to what the extra police meant.¹⁴ Since there was no direct railway link along the coast between Rockhampton and Townsville, the train carrying the police had to travel inland through Longreach, Winton, Hughenden and Charters Towers. At Hughenden the railwaymen decided by a majority of one to work the police train to Townsville, but at Charters Towers a ballot resulted in a forty-nine to three vote against. The deputy commissioner, the district mechanical engineer and the loco foreman had to take the train on to Townsville.

Ryan refused to be forced into any precipitate action by strikers or employers and made it clear in statements to the newspapers that the Government authority in Townsville would be upheld. The uneasy calm pervading Townsville with food shortages, men on strike and police patrolling the streets made it look anything but the main commercial centre of north Queensland. The shooting incident remained to the fore as the most important single issue of discussion and because of the impossibility of sorting out the conflicting stories and reports reaching Brisbane, Ryan appointed a Brisbane police magistrate, W. Harris, as a Royal Commissioner to enquire into the shooting. Harris took evidence at Townsville from 12 to 26 August and presented his report on 18 September. In his report he justified the use of firearms by the police on the grounds that they were acting within the law and had prevented a more serious disturbance occurring had the lock-up been stormed.

While the Royal Commission was being appointed, the union leaders took command of the meatworkers and a conference with McCawley on 17 July saw the dispute brought to a close. While the meatworkers returned to work on favourable terms, it was the railwaymen who had stood by their fellow unionists

who suffered most. Twenty-four men from the Charters Towers depot were suspended and during the negotiations with the Railway Department to have these men reinstated, the QRU found that instead of the sympathy and reasonableness which they expected from a Labor minister, they were confronted with an unsympathetic Fihelly. Fihelly as the Minister for Railways would be obeyed, whereas Ryan, when questioned on the strike, said he would ask for explanations from the railwaymen concerned but would not prosecute them, adding "a man may be wrong without being a criminal."¹⁵ Two-thirds of the railwaymen who had been suspended and reduced in grade were allowed to resume duty only after signing an agreement to abide by departmental regulations in future. The remainder were not allowed to resume duty until they also signed. It was too much like the New South Wales Government's attitude in 1917 and when a deputation from the QRU waited on Ryan at the end of August, the Premier was placed in the invidious position of having to support a ministerial colleague's decision with which he was not in sympathy. In a stinging editorial in the *Militant*, the new QRU weekly journal, Rymer replied:

A Labor Government must govern, not according to the whim of Mr. Ryan or to back up the unpardonable blundering of an egotistical junior cabinet minister, but according to the principles of the Labor Movement . . . and Mr. Ryan, with a record behind him for courage that does him credit, offers the flimsy excuse for this reprehensible conduct that "the Government must govern."¹⁶

It was a bad omen of things to come in the relations of the QRU with the Queensland Labor Government.

On the Monday after he had returned to Brisbane, Ryan had received two deputations, one from the president and secretary of the AWU and the editor of the *Worker*, and the other from a group of forty women. Both deputations sought the release of the men undergoing sentences for flying the red flag. Following the meeting with the AWU officials, he sent a telegram to Watt expressing the view that there was some validity in the belief that the Minister for Defence had no power to make regulations prohibiting the display of the red flag.¹⁷ As the prisoners had

already served three months he asked for their immediate release. He told the women he thought that the regulations were an infringement of Magna Carta and politically most unwise "I hope the day is not far distant", he said, "when any interference with these safety valves of liberty will be removed." However, since section 120 of the Commonwealth Constitution obliged the State to give effect to sentences passed under Commonwealth law, the men would have to remain in prison until released or until the regulation was challenged in the court.

On 8 July Ryan applied to the Chief Justice, on behalf of one of the prisoners, George Taylor, a returned soldier, convicted on 23 March, for an order calling on the Chief Police Magistrate and others to show cause why a writ of prohibition or a writ of *habeas corpus* should not be issued prohibiting them from further proceedings with the conviction. His grounds were that the regulations under which Taylor was prosecuted and the order of the Minister for Defence were *ultra vires* and unlawful. On 15 July, with H. D. Macrossan and Webb, he appeared before the Full Court to challenge the legality of the sentences.¹⁸ In a letter which Taylor had written to Tim Moroney on 14 June 1919, he expected that Ryan would do something about challenging the sentences.¹⁹ Feez and MacGregor appeared for the Commonwealth. Ryan had first to gain the permission of the Governor to appear against the Crown, but argued that this was a test of the validity of the War Precautions Act through which the Queensland Government was required to imprison men convicted under the regulations of that Act and that there was a precedent in England in 1903 to govern his actions.²⁰

Having also established his rights to have the Crown Solicitor with him, Ryan had further to demonstrate to the three judges that a state Full Court had jurisdiction to deal with the matter. Having established this, he came to the main point, his argument that there had to be limitations to acts which the Governor-General felt were detrimental to the public safety and defence of the Commonwealth. The regulation being challenged, he said, gave more power to the minister than to the

Governor-General. It should have said that the prohibition of the flag was for the public safety and defence of the Commonwealth. The court, he said, had to determine whether or not the prohibition was reasonable; what was reasonable was Ryan's summation of the law. Macrossan continued and argued that it was a bad regulation in omitting proper safeguards against the arbitrary invasion of personal liberty. When the court resumed, on the third day, the Chief Justice delivered the judgment in favour of the Commonwealth. An appeal to the High Court was considered and dropped when, in the amnesty granted to certain prisoners to commemorate the signing of the Peace Treaty, Taylor and four other red flag prisoners were released. To Ryan's list of personal friends which included premiers, soldiers, business and professional men, was now added the working class hero and rebel, George Taylor. It was through his ready defence of radicals like Taylor that he helped to keep these inside the party and prevented their breaking off to form a new and exotic left wing party.²¹

The new Parliament was scheduled to be opened on Tuesday 5 August, but Ryan was to be an irregular attender at this session. He was now much more than the only Labor premier; he was a commanding figure at the national Labor level. Ryan had received an urgent telegram from Page, the federal member for Maranoa and vice-president of the Federal Executive, asking him on behalf of the Executive, if he would heal a political breach in Sydney.²² It was perhaps some comment on the state of the Labor party that Ryan was unsure which executive Page meant, though he agreed to assist.²³ Page replied that it was the New South Wales Executive which needed his assistance in the trouble brewing between the industrialists and the State Executive. The concern felt among the more radical sections of the Labor party regarding New South Wales was exemplified by a telegram from Senator Ferricks, not a member of the Federal Executive, commending Ryan on his decision to try to arbitrate and conciliate in Sydney.²⁴ It was a compliment that the Federal Executive should ask his assistance but, though Ryan had been associated with Willis, the leader of the breakaway

industrialists, at the 1918 Federal Conference and, through his stand against Hughes on conscription and on the 1917 strikes, undoubtedly had the respect of those who were dreaming of the One Big Union, it was expecting too much of one man to stem a movement that had gathered such momentum. The compelling urge of many on the left in the labor movement to split away and try to form new, purer political Labor groups, was manifested at a conference of the Willis group in August, when they formed themselves into the Industrial Socialist Labor party.²⁵ Seeking Ryan's intervention was a last ditch attempt by the Federal Executive to avert a split in the most important State and Ryan, complying with their request, went to Sydney at the appointed time to confer with Stewart the Federal Secretary in an endeavour to effect some compromise.

At the pre-sessional caucus meeting before he left for Sydney, Ryan read the speech prepared for the Governor. Only G. Page-Hanify, a temperance advocate and one of the Legislative Councillors, pressed for any major change and this was for an amendment to be made to the Liquor Act²⁶ — a political subject which had caused more troubles to all parties than most other pieces of legislation. Goold-Adams read the opening speech in the Legislative Council chambers on Tuesday 5 August. It was to be his last speech prior to his retiring in March 1920. Naturally the end of the war and the return of the soldiers occupied the opening of the speech, but the sting was in the tail of this section:

No scheme that could be devised for the benefit of the returned soldiers, or of the community generally, can be fully effective while the law permits the remorseless profiteer to make grossly excessive gains by the sale of the common necessities of life. As the recession of the Commonwealth price fixing regulations has given this species of exploiter larger opportunities, a measure dealing with the whole matter thoroughly and equitably will be submitted for your approval.²⁷

Not only were Ryan and his Government concerned with the great increases in prices after the removal of Commonwealth price fixing, but the Nationalist governments in New South Wales, Victoria and Western Australia were also either introducing or considering state prices legislation. A new word

“profiteer” had come into the language describing a person who even free enterprise Nationalists thought should be struck down. Continuing with the proposed legislation on state enterprises, land settlement and health, Goold-Adams came to more of those pieces of legislation which affronted conservatives and which they condemned as contentious: the establishment of an unemployment fund, the abolition of the Council and the office of Governor, voting rights at eighteen years, the building by the State of workers’ homes, and the establishment of fair rents courts.

In the Assembly, supply was the first business and Macartney and other Opposition members used this debate to attack the Government’s handling of the north Queensland strike, its failure to relieve the food shortage in the north and the depletion of the finances of the State following the deficits of the war years. In what had become the accepted method of dealing with such attacks, Ryan waited until the principal Opposition speakers had finished and gave the only reply on behalf of the Government.²⁸ The main theme of his reply was simple. If the Opposition was really concerned about stopping the industrial unrest throughout Australia, it would make an attack upon the causes of that unrest – the profiteer –

Because, after all, however unpopular the Arbitration Court may be at the moment, or the system of Arbitration, it largely arises from the fact that whenever an increase in wages is given, the cost of the commodity rises to such an extent that the increase is really of no benefit to those to whom the increase is given.

Though he would defend wholeheartedly the principle of arbitration, Ryan was conscious of the very relevant criticism that union leaders were making: the appeals of employers against court decisions, and the delays in hearing workers’ claims had made a “Serbonian bog at the threshold of the court” (Higgins’ phrase) which when added to the free rein given to the profiteer were the real causes of industrial unrest. This was to be one of Ryan’s few speeches in the Queensland parliament during that session. Theodore again became Acting-Premier and Hunter assumed control of the Chief Secretary’s Department when Ryan left for Sydney.

On 14 August his case against the *Argus* opened in Sydney before Isaacs.²⁹ Macrossan and H. V. Evatt appeared for Ryan and Knox and Broomfield for the *Argus*. The action had arisen out of an editorial in the *Argus* on 29 November 1917 which had begun:

Almost any outbreak may be expected from the Ryan Ministry in Queensland and it is almost incredible that it should have descended so low as to have entered into the paltry and contemptible conspiracy with Germans and other disloyalists against the authority of the Commonwealth Defence department.

Ryan's case was that if the allegations of conspiracy and disloyalty were true then he should have been removed from his office of premier, placed on trial and sent to jail. The *Argus* claimed that the words complained of were fair and bona-fide comments upon matters of public interest. In opening the case, Macrossan emphasized that the jury had to consider the words apart from any political views they might hold. Under cross-examination Ryan said he was not aware of the censorship of the anti-conscription pamphlet or that Theodore planned to incorporate that also in *Hansard*. Knox took him through the resignation of Adamson, the speech of Fihelly, the membership of the CPE and the Anti-Conscription Committee, and his recent speeches concerning the red flag prisoners and extremists in the party. Every part of the war, recruiting, the Easter Rebellion and Ireland, the fights with Hughes, or the conscription campaign, that had touched Ryan in any way were introduced to show that indeed the *Argus* had been making fair comment. Knox summed up by claiming that the attack had not been on Ryan personally but on the Ryan ministry, adding that any person who attempted to thwart the Commonwealth Government by trying to have matter published that was prohibited by the censor deserved to be called hard names and he did not consider the word conspiracy too hard.

After both counsel had addressed the jury, Isaacs summed up. He pointed out that the defence had not claimed that its statements were true, but that they claimed them to be fair comment. For public welfare every citizen was entitled to draw reasonable inference from public men's conduct in public affairs

and to publish those inferences, but the inference must be reasonable and bona fide. The jury, he said would have to decide whether the matter complained of was fair comment or not. When the court resumed on the following morning, the foreman reported that the jury could not agree either wholly or by a three-fourths majority on any of the questions Isaacs had given them, nor were they likely to agree. Isaacs dismissed the jury. However, Knox asked that, in view of a tentative answer of no damages on the previous night, a verdict should be entered for the defendant. Macrossan moved for a verdict for the plaintiff. When Isaacs adjourned, the question was still undecided, though he seemed to favour a new trial. On the opening of the case on the following Monday, 25 August, Ryan appeared on his own behalf to argue for a new trial. He dismissed Knox's claim that the real issue was one of damages and argued that the main question was whether the charges of conspiracy with the Germans, disloyalists and others were true. For Ryan it was imperative that his public reputation should be fully cleared if he were to remain at the head of a major political movement. Isaacs further reserved his decision until the Wednesday when he ordered a re-trial. It had been a tiring and trying three weeks for Ryan as he set out for Brisbane on 29 August. The cost of the trial had been borne by Ryan himself.

Though he had to remain in Sydney during the trial, Ryan did not concern himself solely with the case. Several New South Wales federal politicians had met with him in Sydney to urge him to enter federal politics and there were strong rumours that one member had offered to resign his seat in favour of Ryan. James Catts, then secretary of the Federal PLP and possibly its most astute organizer and draftsman, was the main figure behind the campaign to have Ryan in the federal house. Ryan, however, was well aware of the dangers both within the labor movement and within the electorate to any precipitate move by him from State to federal politics, particularly if he seemed to be the one behind the change. Catts understood this also and with his friend, King O'Malley, and a Tasmanian senator, D. J. O'Keefe, set about having the New South Wales and Tasmanian Executives pass specific resolutions asking Ryan to enter federal

politics at the following election. Furthermore, though he had retained his ambition for national politics, Ryan was still reluctant. The stress of four years of being Premier, the prospect of starting from the bottom again in a new parliamentary environment, his own health and consideration for his young family, not to mention the financial sacrifice involved, all militated against his changing horses. Where a few years earlier he would have had no hesitation in accepting a federal seat to contest, now his enthusiasm was not so strong.

Within the Labor party, the possibility of an early federal election was being widely canvassed. Many members of the Federal PLP were dismayed at the prospect of going into an election with the party's policies in such disarray.³⁰ Long accepted Labor policies on home defence and land tax exemption had been deleted from the platform at the June conference where it had been decided to dissolve the war debt by a tax on land and capital without exemption; furthermore the policy of unification, with the abolition of the Senate and unlimited power to be given to the Federal Parliament, was felt to be against Labor's electoral interest in the smaller states. Consequently these members urged their state executives to call a special federal conference in October to review the specific policies on land tax and the repayment of war loans. Four states agreed and the special conference was called to deal with the two items. At the QCE meeting on 1 August called to deal with the federal conference and the possible early election, Ryan asked that he be omitted from the Queensland delegates.³¹ Page, McDonald, Demaine and Sumner were elected, Theodore and Ferricks being added on 29 August.

On 28 August, Ryan arrived back in Brisbane from the *Argus* case. The major decision facing him still was his political future. Long-time legal friends like Carey in Rockhampton urged him to take a position on the Supreme Court bench where Cooper would soon be retiring as Chief Justice, leaving a gap which Ryan could easily fill. But though the possibility of his taking a seat on the Supreme Court was no doubt appealing and was certainly being widely canvassed, politics combined with the law seemed to have a greater appeal for him than the law alone.

The political stage was broader, more exciting and held greater scope for his ambitions. On the other hand, it was also more frustrating and more exhausting.

It is likely that, during the weekend of 30 and 31 August, Ryan conferred with Hunter and Theodore about his invitations to enter federal politics. Hunter, who had been his closest friend and political ally, was shortly to leave for England to take up his position as Agent-General. With Kidston's retirement from the Land Court, Hardacre, another friend and supporter, had submitted his resignation and signified his desire to replace Kidston. Lennon too desired to retire from the cabinet and become Speaker. This would mean having both McCormack and Fihelly in the cabinet without the good sense and experience of Hunter to balance them. If Ryan resigned there was no doubt that Theodore would become Premier, though Fihelly was measuring his chances of defeating him. Ryan held Theodore in high regard and a close friendship existed between them. Theodore himself was ambitious and, having been Acting-Premier for almost eight months, could rightly hope that Ryan would move on to the federal sphere. Yet it was still not as simple a matter as it seemed. The labor and daily press continued to quote reliable sources as saying that Ryan would definitely make the change and that he was being offered a particular seat. Ryan, however, required more than this. He wanted a clear invitation extended from the Federal PLP or from some other official Labor organization which transcended state boundaries, and he wanted a seat where he would be able to use his ability in the widest campaigning, i.e. a reasonably safe seat, such as he held in Barcoo, so that his political future would not be governed by how often he attended fetes in his electorate.

The other problem he faced, even if the invitation were extended, was that a section of the Federal PLP did not want to see him in the Federal Parliament. Part of this antipathy came from some of the Victorian members and senators who felt that an invitation to Ryan would not only be an insult to Tudor, but would also disturb their belief in the party's deriving its inspiration from the rank and file and not from any leader or

leaders. A second source of opposition was Higgs. In the caucus, Higgs, Catts and Tudor were the three leading members and although seniority and the fact that he had been the one to leave the cabinet first over conscription had given Tudor the leadership, Higgs was the more able politician and aspired to be leader and possibly Prime Minister. During Tudor's absence at Perth in 1918, Higgs had been appointed Acting-Leader, but when Senator Donald Grant and Catts wanted him officially appointed Deputy-Leader at the end of 1918, the caucus rejected the motion.³² Higgs' problem was that, despite his long service to the party, he was not entirely trusted in some quarters through his attempt to compromise with Hughes in the 1916 conscription referendum. He was, moreover, under a cloud with his own State Executive. He could, however, expect that if Tudor resigned through ill health, which was quite possible, then as the only other person with cabinet experience he would be elected Leader, that is unless a new man was brought in expressly to become the new Leader.

The alternative to an invitation to Ryan from the PLP was an invitation from a majority of state executives. Catts had begun with New South Wales and Tasmania, the matter was being raised at the South Australian conference, while individual unions, electorate councils and labor bodies in different parts of the country passed resolutions suggesting that he make the change. The choice of an electorate in which he would stand also presented a major problem as rumours that Page, Charlie McDonald, William Mahoney, (Dalley) or Edward Riley (South Sydney) might retire in his favour proved to be groundless. If he made the decision on that weekend, it was kept from the majority of the PLP and from the labor press. Questions from the press were parried with his "not having been asked" statement which really answered nothing.

The newspapers and political parties took a keener interest in the prospects of an early election when Hughes arrived back in Australia at the beginning of September. The speculation about Ryan's future continued; there was a growing interest as to how the new farmers' party would fare; in Melbourne Tudor had to contest a plebiscite against two opponents, while James

Mathews (Melbourne Ports) and James Fenton (Maribyrnong) also had to contest pre-selection plebiscites; from Tasmania it was reported that Joe Lyons, the former Treasurer, was also nominating for a Federal seat.

Ryan, not Tudor, was the first to comment publicly on Hughes' opening speech after the Prime Minister arrived home, in which he had referred to the financial cost of the war, the price of rehabilitation, the necessity to produce more wealth, and prices and profits.³³ Ryan accused Hughes and the Nationalists of overstressing Australia's war debt as compared with Canada, whose debt was £175 million less than that of Australia, and of allowing the profiteer to run rampant through the country with the repeal of the War Precautions Regulation "which could have any restraining effect upon the soaring of prices."³⁴ Though he still had made no specific mention of his accepting or rejecting the invitations to enter federal politics, Ryan's attack on Hughes' speech possibly confirmed the suspicions and rumours that newsman held. It also alerted Hughes and Cook to the fact that profiteering and price control would be issues on which Labor would campaign in the coming election and that some counter-action by the Government was needed.

There were other signs, however, that Ryan may have already made his decision to leave state politics. In the allocation of the new portfolios in the State cabinet on 9 September, it was clearly Theodore who had had the major influence. Gillies was given Lennon's old portfolio of agriculture and stock, while McCormack used his influence with Theodore to have Huxham demoted to public instruction and to receive himself the more prestigious Home Secretary's Department. At a special QCE meeting two days later, called to begin the campaign for the federal election, Collings raised the question of Ryan's future political movements. Though Ryan left the room while the Executive debated his entering federal politics, it is hardly likely that the result was in any doubt. A resolution stating that it was in the interests of the workers of Australia and the labor movement that Ryan should enter federal politics "if satisfactory means can be devised to bring it about" was passed

unanimously by the sixteen delegates present; the last clause demonstrated that the vital question of which seat had not yet been decided.³⁵ There is little in the suggestion by Turner³⁶ that this was not a recognition of Ryan's ability but a plot engineered by the AWU (of which Ryan was a member) to gain further control of the Labor party by promoting Ryan to federal politics. His changing to federal politics was of far greater significance than any ambitions of Theodore and McCormack within the Queensland Labor party. The Labor party throughout Australia, during and since the war, had reaffirmed its belief in the greater importance of the Commonwealth Parliament and though in its public pronouncements it may have emphasized the importance of the rank and file against that of particular leaders, it recognized the reality of having commanding political leaders and recognized also that, in Ryan, it held the one man in Australia capable of matching Hughes in any political contest. There were those like Munro Ferguson, supporting the Nationalists, who also recognized this.³⁷ It was a matter of the reality taking precedence over the ideal, of the practical nature of Australian Labor politics reasserting itself over the theoretical.

Appreciating the break this decision made with long-held Labor beliefs, Ryan's words were appropriate to the occasion. He was, he said, "in the hands of the party and would be prepared to act as they thought fit in the matter, even to the extent of entering the federal sphere as a private member" (as against being the leader) and sitting in the Opposition. Not only did such words show a strong sense of political nous, but they also demonstrated a capacity for handling Labor executives which not all leaders have had. The resolution was sent to the other state executives for their consideration. It is important to note that, at this stage, though Ryan had indicated his willingness to stand for the Federal Parliament, he had not given a definite undertaking to do so. The decisions of the other state branches and his being guaranteed a winnable seat were still hurdles to be overcome before a final decision was made. "Being asked" involved more than a resolution from his own State. Ryan was not selling his political career cheaply or

thoughtlessly.

Although the QCE resolution was featured in newspapers throughout Australia, not everyone in the Labor party agreed with the wisdom of it. Some perhaps feared what a PLP dominated by Theodore and McCormack might become. At the first caucus meeting (17 September) after the QCE meeting, the PLP spent over an hour discussing the QCE's resolution before Hartley, from the central Queensland seat of Fitzroy, and Winstanley, the Whip, moved that it was inadvisable in the interests of the labor movement for Ryan to enter federal politics at that stage. As Ryan was absent the question was deferred until later in the day. When he spoke to the caucus meeting then, Ryan read the telegrams and letters he had received from all parts of Australia. He intimated that he would leave the matter in the hands of the party, but said that he wanted an expression of opinion one way or the other. There was still no invitation from the Federal PLP nor had any Queensland seat been made available. After a further discussion, a motion of Frank Cooper, from Bremer, and Frank Forde that Ryan should accept the invitation was amended to give Ryan freedom to decide for himself what he wished to do, the PLP promising its support for his decision.³⁸

Despite his modest statement about leaving himself in the party's hands, Ryan had been far from reticent about making his own arrangement as it was evident that none of the Queensland Federal Labor members in safe seats – Page, McDonald and Higgs – was prepared to give up his seat. Shortly after the QCE meeting he had made a quick trip to Sydney ostensibly to attend a conference on meat, but also to discuss the matter of a seat with the New South Wales Executive. Though this executive was strongly supporting his entry to the Federal Parliament, in fact it was probably stronger in its support than Queensland, it also faced the problem of which seat Ryan could contest. East Sydney, South Sydney and Dalley had been canvassed in the press, but understandably the sitting Labor members there were reluctant to give up their seats even for Ryan. Hughes' old seat of West Sydney had obvious symbolic attraction and had been held by its occupant

Con Wallance for only two years. In addition, Wallace was facing a pre-selection ballot from a Sydney alderman and possibly from two other contenders. There was probably no reason to expect any of these, after winning a plebiscite, to give up one of the safest Labor seats in the Commonwealth to an outsider. On his return to Brisbane, Ryan declined to make any public comment on the question of a seat. Curtin noted in the *Westralian Worker*, on 12 September that Ryan was certain to be given the West Sydney seat.

In the meantime, he accepted every opportunity to discuss federal politics in public and to put forward a Labor viewpoint on the three issues likely to be important in the federal election: prices, farmers and returned soldiers. While in Sydney, he addressed a public meeting in the Town Hall where he appealed openly for soldier support for the Labor party as the party with the same ideals as those the soldiers had fought to preserve and as the party opposed to the profiteers – who could not be allies of the soldiers. A convenient question allowed him to issue what was in effect a six point election manifesto covering Australia's war debt, the export prices of primary products, prices and profiteers, tariffs, white Australia and Japan's control of the Marshall and Carolines, and the defaming of Australia by the Government's proclaiming that the nation through rejecting conscription had not done its share in the war.³⁹ It may have seemed presumptuous of Ryan to take on himself the role of Labor spokesman, but such was the state of the federal party that, apart from Michael Considine, the militant member for Barrier, who had been imprisoned for three weeks "for the use of language calculated to cause disaffection to His Majesty the King," no member of the Federal PLP was doing or saying anything that was newsworthy. Hughes virtually had the papers to himself.

In Brisbane, Ryan remained non-committal about his future. Resolutions from unions and Labor party organizations in other states seeking his entry into federal politics continued to be sent to him and to the labor press. On 17 September, the Tasmanian Executive supported the Queensland resolution,⁴⁰ and on the night of Friday 19 September the New South Wales Executive

passed the same resolution, adding, perhaps significantly, "and we cordially invite him to contest a federal seat in New South Wales."⁴¹ Catts, in his position as secretary of the Federal PLP, issued a statement at the same time denying any opposition to Ryan within the federal party. Since the question had never been discussed officially in caucus he was technically right, though it is hard to agree with his contention that there was "no member of the Federal Labor Party who would not wholeheartedly welcome Mr. Ryan into federal politics."⁴² Ryan was well aware of the relationship of smoke to fire and while thanking Catts for his support threw down his final challenge to the organized labor movement:

The request that I should enter Federal politics is not of my seeking. Since the matter was first mentioned I have had my attitude abundantly clear. The only reason which would induce me to resign the Premiership of Queensland and enter the Federal fight would be the fact that an unequivocal desire was expressed by the workers of Australia that I should do so. The expression of that desire on the part of the workers should reach me in a form which would leave no doubt that my services were wanted. In order that there may now be no misunderstanding, it is perhaps as well that I should make this restatement of the position.⁴³

It was a challenge that was clear and concise leaving no room for misunderstanding or misinterpretation. The only ways by which such an expression could be presented were by vote of the Federal PLP, by resolutions from the state branches or by a Federal Conference decision. When the QCE met on 26 September, the replies from Tasmania, South Australia and Western Australia were read. There was no reply from Victoria. The QCE minutes do not reveal the nature of the replies from South Australia and Western Australia. Three out of six states had explicitly invited Ryan to become a federal member, which was not exactly an unequivocal expression of Labor opinion. The special Federal Conference in October remained; Ryan replaced Theodore as a Queensland delegate.

Owing to the pressure of work, Ryan had not been able to attend the Premiers' Conference in Melbourne on 26 September. Having been informed by Hughes that the agenda comprised "many important matters, including finance", Ryan

had merely sent one of his ministers, Coyne, who reported back that proposals for transferring some powers to the Commonwealth were discussed, but not agreed upon. Coyne disagreed with the press statements that the states' representatives had agreed unanimously regarding the powers to be transferred.⁴⁴

The war had confirmed the belief of Hughes and many others that the constitutional powers granted to the Commonwealth in 1901 were inadequate. There was a measure of agreement in all parties that the Constitution required amending after the experience of its first twenty years. To Hughes, the amendments that he had drafted in 1911, 1913 and 1915 in relation to corporations, trusts, the nationalizing of monopolies, trade and commerce and industrial disputes still apparently appealed. He proposed now a referendum at the 1919 election which would provide almost the same constitutional changes as those sought in 1915. The new referendum, however, omitted any reference to the settlement of railway disputes and included a clause on monopolies which made the defining of a monopoly the decision of a High Court judge and made the passing of legislation to nationalize a monopoly dependent on an absolute majority of members of each house of parliament. The proposals certainly complied with the methods that the Labor party had been demanding for controlling prices and profiteers. However, the Hughes of 1919 was not supporting the same political creed as the Hughes of 1911, 1913 and 1915; in addition there was a sting in the 1919 tail which not all Labor members read and the implications of which were not widely understood. If the referendum was successful, the powers gained by the Commonwealth would be held for only three years or until a constitutional convention called by the Commonwealth made recommendations for altering the constitution and the people endorsed these changes at a new referendum. To nullify further any advantages which the referendum powers could give to the Commonwealth, an additional clause provided that if the convention was not called by 21 December 1920 the alterations made to the Constitution at the referendum would cease to have effect from that date.⁴⁵ Few in the Labor party thought out the ramifications of these

addenda and consequently the proposals of Hughes had thrown the party into a dilemma. To support the referendum was to support Hughes, but to oppose it seemed to oppose what the party had earnestly sought for ten years. On 1 October the Prime Minister introduced the necessary bill into the House of Representatives, where on 3 October it passed all stages, with only two Labor members opposing.

The special Federal Conference met in Sydney on the morning of 2 October to review the land tax and repayment of war loans policies. Thirty-three delegates were present including eight federal politicians and thirteen state members (of Legislative Assemblies and Councils). W. H. Lambert, the New South Wales president, took the chair. Tudor was not in the Victorian delegation and did not attend as a visitor. As soon as the conference opened, Catts asked for a ruling on whether business other than that on the agenda could be brought forward. Lambert ruled that no other business could be discussed and the conference took up the question of land tax exemptions.⁴⁶ This tax had been a sore point with primary producers since Fisher had introduced it in 1910, even among those who were exempted by the reasonably high valuation needed before being eligible for tax. As a means of breaking up large estates it had not been as successful as the Labor party had anticipated, but had satisfied another ideal by securing the finance for running the state from those most able to afford it. By removing all exemptions the June conference had placed an additional tax on those farmers who were struggling to make a living on the land. Early in the debate Ryan spoke in favour of rescinding the June resolution on exemptions. Some workers, he said, made their living off the land just as other workers made their living in the city at other callings.⁴⁷

On the second day, despite the objections of the Victorians, Catts again raised the question of new business. By a narrow sixteen to thirteen vote, the conference ruled that new business could be introduced.⁴⁸ After lunch, John Bailey, a member of the New South Wales Parliament, and one of the AWU leaders in New South Wales, immediately moved the suspension of standing orders to introduce a resolution for the conference to

endorse the invitations of New South Wales, Queensland and Tasmania to Ryan to enter federal politics.⁴⁹ Ryan left the conference room as the debate began. The New South Wales delegate unconsciously insulted Tudor by declaring that with Ryan "at the head of affairs in the federal area it would have a great effect on the labor movement" and would be the means of winning the next election. Before the conference was to adjourn others, including Holloway, the leader of the Victorian delegation, would similarly and unconsciously insult Tudor as a parliamentary leader. Senator John Barnes of Victoria was the first to speak after Bailey and opposed the resolution which, he said, "might throw a reflection on the present leader." This was, he continued, the last motion that should have been moved at the conference; there was no need for a resolution of this kind. He saw further than most delegates the implication of discussing publicly such a resolution since it would be regrettable to carry the motion and also equally regrettable to turn it down. His Senate colleague, Edward Needham of Western Australia agreed: "They would like to see Mr. Ryan in federal politics, but not this way." Those who opposed the resolution did so more from constitutional niceties and objection than from the slight passed on Tudor. The enthusiasm of those who wanted Ryan was not dimmed by the reservations or opposition of the two federal parliamentarians. Tom Butterfield, a South Australian State member, argued that there was nothing to do but to go right on with the matter. Poor Tudor again was damned by comparison with Ryan: "... While he held that Frank Tudor was one of the cleanest and whitest men in the Labor movement they must realise it and even Frank Tudor realised it - that one man stood out head and shoulders above anybody else and that was Tom Ryan." Once more the Victorians entered the debate in opposition, on the grounds that the conference did not have powers to pass such a resolution. The first Tasmanian to speak, Senator David O'Keefe, was unmoved by this argument. "Let them be bold," he said, "set a precedent, and come out and lead them." Ryan's friend Sumner was similarly unmoved by the technicality raised by the Victorian: "The one question was whether or not be [Ryan]

was wanted. If he was this Conference should say so". Holloway admitted that the people wanted Ryan but returned to the argument that the conference "had not the right to constitutionally discuss the matter". The debate continued and by a nineteen to ten vote carried the original motion. The five Queensland delegates (excluding Ryan), the five New South Wales delegates (excluding Lambert), the five delegates from Tasmania and four of the South Australian delegates voted in favour, with the five Victorians, the three West Australians and two South Australians, Yates (a federal member) and Birrell (the South Australian secretary) voting against.⁵⁰ The eight federal parliamentarians had divided evenly on the question, while eleven of the twelve state politicians (Ryan being absent) had voted in the affirmative.

When Ryan eventually returned to the conference and was told by Lambert of the result of the debate, he was modest in his thanks but again required the conference to affirm that it wanted him in the federal fight and that he had not engineered his way into federal politics. He had never engineered in his life, he stated, and was not going to start now. He might have added that he had never been averse to having others engineer for him. Rounding off with a piece of pure Ryanism, he said:

This was a time when one should be prepared to take steps to help the Movement in a critical hour in whatever capacity it was desired. It was the duty of every Labor men to do that. He gladly accepted the invitation to come into Federal politics in whatever capacity they wanted him. There was only one thing he wanted to preserve and he would fight to preserve that at all times, and that was his self-respect.⁵¹

The Federal Conference had taken what was a major step and had set a dangerous precedent. However, Ryan remains the only person in the Labor party's history ever to be invited into federal politics by such a conference.

Having succeeded in persuading the conference to take this unique step, those supporting Ryan wished to go further and ensure that the party made full use of this obvious ability. With the federal party at its lowest ebb, since Federation, in confident, cohesion and leadership, there was a real need for drastic action to enable it to appeal to the electors as a credible

alternative. A joint campaign committee from the Federal Executive and the Federal PLP had been established, but seemed to be making little headway in the planning of a campaign or the drawing up of a policy manifesto. Catts, a member of the Federal Campaign Committee, knew from his own experience how badly the Labor party was prepared for the coming election.⁵² It was undoubtedly Catts who was behind a second request from the conference. On Ryan's acceptance of the invitation, Ben Watkins, a Tasmanian State member, moved a two-part resolution to establish a campaign directorate "in view of the urgent importance of the forthcoming federal elections to the workers of Australia" and to appoint Ryan campaign director. R. J. Bramston of New South Wales seconded. Ryan again left while the motion was being discussed, but apparently did not go so far this time that he could not hear the heated arguments which followed. This ill-concealed attempt to give Ryan an equal role with, and even a dominant position over, Tudor was too much for the Victorians. Carey claimed, with justification, "it looked like surrendering the labor movement to one man". When the resolution was carried, twenty votes to twelve,⁵³ Carey asked for a ruling as to whether it should not require a two-thirds majority as it was new business not on the agenda. Lambert's ruling that it was in order was challenged by the Victorians but upheld by a twenty votes to nine majority.⁵⁴ Ryan's followers had won comfortably.

The conference had a constitutional right to pass these resolutions, but forcing on the conference the acceptance of Ryan as the virtual party leader produced a major crisis when the Victorian delegates threatened to walk out. They had been instructed by their State Executive to leave if any new business was introduced. As voices were raised in an angry debate about the validity of the resolutions passed, Ryan re-entered the hall. If the Labor party had ever needed cool but strong leadership, it was at that moment. Fortunately Ryan had the qualities to provide it. Recognizing the all-important factor of unity and the need for a consensus of opinion in policy matters, he told the conference that he would prefer not to give them an answer

that night to the resolutions. In the manner in which he had averted conflicts within the Queensland caucus, he said:

It was imperative that there should be unanimity and harmony in anything that took place. In the interests of all he did not think they should come to a hurried decision in the matter. It would be unfortunate if he accepted the position and it should lead to any difference of opinion . . . but they could rely on him no matter in what capacity he was.⁵⁵

The conference resumed debating war debts. Adjourning at ten thirty that night, the delegates had twelve hours before they resumed in which to mull over the new turn which the conference had taken in inviting a state Labor premier to co-lead the federal party. Ryan too, had time to weigh up, in his judicial mind, the tactics which would allow him to play a leading role in the election while not offending Tudor too deeply or putting the Victorian branch off side.

When the conference resumed on the third day, 4 October, Watkins asked Ryan if he was prepared to reply to the resolution appointing him campaign director. Instead of giving an affirmative or a negative answer, Ryan said he thought it would be better to ascertain first what the Federal PLP thought; it was essential that there should be no friction between the conference decision and the wishes of the parliamentary party.⁵⁶ What he had to overcome was the firm opposition of the Victorians who were still anxious to debate the matter even though it became clear as McNamara and Holloway spoke that the opposition was not directed at Ryan personally. Holloway said:

They all wanted Mr. Ryan in Federal politics. The only difference was as to the methods adopted. Mr. Tudor was the accredited leader . . . it was not for the Conference to say that Mr. Ryan should be leader. It was hard to see how anybody could oppose Mr. Ryan as leader, Attorney General and Prime Minister if Labor got into power at the next election . . . If he was elected Campaign Director he could only be looked on as the leader of the party, although Mr. Tudor was leader constitutionally. They all wanted to have Mr. Ryan in the lead, but he wanted to see it done in a constitutional way.⁵⁷

It was obvious as each Victorian in turn spoke, that he would have welcomed a resolution asking Ryan to join the campaign

committee. The Labor party has a feeling about ousting old leaders. Tudor may not have been the greatest leader, but he had sacrificed his place in the cabinet over conscription; he was personally well liked throughout the labor movement and had served the party faithfully and well since his election in 1901. It was understandable that the Victorian delegates and branch reacted strongly against what seemed to be a move to displace him as leader and set Ryan up in his place. At the same time they appreciated the role Ryan had played in the conscription referendum, his attempts to settle industrial disputes involving their unions and his being the foremost Labor politician in Australia. Fortunately Ryan too appreciated the reasons for the contradictions in Holloway's speech and the dilemma that the conference resolution caused the Victorian delegates. The Federal Conference, the party's supreme body, had made a decision and what he now wanted was the authority of the party to make official statements during the election. This being readily given, he was prepared to let the question of being campaign director rest until he had spoken to Tudor.⁵⁸

Partly in desperation and partly in hope, the extra parliamentary organization had taken the initiative within the party, which rightly belonged to the PLP. There was little question that Ryan was the outstanding political figure in the labor movement and that there was no one, except perhaps Theodore or Higgs, who in any sense matched his ability. However, the Ryan of 1919 was not the Ryan of 1916 and 1917. Though he would drive himself harder than any other politician, the four years of premiership plus the post-war influenza had drained away much of his superb strength as a Labor leader.

Following a brief debate on the repayment of war loans, the conference prepared to close, when the president read a motion submitted by Ryan on Hughes' referendum proposals.

In the debate in the House of Representatives on the proposals, it had been evident that Labor members had not understood the full implications of Hughes' plan and moreover they had been outmanoeuvred by the wily Prime Minister. Nor had they given any lead to the labor movement on the attitude it should adopt or the advice it should give to its members.

From both a tactical and a constitutional point of view, Ryan believed that the Labor party must oppose the referendum. The authority of the Federal Conference would override the views of those Labor politicians who were prepared to support Hughes. Ryan's motion described the referendum proposals as being "a sham and a fraud and only brought forward to throw dust in the eyes of the people"; they would not provide for definite amendments to the Commonwealth Constitution of a character and permanency suited to Australia's requirements and were intended to mislead the electors on the question of profiteering and "other matters of vital importance to the welfare of the workers." He explained to the conference that, unless the Labor viewpoint was clearly stated, there would be division within the party at the referendum. He wanted the party to fight the election on the basis of Labor versus Nationalist, with no side issues impeding their campaign. "They should get into power", he said "and get the power to deal with the profiteers in their own hands and not in the hands of the friends of the profiteers".

His constitutional opposition to the proposals was on two grounds, namely, the necessity to call a convention in 1920, the likelihood of which he doubted, and the fact that the definition of a monopoly was to be a High Court decision and not that of an elected parliament. Both of these were very technical arguments to pursue, particularly at public meetings, and though the conference delegates might pause to consider them, it was unlikely that the electors would. He therefore emphasized the more easily understood arguments of their being a red herring in the election campaign and of the necessity for the party to be united in its opposition.⁵⁹ Senator James O'Loughlin of South Australia seconded the motion and in speaking made it patently obvious that despite Ryan's explanation he did not understand the constitutional points that Ryan had raised. Catts did and so did Carey of Victoria, who suggested the changing of a word to which Ryan agreed. The motion was carried on the voices. It was as well that Ryan had spoken at the conference. At the Federal caucus meeting on 9 October, prior to the Referendum Bill going before the Senate,

Higgs and Anstey had moved that the party recommend a “yes” vote and when this was withdrawn, Charlton and Anstey moved a slightly different motion that senators support the Referendum Bills. Conflict between the PLP and the party machine could have ensued had not Tudor, on a point of order by Arthur Blakeley, the member for the western New South Wales seat of Darling and president of the AWU, ruled the motion out of order.⁶⁰ As it was, there was still confusion in the Labor ranks and Higgs was to issue a manifesto in Rockhampton recommending that the electors in Capricornia vote “yes”.

The announcement of Ryan’s acceptance of the Federal Conference’s invitation to enter federal politics was published in all newspapers. In the labor papers it was welcomed, whilst most of the non-labor papers published the report without comment. When asked by the *Argus* to comment, Tudor simply remarked: “We will be glad of all the assistance we can get in the great fight”. In Barcaldine, the *Western Champion*, which knew Ryan as well as any newspaper in the country, said: “Fisher became a great leader, but whatever Fisher was, Ryan will make a hundred times better leader and it will not be long before that will be generally acknowledged.”⁶¹ Ryan himself made the announcement public at a meeting in the Sydney Domain on the Sunday afternoon, refuting the Nationalist suggestion that he was leaving Queensland because his Government there was in trouble and that he might still take the Chief Justiceship there. Though Hughes had not yet announced officially the date of the election, it seemed that it would be on the first or second Saturday of December – five months before it was due. This necessity to call the election early, said Ryan, was due to the collusion between the Government and the profiteers. The election and the referendum were to distract the people’s attention away from this collusion.⁶²

Ryan could hardly have asked for worse circumstances in which to lead an election campaign. In mid-October, six weeks before the polling date, the state branches were only just selecting their candidates; a policy stating what a Labor government would do had not been drawn up; in the key states of Victoria and New South Wales the Labor party was virtually

bankrupt; while Ryan himself had no electorate to contest. Added to these were the problems of ousting a war-winning government in what was to be a khaki election and the new system of preferential voting for the House of Representatives which had been introduced to allow the several brands of Nationalist and anti-Labor candidates to stand in an electorate without splitting their total vote.

Following the conference and his Sydney meeting, Ryan left for Melbourne to confer with Tudor. The Victorian branch had begun a "million pennies fund" to raise money for the election and welcomed Ryan's presence. His opening meeting in Victoria at the Princess Theatre was, according to the *Argus* report, a triumph. Though the meeting was scheduled to begin at eight, all parts of the theatre were packed before seven o'clock. Another 2000 were outside by eight. With Ryan in the campaign, new heart had been given to the Labor party. But even though he brought cheers and laughter from the crowd, it was not the usual Ryan address. He attacked the early holding of the election, the low price Australian wheat growers were receiving for their exported wheat (4s.9d. a bushel) compared with that received by the Canadian farmer (10s. a bushel); he spoke of the need for a review of tariffs to give protection to secondary industries; he accused the Federal Government of assisting the profiteer by the removal of its price control regulation; and he attacked the framing of the referendum proposals which he said would not control the profiteer.⁶³ But there was no positive side to the speech to balance these. In the speeches that had made Ryan such a success in Queensland, he had demolished his opponents' policies in the first half of his speech, and had concluded with an account of how a Labor government would act in these areas and with outlining the new legislation that would be introduced. Moreover, before he had conducted his first campaign as leader in Queensland, he had familiarized himself with every facet of the Queensland Government, and with his colleagues, had framed specific practical policies in line with the party platform. However, in 1919, he was not thoroughly versed in federal laws nor had he had the time nor the opportunity to plan the concrete proposals needed

to oust the Government. Neither Tudor and the members of the Federal PLP, excepting perhaps Catts and Higgs, nor the platform that had emanated from three conferences since 1918, provided any basis for a programme that would challenge the Nationalists.

On the brighter side, it was while Ryan was in Melbourne that the problem of a safe seat was solved. Con Wallace, a seaman, who had won the seat of West Sydney in 1917 after Hughes had decided to seek the safer electorate of Bendigo, agreed that, if he won the pre-selection for West Sydney against his two opponents, he would hand over the seat to Ryan who would then be endorsed by the New South Wales Executive. Wallace won the plebiscite by 709 votes to his two opponents' seventy-four and sixty-nine.⁶⁴ What quiet persuasion was used on Wallace remains a mystery – the good of the party, a name in history or an alternative winnable seat? Wallace subsequently accepted nomination for the seat of Nepean, held by Labor during the 1910–13 Government. He was to lose Nepean and was then given a position in the Harbours and Marine Department in Queensland. He resigned after a short period following a dispute with the Government. Having received the endorsement for West Sydney on 14 October, Ryan sent his resignation to the Queensland Speaker as the member for Barcoo. He was still, constitutionally, Premier and continued to hold that office until he formally sent his resignation to the Governor on 22 October. In the previous ten months Theodore had, in effect, been the Premier. A special caucus meeting was called for 21 October to elect the new leader and to farewell Ryan. In the ballot for premier, Theodore easily defeated Fihelly by thirty-seven votes to four, while the latter was elected Deputy-Leader in the third ballot, narrowly defeating Gillies by twenty-four votes to twenty-two.⁶⁵ After ten years, Ryan was once more a private citizen with no privileges save his Railway Gold Pass and the prospect of a new job in six weeks paying £600 a year compared with his former £2000.

The new Premier, Theodore, was left with a number of unresolved questions. Since the New Zealand judge, Springer, had changed his mind about arbitrating in the 1917 railway

strike, Theodore had still to find another judge acceptable to the Government, the unions and McCawley. In the sugar industry, trouble again appeared when the CSR found a loophole in the amended Cane Prices Act, which it proposed to exploit to ruin the purpose of the Act. On the legal side, the Council referendum to be held early in 1920 did not look so promising when Hunter's old seat of Maranoa was lost in the by-election and the Government's financial problems, growing as the post-war recession developed, did not enhance the possibility of a popular vote for the Government. There remained also the possibility of an unfavourable Privy Council decision on McCawley; this would wreck an important facet of the industrial legislation which Theodore and Ryan had together developed.

On the day after Ryan's resignation as the member for Barcoo, the High Court in Melbourne began hearing an appeal from the *Argus*, against Isaacs ordering a new trial, in the libel case. After two days' argument it dismissed the appeal with costs and ordered a new trial.

Although the federal parliament was not due to rise before 24 October, electioneering by both sides was well under way by then. Ryan had made a point of trying to draw off the farmers' support, as he had in Queensland, and of trying to attract the soldiers' vote by incorporating a cash payment as war gratuity into the Labor manifesto. Hughes was then discussing a deferred gratuity with the Returned Sailors and Soldiers Imperial League. To consolidate their Senate electoral prospects, principally in Victoria and Western Australia where teams of farmers' candidates had nominated, the Nationalists introduced preferential voting for Senate elections also.

Whatever the criticisms Ryan might have made of the Federal Nationalist Government, it soon became obvious that he and his Government's record in Queensland were to be among the main issues at the election. It was ironic that while the Labor party considered Ryan their strong point and their vote catcher, the Nationalists determined to make him the weak link. Their principal pamphlet *The Facts v Mr. Ryan's Claims*⁶⁶ in fifty-two pages explored Ryan's career from 1903 when it said

he was a "Tory of the Tories" and a "follower of the advocates of black labour", through to his shaking hands with de Valera, "an enemy of his country"; and to his attending the International Socialist Conference with Germans; it claimed that the "Ryan Thousand" had attracted only seventy-eight recruits, not the 400 mentioned during the war, and using carefully culled figures, it claimed that Queensland had fared the worst financially of all the states during the war. This was also the standard anti-Ryan line of the *Sydney Bulletin* and the *Melbourne Punch*. It was a scurrilous piece of propaganda for which Ryan asked a withdrawal and threatened legal action. But it was no time for crying, and consequently, in defence, Labor speakers were briefed on what Queensland had achieved; pamphlets on Ryan and Queensland were printed for distribution in the southern states⁶⁷ and Ryan asked Theodore to send as many Queensland politicians as he could spare to make election tours in the southern states. Tudor was barely considered in the campaign, a fact heightened by his poor health which resulted in two haemorrhages in the middle of the campaigning. The 1919 election was critical for Hughes, the Nationalists and the Labor party. It is evident from the despatches that the Governor-General was sending to London in October and November 1919 and the appointment of the conservative Knox as the new Chief Justice to succeed Griffith, that the Nationalists felt that Ryan could swing enough votes to win the election.

Before the Labor policy had been delivered, the *Argus* introduced the well-worn theme of Ryan's loyalty into the campaign. In its editorial on 28 October it said:

... if a majority of the people accept Mr. Ryan as Director, they will have to take all who support him. The Bolsheviks, the Sinn Feiners, the OBU's and the IWW's will follow Mr. Ryan to a man. All that is extreme, destructive and revolutionary will be on his side.

The sectarian element, never far below the surface, was brought to the fore at the end of October, particularly in Victoria where the Loyalist League issued a booklet *The Challenge of Papal Politics*,⁶⁸ which it had distributed through Victoria and other states. Its author the Reverend T. E. Ruth, a well-known Baptist

minister, wrote:

For some years the Papal party has been looking for one strong man outside the priesthood to champion its cause in the Commonwealth, and it has been looking longingly towards Queensland, the only state with a Papal Premier, the only state which imposed no restrictions on profiteering publicans during the war; the only state where returned soldiers find it advisable to remove their badges when looking for work; and where a priest can with impunity issue a fraudulent Government document for Papal purposes . . . They have wanted to find a powerful man, strong, honest and obedient, and the Roman papers tell me they have found him.

If Protestants saw an alliance between Catholics, Ryan and the Labor party, the Catholic press in Sydney and Melbourne, unashamedly supporting Ryan and his party, seemed to give them some cause.

While Ryan was returning to Brisbane from Melbourne, Hughes addressed a ticket only meeting in Brisbane on Tuesday 21 October. It was a successful meeting; Hughes was on the attack and it augured well for the Nationalist campaign. Ryan, suffering from a nasal complaint requiring medical attention, followed the Prime Minister two nights later. Again the hall was packed an hour before Ryan was to speak and contained a large contingent of ex-soldiers from the Returned Sailors and Soldiers Labor League. Hughes had said at the earlier meeting that it would be a bitter contest,⁶⁹ Ryan hoped that the bitterness of the war would be set aside so that the greater issues of Australian politics could be considered. Australia, he repeated, had done more than her fair share in the war compared with the other dominions and had lost more men than Belgium or the United States, but, he said, to the returned men present, the Prime Minister could not find the £23 million to pay them a gratuity though he could have carried on the war for a longer period. Ryan's speech — a list of Hughes' broken pledges and an appeal for higher prices for the wheat farmer — sounded rather flat and too much like the remarks he had made before, while his criticism that Hughes had not stood up for a white Australia at the Peace Conference, in seeking annexation of the Pacific Islands by Australia and Japan, instead of international control, somehow did not sound convincing, given Hughes' reputation

where white Australia was concerned. After criticizing the Government's repatriation scheme and producing his own list of figures to show that the cost of living in Queensland had risen only after the Commonwealth had assumed control of price fixing, he came to the subject of controlling profiteers and the referendum proposals. He avoided any legal or constitutional reasons for Labor's opposition to the referendum and kept simply to the political question involved. "The referendum" he said "was a mere electioneering dodge . . . [it] was not the issue". The issue was whether there was going to be a Labor or an anti-Labor government.⁷⁰ It may have been his unwillingness to anticipate Tudor's delivery of the official policy, it may have been his lack of confidence in federal politics, it may have reflected his physical and mental exhaustion but, whatever the cause, the speech lacked something of the old Ryan.

Shortly after, he left for Sydney to open officially his own campaign in West Sydney. It would be only after six weeks spent travelling over 10,000 miles to all the major cities except Perth, largely at his own expense, that he would return to Brisbane. In Sydney Ryan delivered his opening address which was largely the same as he had given in Brisbane. The Sydney papers cut his speech to the very minimum and relegated it to an unimportant position. From Sydney he went to Melbourne to consult with Tudor, put the final touches to the party's manifesto and ascertain when the High Court retrial of the *Argus* case would be held. When some Nationalist leaders like Peake in South Australia publicly supported a "no" vote and odd Labor speakers urged a "yes" vote for the proposals, the referendum faded into the background.

The Labor party's election manifesto, signed by Tudor, Holloway and Ryan was released on 4 November. The manifesto showed much of Ryan's hand in its language and political style and in the final quote from Lincoln on the danger of corporations and money power prolonging the tensions consequent upon war to build their own fortunes and power. It covered the main points that Ryan had already begun to highlight – the freedom of the profiteer, the neglect of primary producers, the lack of definitive purpose in the referendum

proposals, the payment of war gratuity in cash. In its final pages, it set out what a federal Labor government would hope to achieve – a fleet of Commonwealth ships, a Commonwealth insurance office for workers' compensation and other insurance, aged and invalid pensions to be raised from 12s.6d. to £1, widows pensions, endowment for orphans and children of invalids, a national medical service and the imposition of a wealth tax.⁷¹ Tudor delivered his policy speech, which was really a paraphrase of the manifesto, in Melbourne on 5 November.

In Melbourne, Ryan had another function to perform, outside the realm of politics, but one which in Australia in November 1919 was inescapably linked with politics and the election. To press Ireland's claim to self-government an Irish Race Convention had been held in the United States and delegates had been appointed to try to have Ireland's case considered by the peacemakers in Paris. Archbishop Mannix conceived the idea of holding a similar convention in Australia in Melbourne just prior to the Melbourne Cup. Catholic bishops and clergy travelled from as far as New Zealand, Cooktown and Perth, and with lay Irish Catholics in Australia constituted the 2000 delegates to the convention. Mannix asked Ryan, the leading Irish Catholic layman to preside. Ryan had never tried to associate himself with his church or his race in politics, though he had made no attempt to conceal either. It was certain that his presence with Mannix at such a gathering would be painted in the worst terms by his political opponents, but quite early in his political life Ryan had determined that, when he had weighed the arguments and though that an action was right, he would go through with it. Such was the case with the Irish Convention on 3 November.

Mannix opened the convention. He was probably at his prime as an Irish leader. The convention, he said, was to support Ireland's claim to self determination as represented at the last Irish election when the Sinn Fein had been elected by an overwhelming majority; the convention was also to support de Valera their chosen leader. This was not the time for halting words or balanced phrases, he said, "We are with the Irish

people or we are against them". In introducing Ryan as the chairman, Mannix said that Ireland and Irish Australians had no reason to be ashamed of him either as Premier of Queensland or "as the prospective prime minister of the Commonwealth." Ryan's comments were brief. He was there, he said, as a citizen and an Australian of Irish descent, not as a member of any political party; it was a time for balanced judgment; de Valera and other public men in Ireland were agreed that they mistrusted the sincerity of any proposals put forward by the British Government. It was time he said "when we should speak in a language which can not only be understood, but which cannot be misunderstood." The convention did that by passing resolutions supporting de Valera and Ireland's claim to self-government, and by endorsing the remarks of Archbishop Redwood (an Englishman) concerning de Valera's being "... a most cultured, statesmanlike and valorous leader" together with those of Scullin "... to keep alive the spirit that has been roused in the Irish people when the soul of Ireland was saved by the blood of her martyrs in Easter week."⁷²

It was all too much for the loyal British Protestants. The Loyalist League of Victoria organized its own convention to protest against the disloyal statements passed at the Irish convention.⁷³ The South Australian Protestant Federation went further and on the day before the election took a full column half page advertisement in the *Adelaide Advertiser* which read:

A BRITISH COMMONWEALTH OR A PAPAL DOMINION?

SOUTH AUSTRALIAN PROTESTANT FEDERATION

FOR GOD, KING AND EMPIRE

A HOLY TRINITY WHICH NEEDS NO
DEFENCE AND NO APOLOGY

AN UNHOLY TRINITY – MANNIX, RYAN & CO.,

WHICH NEEDS BOTH A DEFENCE AND AN APOLOGY

A FEW FACTS FOR LOYAL CITIZENS TO PONDER OVER!

The “few facts” included: “The Roman Catholic party, in its desperation, has sent out an urgent SOS signal to Mr. Ryan . . . to hasten to its aid . . . The Sectarian issue has been definitely and publicly introduced by the Roman Catholic Church, both in the official Press and by its Archbishop in Public addresses . . . There can be no mistake about the deliberate effort that is being made to place in power a Party tainted by Sectarianism, seeking temporal power, and supported by blatantly disloyal and anarchistic elements in the community.”⁷⁴ Similar sentiments were to be directed at Ryan as he moved from state to state during the election campaign.

Hughes left the attack on this issue to the ultra Protestant groups and concentrated on Queensland under Ryan’s premiership. In Adelaide on 4 November, he commented on the Labor party’s manifesto:

It is worthy of a man whose reckless extravagance, pandering to Bolshevism, disloyalty and pro Germanism in Queensland has had such a disastrous result . . . In less than four years Queensland taxation trebled, the cost of living doubled . . . and [there were] more strikes and unemployment than in any other State of the Commonwealth.⁷⁵

When Ryan, several days behind Hughes, came to address meetings in Adelaide, he was forced to spend part of his time defending Queensland and retaliating with figures from the Commonwealth statistician on price increases, and others showing that savings bank deposits per head of population in Queensland were higher than in any other state and that a pound note bought more in Queensland than in the southern states.⁷⁶ However, the suspicions and reputations built up during the war had not had time to fade and by the middle of November when the Labor party was receiving the worst end of the Ryan versus Hughes contest, the party shifted from this personal campaign and tried to make the election one between Labor and Nationalist – “The people versus the profiteers”. Ryan seemed quite happy to agree to the change. He had been driving himself beyond what should have been expected of him but yet the campaign was not having the public effect he had hoped. Tudor’s lack of appeal and his poor health were

handicaps, but of far worse consequence, Ryan's major speeches in the key cities of Sydney and Melbourne, though reported in the labor and Catholic press, were either not reported in the major papers or were pruned and swamped by the larger reports of Hughes and other Nationalists' meeting. As Ryan well knew, the voters he wished to reach in Sydney and Melbourne were not those reading the *Australian Worker*, *Labor News* or *Labor Call*, but those reading the *Daily Telegraph*, the *Sydney Morning Herald*, the *Argus* and the *Age*.

Overshadowing all this was the patent lack of unity in the labor movement and in the Labor party. In his addresses to Labor audiences, Ryan appealed for a closing of ranks to face the common enemy. Others saw the same need. At the end of October, R. S. (Bob) Ross, publisher of *Ross's Monthly* in Melbourne and sharing with Boote the reputation of being Australia's prime labor journalist, wrote a special article for the labor papers called "Wanted — A Labor Armistice. A Plea for Solidarity" in which he said:

Whether we be for the One Big Unionism, of the AWU or the WIU or WIU; whether we be for a "breakaway" or reigning officialdom, or against both the SLP or ASP — whatever we be for within, let us, I beg be united against the foe without. I put it to the whole lot of us of the onrushing Labor movement that, unless we "close up the ranks", we are diddled, damned and done for at the federal election — and thus, beyond them too. My argument is that the Federal elections are highly important to us — that they matter, count, tell, determine much and more . . . we must seek to win elections and the way to win is by solidarity.⁷⁷

It might easily have been Ryan not Ross who wrote the article. But those following the star of the OBU, the IWW or international socialism worried little about being "diddled, damned and done for" if this meant supporting the "bourgeois" Labor party.

From Adelaide, Ryan went to Tasmania where the Hobart *Mercury* one of whose proprietors, the Davies brothers, was the Grandmaster of the Freemasons in that State, greeted him with a special editorial, "The Coming of Mr. Ryan", saying:

No small importance attaches to the first advent to Tasmania of Mr. Ryan. He comes still glistening from the anointing at the hands of

Archbishop Mannix who not only gave him the benedictory unction, but rubbed it in so that there should be no mistake.⁷⁸

In Hobart, Ryan relaxed for a few days with King O'Malley and they discussed the campaign, the Labor party's chances of winning and his opinion as to who would be Prime Minister if they did win – Tudor or Ryan. Ryan felt sure that he would be called on to form a government but O'Malley, having served in the same parliament as Tudor for seventeen years, thought differently.⁷⁹

The few days' rest allowed Ryan to recast his approach to the campaign and to his major speeches. Despite the adverse editorials of the *Mercury* he held good meetings and addressed large crowds in Hobart and Launceston. He devoted more time to the positive aspects of the Labor manifesto, outlining the legislation a Labor government would introduce and dwelling less on the defence of himself and Queensland. He promised to increase upwards the numbers of shoulders bearing taxation, to institute an effective tariff protection to guard against the exploitation of raw materials, to establish a government line of steamers to protect exporters of primary produce, to increase the old age pension to a pound a week and to establish rural credit.⁸⁰ It was a far more impressive speech than many of his earlier ones in Sydney and Adelaide. The *Mercury* countered by raising an old bogey "Mr. Ryan's Loyalty" where it said:

The real question for all to consider is whether in this immediate future it will be safe to put in power over our destinies and lives and liberties, men who are suspect and more than suspect of disloyalty to British Australia and to the Empire.⁸¹

Similar themes greeted Ryan as he crossed back to Melbourne where huge posters in the streets, on railway stations, or in any conspicuous place blared in big red letters "RYAN SPELLS RUIN", "RYAN AND ROME", "LABOR MEANS BOLSHEVISM, IWWISM AND OBUISM"⁸² – hardly appeals to reason and reasonableness but, as Hughes had earlier said, it would be a bitter contest.

By the time Ryan had returned to Brisbane to address a meeting on 5 December, all that could be said in the election had been said. Nevertheless, soon after the doors of the

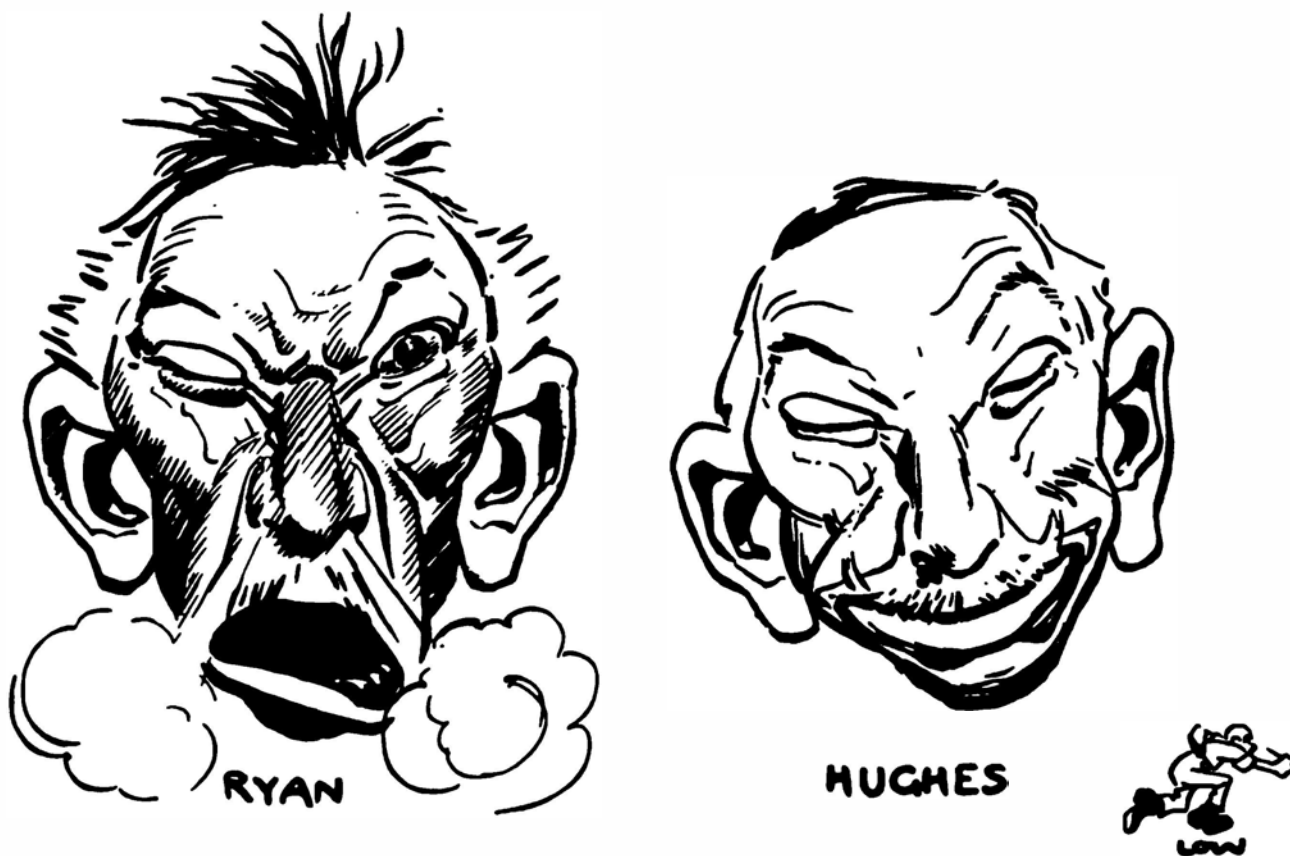
Exhibition Hall opened at 6.20 p.m. a crowd began to stream in to provide Ryan with yet another overflowing audience. It seems, however, that by now the big audiences were converted stalwarts or spectators come to see the show where the great Ryan or the great Hughes was performing. It was a good show that Ryan provided, with quips at Hughes and mention of Warwick producing the laughter and the achievements of the Queensland Labor Government, the cheers. Four days later, in his final Queensland address, he predicted that Labor would win forty-seven seats, twice the number in the last parliament. Politics is a mixture of fact and fancy, the latter being used for morale boosting and Ryan was certainly well aware of the boost needed for Labor's morale.

Polling day came and the result showed that Labor had won only twenty-six seats in the House of Representatives, two more, Brisbane and Ballarat, being doubtful for some time. Its vote had not changed appreciably from 1917, though a higher than usual informal vote, due to the new preferential voting, probably reacted more against Labor than against the Nationalists. In the Senate, Labor followed its disastrous defeat in 1917 where it gained no seats with an almost equally disastrous performance in 1919, where it won only one seat, Senator Gardiner's in New South Wales. The informal vote had doubled to 8.6 per cent, undoubtedly affecting Labor candidates. Ryan won easily in West Sydney. In the referendum, the vote to increase Commonwealth powers was lost by only 12,803 votes and the nationalization of monopolies by 45,571, with 195,394 informal votes in the former and 357,580 informal votes in the latter; confusion had certainly been evident.

After sixteen years, Ryan had arrived in Federal Parliament. He seemed a long way from achieving his ambition of becoming Prime Minister. Yet few doubted his ability to reach that height and though the Labor party was certainly at a low ebb, he could console himself that his adversary Hughes was in a most unhappy situation in the Nationalist party. Although he retained the leadership of the Nationalists, his rump of ex-Labor members numbered only nine out of the thirty-seven Nationalists and the new Country party, in winning eleven seats, almost

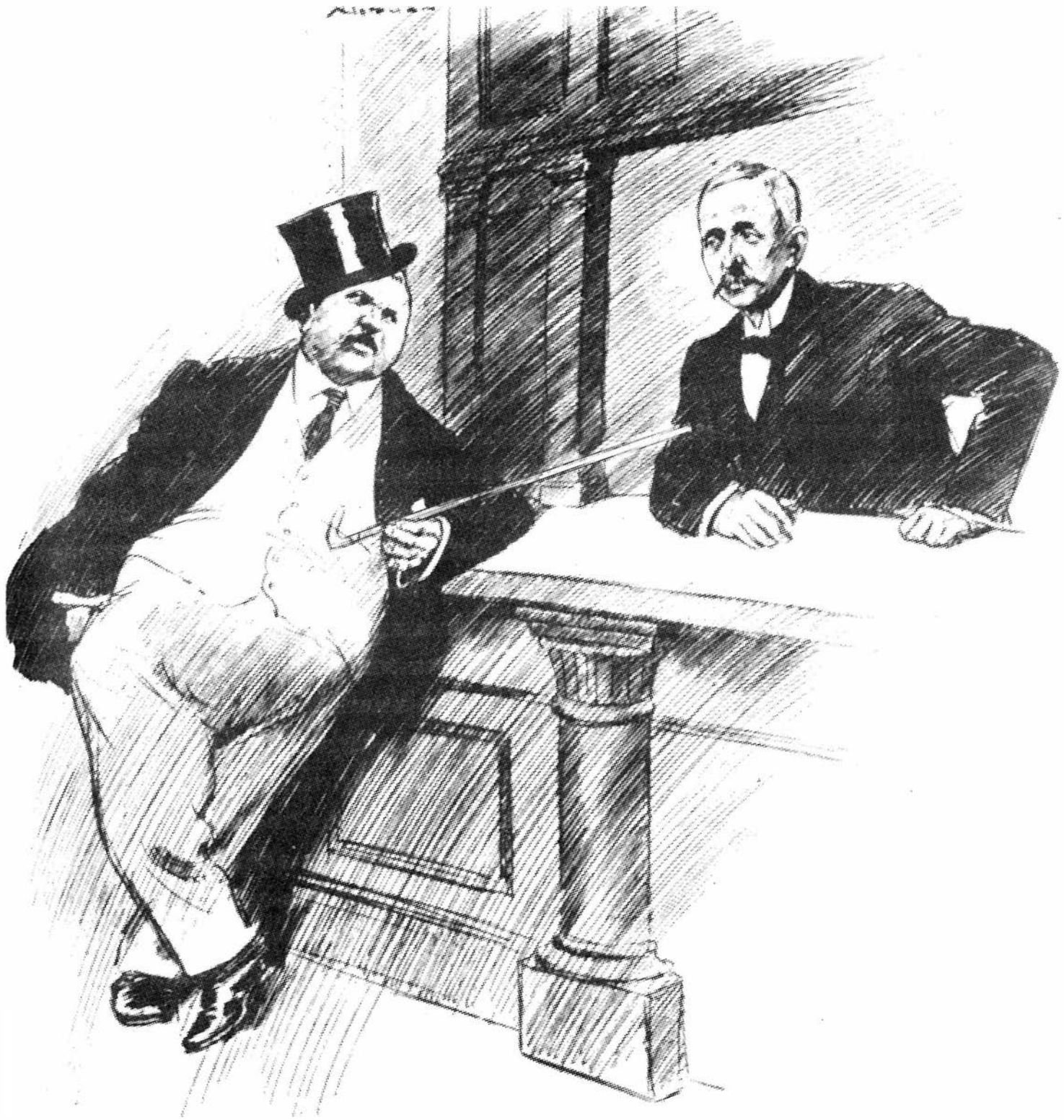
held the balance of power. Whether they would support the Nationalists to the hilt or whether they could be induced to vote with the Labor party on a crucial issue were questions that remained to be answered.

If the year 1919 had proved to be one of the more rugged in his political career, Ryan at least had the satisfaction of knowing at the close of that year that his reputation had been vindicated by a group representing his fellow Australians. In the High Court in Sydney, after a two day trial, Rich J., summing up in the re-trial of the *Argus* libel case, said that the counsel for the paper had admitted that the passages in the article were libellous. Although the jury panel, according to Lloyd Dumas, the chief of staff of the *Argus*, were all investigated by the *Argus* counsel to exclude any pro-Ryan names, and in fact had three of the six members known anti-Irish⁸³, it returned a verdict for Ryan, with damages of a farthing and costs against the *Argus*.⁸⁴



THE COMPLEAT WAR-WINNER

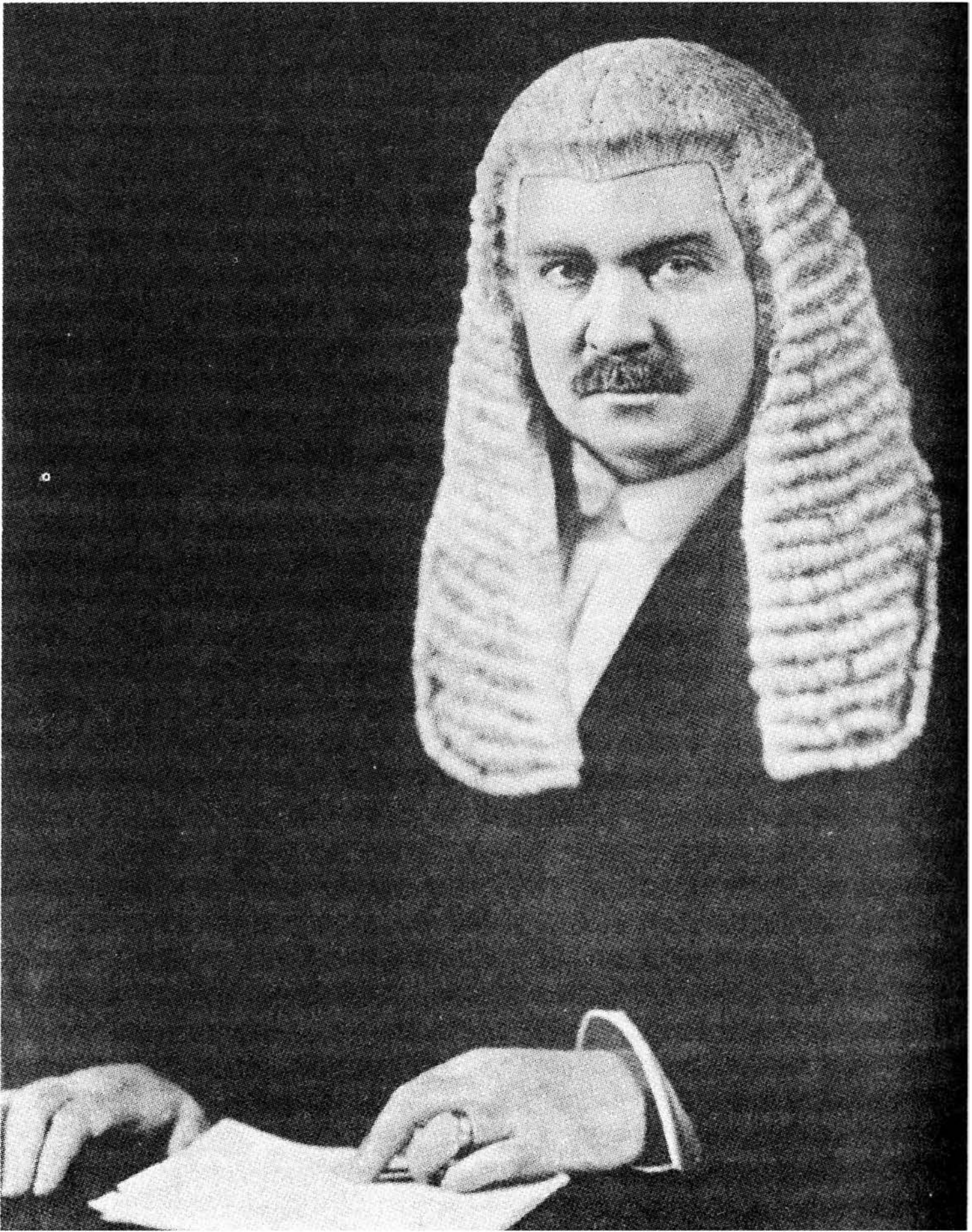
“The Compleat War-Winner”, David Low’s cartoon of Hughes’ opinion of himself and Ryan which appeared in the *Bulletin* of 13 December 1919. [The *Bulletin* and the Mitchell Library, Sydney]



A FINANCIAL APPARITION

T.J. Ryan (to Manager): "You see, I expect to be Prime Minister directly, and have the blowing of the money, so I just dropped in at this Commonwealth Bank of yours to see how much you've got. Don't be afraid to mention the amount. I could get through it if it was twice as much. You ought to see my record in Queensland!"

The manager being addressed by Ryan is Sir Denison Miller, Governor of the Commonwealth Bank of Australia. From the *Sydney Bulletin* of 30 October 1919. [The *Bulletin* and the Mitchell Library, Sydney]



Ryan, K.C. after his admission as a King's Counsel [John Oxley Library, Brisbane]

18 “Men make history only when they have purposes”

In the post mortem that followed the election, Ryan blamed the new preferential system of voting for Labor's failure to win more seats. He was principally disturbed at the high informal vote which in West Sydney had reached 2000.¹ He was undoubtedly correct in attributing Labor's disastrous Senate result to the introduction of preferential voting. Winning only one Senate seat in eighteen in 1919 no more reflected the electoral support for his party than did its score of nil out of eighteen under the simply majority method of voting in 1917. He assumed a brave outlook. The causes of defeat, he said, “did not lie with the rank and file of the Labor party, nor with its various executives and organisations outside Parliament.”²

In the bitter turmoil of the Labor party, others were not publicly so bland and sought scapegoats within the party. In Rockhampton, at the declaration of the poll for Capricornia, a disillusioned and bitter Higgs blamed the defeat on “the attempt to establish outside executive control of the Australian Labor Party.” He attributed the decline of the party's fortunes to the increased powers of the central executives in each state and to the domination of these by men who had no real knowledge of the working of the parliamentary side of the labor movement. He was particularly bitter about the Queensland executive's rejection of the referendum and in fact had made it clear to the QCE secretary that he intended to recommend a “yes” vote in spite of the Federal Conference decision. He further criticized the party for having not only a fighting platform, but also “planks which the people will not be educated up to for perhaps 100 years.” His concluding remarks

warranted closer scrutiny. He suggested, unequivocally, that the Labor party should approach the new farmers' party to try to arrange a coalition between the two. Politics, he said, was the science of compromise "and when the Labor Party demands everything or nothing, it got nothing."³ The smashing defeat at the elections and the absolute certainty that, in federal politics, Labor would remain a powerless and despised political group in opposition unless it altered its methods, were, he said, the reasons for the stand he had taken. In effect, Higgs, a sensitive and intelligent politician who had been one of the founders of the Labor party and one who had devoted thirty years of his life to the labor movement, was reflecting the bitter disappointment that he and others felt with the party's position after those thirty years.

No matter how well based or intentioned these remarks of Higgs were, they were politically tactless. Comments by Holloway, Blackburn and Birrell deprecating his statement were published throughout the nation's press and opened further sores in the party. Tudor wisely refused to comment, as did Ryan other than to note that he felt that, on all matters affecting the party as a whole, the parliamentary party should have an opportunity of discussing these before any pronouncement was made. He made it clear, however, that he would oppose any coalition with the Country party.⁴

Higgs' outburst was symptomatic of the divisions and animosities in the Labor party in 1920. Within the Federal PLP, the official platform had to compete for support with Irish nationalism, pacificism, the bolshevism of Considine and the inter-union squabbles which the debates on the OBU were raising. Not even the public conflict within the Nationalist party could provide a basis for unity of purpose of the PLP. In two articles in *Labor News* in January 1920, Catts summed this up more truthfully than Ryan had or could:

The defeat of Labor is due to Labor. The way to turn defeat into victory is to learn the lessons of defeat. Labor will rule in Australia in the future as it did in the past when the people are convinced that it is the best party to govern.⁵

In *The Hero in History*, a study of the role of political leaders

throughout history, Sidney Hook says bluntly “men make history only when they have purposes.”⁶ While Ryan and Catts had purposes in 1920, the same could not be said for the PLP as a whole. The problem of the Labor party said Catts, in commencing on Higgs’ position, was not outside executive control, but the lack of interest of the Federal PLP in the formulation of policy and its refusal to uphold its privileges and responsibilities. In short, Catts was saying, it lacked any purpose; or, put it another way, the politicians were not fulfilling their role as initiators in the Federal Labor party. This was hardly the political atmosphere that Ryan sought in entering federal politics. On the other hand, he was ill-prepared himself for the task of leading the Labor party out of its wilderness. He was not thoroughly versed in federal law; he had not formulated any specific legislative goals and his poor physical health prevented him from taking the same vigorous approach as he had displayed when he entered the Queensland parliament in 1909.

As the opening of the new parliament approached, Ryan could at least be cheered by the news from London that the Privy Council had upheld his appeal in the McCawley case. After F. H. Maughan KC had addressed the judges on behalf of the respondents, the Solicitor General intervened on behalf of the British Government to indicate that it intended that the self-governing states and colonies of the Empire should have full power in their own legislatures. Sir John Simon who had been briefed to appear for McCawley was not called to address the Council. The Lord Chancellor’s judgment might easily have been written by Ryan. Lord Birkenhead said that the minority opinions of Isaacs and Rich in the High Court decision were in complete concurrence with those of the Privy Council. McCawley had the necessary legal qualifications and, what was constitutionally more important, the Australian legislatures were free to work out their own constitutional salvation. Since the Queensland legislature was fully entitled to vary the conditions and tenure of a judicial post, that section of the Industrial Arbitration Act under which McCawley had been elevated to the position of a Supreme Court judge was not *ultra*

vires.⁷ In constitutional law, the case was of far greater significance than the appointment of a judge to the Arbitration Court. A legal contemporary of Ryan, Owen Dixon, who was to become a judge of the High Court of Australia and later Chief Justice, was to write that the Privy Council judgment in the McCawley case established "a universal proposition that a colonial legislature may disregard any attempted limitations upon its own legislative powers."⁸ By all the canons and precedents of Australian colonial and federal politics Ryan should have been either on the Supreme Court or High Court bench or under serious consideration as an appointee, not beginning a new political career in Opposition and at the bottom of the ladder.

The new Federal Parliament which met on 26 February faced a number of difficult problems. The nation had just emerged from its worst year for industrial disputes since Federation, not in the number of strikes but in the man hours and wages lost. The cost of living had increased alarmingly and though money wages had also increased, real wages at the beginning of 1920 were still below their 1917 figure. Official unemployment remained at around 6.5 per cent; real unemployment was probably closer to 10 per cent, and there was uncertainty about the export payments for wheat.

By the time the Parliament met, the House of Representatives had sorted itself into thirty-four Nationalists, three Liberals, two Independents eleven Country party and twenty-five Labor members.⁹ With Higgs, expelled from the Labor party, sitting as an Independent and with the possibility of marshalling thirty-six votes if the Country party and Labor party joined forces, undoubtedly Hughes was as anxious as Ryan to know how the Country party politicians would stand. There was an uncertainty at the beginning of 1920 about the role the Country party parliamentarians would play. Would they support the Nationalists, to which party many of them had belonged? Would they use the tactic of "support for concessions" to its fullest? Was it possible for Labor to come to some agreement with them? In his autobiography, *Truant Surgeon*, Earle Page, leader of the Country party from April

1921, recalled his party's attitude in the first months of 1920:

The socialist policies of the Labour Party were anathema to us. While dissatisfaction existed among some members with the Hughes regime, we were in agreement that it would be better to keep the Government on the rails than assist a Labour Government into office.¹⁰

Though this may have seemed clear to Page in retrospect, it was far from clear in 1920.

For the Labor party, it was not merely a question of inducing the Country party to vote against the Government on a significant issue, there was also the necessity of dividing the two non-Labor parties so that if they fought each other in parliament, Labor could gain from the division. In Queensland between 1912 and 1915, Ryan had shown that the Liberals and the farmers' party members could be divided if the right tactics were used and if the right issues could be raised. There was some hope that in the fluid political situation of 1920, similar divide and conquer tactics might again prove successful. The parallel, however, was far from similar.

In the elections for offices in the PLP, Ryan did not contest the leadership against Tudor. There was some feeling in the caucus against the manner of Ryan's entry into Federal Parliament and against his having overshadowed Tudor during the campaign not only in New South Wales and Queensland, but also in Tasmania and South Australia and in Tudor's own state, Victoria.¹¹ Tudor was a modest, sensitive man who felt somewhat crushed by the appointment of Ryan as campaign director. Ryan appreciated Tudor's predicament and did not attempt to force his presence on the caucus or to appear to want to challenge Tudor. The Federal PLP's greatest need was unity. Senator Gardiner was re-elected Deputy-Leader while Blakeley defeated Catts for the position of secretary by one vote.¹² At the election of the executive a week later Ryan, Norman Makin, Matt Charlton, (a miner from Hunter), and Dr. William Maloney from Melbourne were chosen.¹³

Prices and profits were the two issues which the PLP wished to take up immediately the session began. While the caucus debated whether or not a censure motion should be introduced immediately to highlight the rampant profiteering that its

members felt had existed since the repeal of the War Precautions Regulations on price fixing, Ryan decided to make his presence known by a different method. In the Queensland Parliament, when the Treasurer moved his formal motion seeking leave to request supply, both parties had regarded it as legitimate that debate should take place at this stage, if the Opposition pressed the matter. In the Federal Parliament, such a motion was not debated, but allowed to pass as being formal. Ryan threw the Government into mild consternation when he spoke to the motion arguing that, despite the repeal of the War Precautions Regulations, the Commonwealth had power to deal with profiteering through its taxing power and its power to collect statistics.¹⁴ Following Ryan's precedent, W. J. McWilliams, a former Nationalist member from Tasmania and then the temporary leader of the Country party, spoke also and gave notice that he would move for a restriction of supply to six weeks so as to maintain parliamentary control over government spending.

The Labor caucus, emboldened, decided that Tudor should move, as an amendment to the original motion, a three-point censure covering profiteering, injudicious government spending and the shipping costs of wheat, wool and other products. The last two were rather clumsy attempts to draw support from the Country party. Tudor was not the type of politician to move effectively a censure motion and was sidetracked from his arguments by interjections. Hughes followed Tudor and left no doubt that he too would play a game of dividing his opposition. Acknowledging obliquely Ryan's presence, he said scathingly to Tudor:

Yesterday's proceedings suggested an utter lack of discipline in his party . . . A gentleman who, whatever may have been his expectations has certainly no claim to be regarded as the spokesman or leader of his party endeavoured ineffectually to signal his election to this House.¹⁵

He then proceeded to lash Ryan for his interpretation of the powers of the Commonwealth to obtain information about corporations and then returned to the election tactic of directing attention away from his own government to the cost of living in Queensland when Ryan was Premier.

Since this was to be his first speech of consequence in the House of Representatives, Ryan waited two days before replying to Hughes. If he was to become the leader of the PLP he would have to establish his equality with Hughes in debate and if possible lay claims to superiority. His reply indicated that he had spent the two days giving some thought to the speech he would deliver.¹⁶ Hughes, the old adversary, was the main target and Hughes had questioned not only Ryan's interpretation of standing orders, but also his opinion as a constitutional lawyer. He dealt quickly with the former: "I was exercising a well established constitutional right possessed by every member of this House and while I remain a member I shall exercise my right under the standing orders whenever I think fit to do so". Having no wish to revive the wartime memories of conscription clashes, a placatory Ryan assured the house that he had no personal antipathy towards the Prime Minister. "The issues before Australia," he said "are too big for us to allow ourselves to waste our time over personalities." This did not prevent his casting aspersions on Hughes' legal capacity. His consequent attempt to prove that the Commonwealth, constitutionally, had ample powers to deal with profiteering was therefore a mixture of constitutional law and straight politicking. He argued that under sections 51 (i), (ii), (v), (vi), (xi), (xx) and (xxix) of the Constitution, the Commonwealth had power to control prices; all the Government needed was sound legal advice. He proceeded to examine the Privy Council judgment of the *Attorney General v. CSR* to demonstrate his point. The Commonwealth in 1912 had been thwarted by both the High Court and the Privy Council in its endeavour to obtain information from the CSR during the Royal Commission on the sugar industry. While the Privy Council had upheld the High Court's decision regarding the invalidity of the Commonwealth Act establishing the Royal Commission, it had stated in the judgment that, had the Act been correctly framed, the legislation would have been valid. Companies, persons and corporations could be compelled to provide information as long as this was required for purposes of the existing powers of the Commonwealth Government. Ryan was arguing that, under the subsections of the Constitu-

tion that he quoted, the Commonwealth had power to obtain all the information it required regarding prices and that by using its powers over taxation and trade, it could exercise control over profiteering. It was probably too technical an argument for most members and certainly did not impress the Country party.

The Country party needed something more tangible than this on which to vote against the Government and Tudor's amendment was defeated by forty-five votes to twenty-two. The better tactic seemed to be either to wait for the Country party to move a motion against Hughes and support this or to move an amendment dealing with a practical issue on which primary producers were seeking some government action and force the Country party to choose between supporting Hughes or the farmers. The latter, Ryan had already shown in 1913 and 1914, could be very effective and shattering to opposing country politicians. It was to be the former alternative that offered itself first. After Watt had moved for supply, McWilliams produced his amendment limiting this supply to six weeks. As a parliamentary Country party leader, McWilliams was not to be a success, but on this issue which centred on parliamentary, as against executive, control of finance, he had the support of his own party members. The PLP agreed to allow the Country party to make the running on the amendment and not to put up any speakers until the end of the debate. Neither Ryan nor Tudor spoke. When it became apparent that a combined Labor and Country party vote could bring down the Government, Hughes tried to pull some of the Country party members to his side by announcing that the Government was treating the amendment as a want of confidence motion.¹⁷ Fortunately for the Prime Minister there were some parliamentarians who had received both Nationalist and farmer endorsement and were as yet undecided as to which party they belonged. Two of these, W. M. Fleming from the Hawkesbury River seat of Robertson and A. Wienholt from the south-eastern Queensland seat of Moreton, together with Higgs, voted with the Government to defeat the amendment by thirty-four votes to thirty.¹⁸ It was rather too close for both the Nationalists and the Country party. However, it did establish some idea of how both Hughes

and the Labor party would have to treat the new party.

In the House of Representatives, Ryan set about acquiring the feel of his new surroundings, studying the men opposite him and behind him and making himself familiar with those areas of Commonwealth legislation on which he would speak most. He asked questions and spoke on the Commonwealth police, the deportation of a Catholic priest, Father Jerger, the sugar and primary industries. However, despite his great political and legal abilities, Ryan did not seem to have settled into his new environment. It was not only re-establishing a home and a law practice in Sydney which unsettled Ryan, he now had to travel to and from Melbourne each week. He suffered constantly from bronchial and nasal infections which were not assisted by the cold, draughty corridors of Melbourne's Parliament House.¹⁹ More than this, he was unsettled by the disorders of his own party and the attempts to give it some purpose in a generally unsettled Parliament. Some politicians and party members thrived on trouble, turmoil and fighting within the party, not so Ryan. He was essentially a parliamentarian and a legislator, not a wire puller or a fixer, and worked best when the way ahead was clear, and when he had behind him a team of politicians whose primary goal was the establishment of a Labor government.

In the caucus, Ryan's amiable nature and his obvious ability as a politician broke down some of the opposition engendered by his background and method of entry into the Federal PLP. Only Charlton, and those who believed in seniority and a working-class background as the pre-requisites to leading the Labor party, continued to regard him with suspicion. Outside the caucus, he made a number of friends among the Nationalist and Country party politicians. Many of these were barristers, but they soon included the amiable Joe Cook and Earle Page. In many ways Ryan and Page were in similar positions, being professional men with the wrong occupational background so far as the majority composition of their party was concerned. Each combined intelligence and a friendly disposition with a basic humanitarianism and a shrewd appreciation of political tactics.

Neither Ryan nor the Labor party stood to gain by waiting for the Parliament to run its full term. The hope was to entice the Country party into bringing down the Government and forcing a new election. At times, Ryan and Tudor even spoke in terms of a double dissolution. Early in July a carefully-laid plot to bring down the Nationalist Government was partly destroyed by the PLP itself. The seat of Ballarat had been lost by the sitting Labor member, McGrath, in 1919, but the election tribunal, before which Ryan appeared for McGrath, had ordered a fresh election. This was to be held on 10 July. In the meantime the Government had been acutely embarrassed by the announcement from Watt, in London, that he had resigned as Treasurer. Not only were the Labor and Country parties anxious to have a full explanation, but the newspapers also called for one. Because of Watt's resignation and the Ballarat by-election, a committee consisting of Tudor, Ryan and Blakeley was elected to draw up a censure motion. Clearly this had to be one which would draw support from the Country party. The committee presented a six point proposal which was accepted by the caucus except for one clause dealing with Australian representation at the Spa Conference. The Government's failure to prevent inordinate rises in the cost of living, its failure to deal with industrial unrest, its broken pledges to the returned soldiers, its failure to secure adequate prices for wool and other primary products overseas and its failure to making binding contracts for the sale of Australian primary products to prevent overseas profiteering at the expense of the Australian producers were given as the reasons for the censure.²⁰

Hughes was in a difficult position. The resignation of Watt had caused further rumblings against his leadership in the Nationalist party; the Labor party had resolved to grant no pairs, and the Government could be sure of only thirty-six votes, including that of the speaker, against the possible thirty-six votes if the Country party joined with Labor. Higgs, still an unknown quantity, could hold the balance. Moreover, since Tudor's censure was to be taken on the Friday before the Ballarat by-election the very uncertainty of the outcome did nothing to assist the Nationalist candidate, while a Government

defeat could be expected to assist the Labor candidate. However, Ryan, developing as the PLP's tactician, was no longer confronted by a Tolmie or a Macartney and now met his match in Hughes. Although the censure motion was at the top of the business paper for the Friday, before Tudor could rise to move it, a Nationalist, Hector Lamond, formerly editor of the *Australian Worker*, jumped to his feet and moved the adjournment of the house to discuss “the serious unrest in the coal mining industry and the necessity for prompt remedial legislation.”²¹ The Speaker accepted his motion and the Labor party was outfoxed. Lamond, Cook, Hughes and two other Nationalists made lengthy speeches. It became a fiery two hour debate with Hughes under cross-examination by Ryan for his repeal of those sections of the War Precautions Regulations dealing with price fixing. Hughes in retaliation alluded to the apostle, Peter, while Ryan, egged on by Considine, referred the Prime Minister to the story of Judas.²² Despite the protests of the Opposition, the Government had staved off the censure motion until after the by-election. Under standing orders, the censure motion had to be debated in the first two hours of the meeting of the house or it went to the head of the notice paper for the next day of sitting. Lamond's adjournment motion, on which no vote was taken, occupied the first two hours. While the debate had been in progress, Hughes had taken the opportunity to sit next to his old friend, Bill Higgs, to put his arm about him and whisper sweet nothings in his ear.²³

Determined not to be out-manoeuvred by Hughes, Ryan unsuccessfully tried to move the suspension of standing orders to have the censure motion debated. Nevertheless, he was grimly determined that the Opposition should not be dispensed with so easily even though this meant taking command of the Labor opposition from Tudor. In the committee debate on the Navigation Bill which followed, Tudor spoke as though nothing had gone wrong with the plans he and Ryan had laid. Not so Ryan. He moved that the clause under debate be postponed, saying:

This committee is not in a mood to deal with this or any other business. We have had from the prime minister and his colleagues this afternoon an exhibition of absolute contempt for the want of confidence motion of which notice was given by the Leader of the Opposition yesterday . . . I am not prepared to allow the Government to cross a "t" or dot an "i" in this or any other Bill until the want of confidence motion has been disposed of.²⁴

Such brazen effrontery brought Massey Greene, the minister in charge of the Bill, the Prime Minister and the Chairman of Committees down on Ryan. For the first time the House of Representatives witnessed the stubborn and unmoving Ryan who had successfully confronted the non-labor press, the pastoralists, the CSR, the shipowners, the Prime Minister and the High Court in the previous four years. In such a mood Ryan was prepared to stay inside the bounds of standing orders, but not to accept defeat. Despite the arguments of the Prime Minister, the Chairman accepted Ryan's motion, which the house debated before finally adjourning at four o'clock. He at least had been able to save some of his party's will to fight.

McGrath easily won the Ballarat by-election with a majority of 3000 in a poll of 24,000. The censure motion was taken on the following Wednesday. Tudor spoke for an hour and thirty-five minutes making it clear that he hoped for Country party support and that he wanted a new election if the censure was carried.²⁵ He was anything but convincing in his endeavours to draw the Country party into his net. He was continually diverted from his theme by interjections and was outclassed by Hughes in a clear and biting reply. It was Hughes who now sought to divide and conquer. If the Country party were to join with the Labor party, he said, it should know that the latter was the embodiment of "grovelling pacificism and disloyalty" and that Tudor was not in full command, but responsible to leaders outside the parliamentary party and not even certain of his own leadership there. This he set out to prove through some judiciously chosen quotations. From the *Australian* of 1 October 1919, Hughes read "Mr. Ryan is marked out as the leader of the Labour party . . . Mr. Tudor is quite uninspiring . . . Mr. Ryan is young, brilliant, and original — a great leader of political cavalry charges to sweep the

country”; from Mannix he quoted: “It will be no small help to the Irish cause to have as its exponent the man who must in the future be Australia’s prime minister.” With further quotes regarding the desirability of bolshevism, from Jock Garden, secretary of the Sydney Labor Council and from Senator Barnes and Considine,²⁶ Hughes had played on the old war time and sectarian fears and spoke as though it was a no confidence motion in the Labor party rather than the reverse. Ryan could console himself with the knowledge that Hughes was unloved by the Country party whose members probably accepted his invective as the normal Hughes.

It was not the reply of Hughes which would sway the Country party, but the attitude of the PLP. This was to prove disastrous. The PLP was undisciplined in the debate and seemed not to have planned its tactics or discussed the finer purpose of the motion before the debate. Much of the blame for this must fall on Tudor who, though an excellent party man, was just not capable of providing the inspiration and leadership his party needed. Others however were just as culpable. Even though every vote might be vital in the final division, Fenton had himself expelled from the house. Hughes was followed not by Ryan but by James Mathews of Melbourne Ports. Mathews had no great claims to debating skill, he suffered from poor health and seemed completely unmindful of the intentions of Ryan and Tudor in bringing forward the particular clauses in the motion. He delivered an all-out attack on the Country party and was followed by Catts and Dr. Maloney who neglected the terms of the censure motion to follow their own courses. Catts, who was normally an astute politician, made a virulent attack on the Country party and did his best to pull to two non-Labor parties together. What Ryan thought privately of such ill timed criticisms of the Country party are not recorded. He might well have recalled that not even Fihelly in his rashest moments was so lacking in political acumen. From being a motion seeking Country party support, it seemed to have changed in character; this was noted by the Country party leader McWilliams:

I am compelled to ask myself if the honourable member who tabled the motion really desired the Country party to vote for it or not . . . their Labour speeches give one the impression that their object is to compel members of the Country party to vote against the motion.²⁷

Tudor and Parker Moloney tried to convince McWilliams that he and his party should vote on the merits of the motion and discount the remarks of Catts and Mathews. They seemed to have some hope of success as McWilliams concluded:

We have to accept the full responsibility for attempting either to put the Government out of office or for expressing our confidence in the Government . . . While I am entirely opposed to the attitude and speeches of the hon. members opposite, I recognize that the Government have absolutely failed in dealing with the finances of the country.²⁸

If the members of the PLP were concerned to draw the Country party away from the Nationalists, McWilliams' words should have served as a guideline for further Labor speeches. However, such was the federal Labor party in 1920 that there were more members concerned with pushing their own private interests than with ousting the Nationalists. Frank Brennan, a barrister and friend of Ryan, illustrated this lack of united purpose as he followed McWilliams. He was currently involved, with Ryan, in trying to prevent the deportation of a German Jesuit, Father Jerger, under the War Precautions Act. Dismissing the terms of the censure motion as being obvious, he launched an all out attack on the Government's handling of the Jerger case. Its overtones of the war, sectarianism and disloyalty together with Cook's having to move Brennan's suspension (though he withdrew it after reconsideration by the Speaker) probably quashed any hope of Country party support.

Ryan, however, rarely gave up trying new tactics and did not lose his optimism. Harry Gregory, the temporary deputy leader of the Country party and its parliamentary tactician, followed soon after Brennan and it was to him that Ryan directed a new question. As he was beginning to warm to his speech, Ryan interjected: "Would your party be prepared to accept office if the Labor party stood behind you?" It was a new possibility that temporarily stopped Gregory. He fondled the bait. Neither he nor Ryan had power to commit his party to such an

arrangement. He asked: “Would we have the solid support of the Opposition if we formed an administration?” Ryan’s reply: “You answer my question first”²⁹ ended that debate. It was doubtful whether the politically inexperienced Country party would have accepted office, yet the precedents of the Dawson government in Queensland in 1899 and the Watson government of 1904 made it sufficiently tempting for it to pose a distinct possibility to Gregory and McWilliams. Labor could only gain from any successful move to turn out the Hughes administration. However since Gregory, who reflected Country party opinion more closely than McWilliams, signified his intention of voting with the Government, the censure motion was in effect lost before Ryan spoke. He explained to Earle Page that he hoped for a double dissolution by seeing the Hughes government replaced in the House of Representatives by a new government so different from the majority of senators that a confrontation would develop between the two houses and a new election of both houses be forced.³⁰ It was, to say the least, a long shot, but in the circumstances the only way, short of a national calamity, by which Labor could hope to become an effective government inside two or three terms of Parliament. When the vote was finally taken on the Friday, the Country party, except for McWilliams, remained solidly behind the Nationalists and the censure motion was defeated by thirty-six votes to nineteen.³¹

Was there much point in Ryan pursuing his tactics? The answer seemed to lie in how quickly he could gain control of the PLP. His rapid rise through the Labor party had been due to his ready appreciation of a political situation and his ability to exploit this to his advantage. He had the support of the unions and labor movement outside the caucus and indeed carried with himself much of their hope.³² In the caucus he had to gain sufficient support to ensure that he would at least succeed the sick Tudor or replace him. His task was therefore to demonstrate beyond doubt to his parliamentary colleagues the necessity of promoting him to the leadership. Despite the failure of the censure motion, Ryan continued to take points of order, move dissension from the Speaker’s ruling, move amend-

ments to government motions and insist on ministers giving as much information as Ryan desired when introducing bills. On a number of occasions his colleagues took inspiration from his initiatives and joined him in preventing the Government's assuming that the Opposition was merely there to provide a formal forum for the legislation of executive decisions.

Despite these initiatives, there remained about half the caucus who continued to regard Ryan as an interloper. A trial of strength came in August 1920. Ryan was absent from parliament, with influenza, when Hughes brought down two most important bills, the Industrial Peace Bill and the Conciliation and Arbitration Bill. Tudor was also absent with another bout of illness and was expected to be away for several weeks. His absence and the importance of the two bills necessitated the appointment of an acting leader in the House of Representatives since the Deputy-Leader, Gardiner, was in the Senate. Ryan was absent from the special caucus meeting of 12 August and Charlton was elected to the chair. A motion of McDonald and Dr. Maloney that Charlton be Deputy-Leader during the absence of Tudor was carried.³³ However, at the following week's caucus meeting, the minute was corrected to read "That Mr. Charlton act for Mr. Tudor during his absence."³⁴ There was sharp disagreement between Ryan's and Charlton's supporters as to what exactly the resolution was and what it was meant to signify. McDonald sought to resolve the dispute by giving notice of a motion to call a special meeting of the caucus on 9 September to elect an assistant leader in the House of Representatives.

The argument about the acting leadership carried over to the next day³⁵ when Thomas Lavelle, a supporter of Ryan from the New South Wales rural seat of Calare, moved a censure motion against Riley, a supporter of Charlton, for an interview he had given the *Sydney Sun* on the acting leadership and later asked to leave to incorporate Charlton in the same motion for an interview he had given on the party's attitude to the Industrial Peace Bill. The knives were drawn and debate became quite acrimonious. McGrath raised a point of order as to whether such a motion was in order; Charlton upheld the point

of order and ruled the censure motion out of order: Lavelle moved dissent from his ruling. In the debate on the dissent motion, Ryan spoke against Charlton's ruling; however, when the division was taken the ruling was upheld by eight votes to seven. Charlton it seemed had won. A check of those absent, however, revealed that six were Ryan supporters, two Charlton and four doubtful. Of these four Ryan could hope to receive at least two and possibly the whole four. Ryan's support in the caucus came from New South Wales where he could count on the votes of two thirds of the fifteen members, principally those holding rural seats; Charlton had the support of the remainder of the New South Wales members and a majority of Victorians who numbered only seven in the caucus. Of the remaining five members from the other states, Ryan had the support of a majority.

At the special meeting on 9 September, Ryan was elected assistant leader in the House of Representatives.³⁶ No voting figures were shown in the caucus minutes though the *Age*, one of whose parliamentary roundsmen was A. T. Ellis, Ryan's former press secretary, quoted the figures of fourteen votes to nine.³⁷ Ryan was frequently referred to, incorrectly, as the Deputy-Leader, which was Senator Gardiner's title. In effect, because of the constitutional position of the House of Representatives, Ryan was the Deputy-Leader of the party and therefore likely to succeed Tudor. It did not give him the full authority to bind the party together, though it did enable him to play his game of dividing and conquering the Government from a stronger position.

The pace of Ryan's life hindered his best efforts in parliament. He was often absent with influenza which was very likely the result of exhaustion caused by the volume of work he set himself to perform when he no longer had the physical capacity to do this. To his parliamentary duties, he added frequent public meetings on a variety of matters, from the necessity for greater Labor unity to the development of a national capital. All of these activities were combined with a law practice which in itself was a full-time occupation. He appeared as counsel before the Queensland and New South

Wales Supreme Courts and the High Court.

Despite his capacity for work, Ryan was clearly overtaxing his physical resources. This was becoming more apparent in his speeches in parliament where he was relying more on his accumulated legal and political knowledge to see him through and less on his study of the legislation. Still he or one of his supporters continued moving amendments to government bills, probing to see how far the Government would move and where the Country party would stand. An interesting side contest was developing between Ryan and Gregory in the matter of moving amendments. When the Labor party moved amendments which were critical of the Government, but which Country party members were known to support, Gregory after some consideration and apparently some discussion with cabinet ministers, would move a further amendment, not critical of the Government, but committing it to some action favourable to the Country Party. This allowed Country party members to vote against the Labor amendment but still save face with their own constituents by supporting Gregory's amendment. Defeat in this way, seemingly, did not deter Ryan who remained confident that, with the worsening of relations among the Nationalists and the personal antagonism of many of the Country party leaders for Hughes, eventually the moment would arrive when the Government would be brought down and a new election held. In September, the political correspondent of the *Argus*, in his weekly column, summed up the new Assistant Leader's tactics in these terms:

Mr. Ryan is, when his legal duties permit, one of the best sitters and listeners in the House. He will sit for hours and hours like a spider in its web spinning embarrassing proposals which he either entrusts to some colleague or proposes himself.³⁸

Not only was Ryan's tactical ability of assistance to the PLP, but his knowledge of constitutional law again demonstrated the necessity for having at least one first-class legal man in the PLP. During the committee stage of the Conciliation and Arbitration Bill, the High Court brought down its historic decision in the Engineers case,³⁹ reversing the earlier Railway Servants case decision and extending to the Commonwealth Arbitration

Court power to deal with employees in state commercial undertakings. On the day following the Court's decision, Ryan moved an amendment to the Bill to include specifically employees of state railways in the operation of the Act.⁴⁰ These had been included in the 1904 Act then removed in 1910 following the High Court's decision in the Railway Servants case; subsequently at the 1913 referendum an attempt had been made to have them included in Commonwealth law. This formed the basis for his arguments in favour of the amendment. Although Hughes was the Attorney-General, Groom had charge of the Bill and refused to accept such an amendment until he had read the judgment. By quoting Hughes in his 1913 referendum argument, Ryan posed a problem to the Government, so much so that Hughes himself spoke on the amendment after the dinner adjournment. The central theme of his reply was that if there was now no constitutional prohibition excluding state railway employees from the Commonwealth Act, then, *ipso facto*, they were included. That was the long and the short of the Government's refusal to accept the amendment.⁴¹ The Prime Minister seemed more concerned with having the Bill passed as quickly as possible than with debating legal points. However, there was no *ipso facto* certainty that state railway employees would be included in the scope of the Commonwealth Act; Cook made it clear that he did not think they would be and indeed it was not until 1930 that they were.⁴² Ryan's old dictum that laws should be not only understood, but also not capable of being misunderstood brought him back to the crux of his amendment:

I know that if the words which I propose are inserted in the Bill, there will be no doubt at all about the matter, but if they are not inserted, I can see that there will be ample ground upon which the Court may hold that, by reason of the fact that those words were in the 1904 Act, and that Parliament deliberately took them out in 1910, and that Parliament deliberately rejected an amendment for their re-insertion in 1920, it was obviously the intention of Parliament that the railway servants of the States should not be included. And, upon that, they may give a decision that, notwithstanding that the Commonwealth Parliament has the power to include them within the scope of the Commonwealth Conciliation and Arbitration legislation, it had deliberately expressed its intention not to include them.⁴³

The acceptance of his amendment, he argued, despite interjections from lawyers among the Nationalists, would prevent law suits and the consequent expense to railway employees. History was on his side but at that moment there was the very real political problem for the Nationalist government of allowing Ryan to score a victory over the Government if the amendment was passed. Hence it was rejected.

How much had Ryan's arguments in this amendment been based on a full study of the Bill and how much on his perceiving an opportunity to embarrass the Government? Hughes seemed determined to find out. A new amendment was proposed by the Government to restrict the hearing of cases regarding reduction in working hours to a court of three judges, which had to include the president and two deputy presidents of the court. Hughes entered the debate and invited Ryan to give his views on the amendment. Ryan performed badly. He devoted most of his speech to defending the Queensland Act and to attacking the Country party for standing with the Government on every occasion.⁴⁴ It was certainly not the Ryan who had made his reputation confronting Hughes and appearing before the Privy Council. Hughes' invitation to speak on the amendment could well have been a shrewd tactical move by the Prime Minister to test the depth of Ryan's current parliamentary work and possibly to reduce Ryan's stature in the house and in his party. Ryan's parliamentary performances at this time ranged from the well planned and the incisive to the petty and the mediocre. It was some index of the decline in his health.

In Queensland, political matters had not gone well for the Labor party during 1920. There was an increasing gulf between some of the more militant unions, notably the QRU, and the Government; Hunter's seat had been lost in the by-election: while those whose profits had been affected by the legislation of Ryan and Theodore had been campaigning successfully in London to malign the Government and the investment potential of the State. This last and most serious challenge had been manifested in a deputation to England, led by the former Premier, Sir Robert Philp, to prevent Theodore from obtaining

additional loans there. On Theodore's return, amid cries of "capitalist strangulation" of the State and counter cries of "repudiation", the State parliament was dissolved and an election called on 9 October, seven months before the due date. Lewis McDonald wrote to the Federal PLP asking that Ryan be allowed to come to Queensland to assist the Labor campaign. The caucus agreed and Ryan spent ten days addressing election meetings in and about the metropolitan area and in the south-eastern farming seats. With greater cohesion than they had exhibited in 1918, the Nationalists almost won. Theodore was returned with only thirty-eight seats, on a minority vote, and having only a majority of four in the Assembly.

While Ryan had been campaigning in Brisbane a most significant case involving the Queensland Government and section 92 of the Federal Constitution, opened in the High Court in Melbourne. This was the McArthur case which was a direct challenge to the decision of the High Court in the Meat Embargo case. In 1920 the Queensland Government had passed the Profiteering Prevention Act making it unlawful for any trader to sell a commodity at a higher price than that gazetted. McArthur, a Sydney merchant, sold calico in Queensland at a higher price and was charged with a breach of the Act. The Queensland Full Court ruled against the Government. When the case came before the High Court, the Queensland Government retained John Latham, Owen Dixon and Ryan as counsel. Ryan did not attend the court at all and it was Latham and Dixon who argued the defence case. By a majority of five, Isaacs J., Knox C.J., Starke, Rich and Higgins J.J. to one Gavan Duffy J., the court reversed the earlier decision in *Duncan v. Queensland* – the Meat Embargo case.⁴⁵ Isaacs was at last vindicated for the strength of his opposition to the 1916 majority judgment. Although the decision of the High Court prevented the states from taxing or interfering with goods coming from another state, at the same time, it extended the Commonwealth authority over interstate commerce.⁴⁶ In terms of Ryan's long-standing national views, the decision was a good one although he may well have felt some personal disappointment.

While Ryan was concluding his Queensland campaigning, Groom unexpectedly introduced the Judiciary Bill of which he had given notice three months before and to which Ryan had indicated that he wished to move certain amendments. As Ryan left Brisbane to return to Melbourne, Tudor moved Ryan's amendment which was to give the High Court power to obtain statistics of production costs and profits as a prelude to the Commonwealth's using its other constitutional power to regulate prices and living costs.⁴⁷ It was consistent with Ryan's search for a method by which the Commonwealth could assume a national responsibility for regulating prices, which was really the only price fixing that was likely to succeed. Nevertheless it was an untidy place on which to try to tack such a responsibility and, given Ryan's knowledge of and feeling for the law and the Constitution, it must appear more as a further gesture in a price-fixing campaign rather than as a serious constitutional proposition. In any case, there was little likelihood of the Country party's understanding or accepting the amendment. Ryan seemed to accept stoically defeat on these amendments and returned to weaving further webs.

Throughout the last months of 1920 there remained an intriguing uncertainty about the Country party. Fresh opportunities to combine with the Country party to oust the Nationalists continued to present themselves. Hughes had promised in his policy speech to pay cash for wheat delivered at the railway sidings and stations. With the wheat farmers demanding something more tangible than promises, Tudor moved a censure motion, on 21 October, for the Government's "failure to make provision for the payment of 5s. per bushel cash at railway sidings for this season's wheat."⁴⁸ Once again the Country party was placed in the invidious position of keeping the Government in office or supporting the demands of their constituents. Hughes in reply used all his parliamentary guile to ward off the attack which worsened when P.G. Stewart, a Victorian Country party wheat farmer, said he wanted 5s. a bushel for wheat, not words and promises. Once again it fell to Gregory during that evening to produce an amendment which would prevent defeat of the Government,

but which would save face for the Country party members and yet commit the cabinet to a course of action. Gregory spoke immediately before Ryan and moved his amendment at the close of his speech. This provided for the payment for wheat partly by cash and partly by repayable certificates.⁴⁹ The amendment removed any consequence from Ryan's speech. Once again the Government had been saved, at a price. It seemed essential for Hughes to try somehow to ward off the possibility of a defeat. One of the Labor parliamentarians provided a part solution.

If Australians before 1914 had thought they were to escape from the quarrels of the old world, the war of 1914–18 had shown the incorrectness of this view, particularly as it related to Ireland and England. As the troubles in Ireland remained unsettled, groups and individuals in Australia maintained their strong views on Ireland, Irish nationalism and English-Irish relations. From time to time the *Argus* gave lengthy reports of Empire Loyalist meetings in Melbourne where bitterness on the Irish question seemed to be deepest. Archbishop Mannix, whose presence conjured up all the old myths of Popish plots, was seldom out of the news and within the Federal Parliament there were many prepared to take up readily the English or Irish cause. Ryan held strongly to his views on Irish Home Rule and wanted the Irish to be allowed to settle their own future, by themselves and in their own constitutional manner. On the other hand he did not want the Irish problem intruding into Australian politics.⁵⁰ Tudor, Catts, Makin and Charlton, though Protestants of English stock, held similar views. Others in the caucus like Brennan, Considine and Hugh Mahon held stronger views on the infamy of English persecution and colonization of Ireland, which they were prepared to propound forcefully at public meetings. But whereas Brennan and Considine were also fully engaged on other political matters, Mahon, born in Ireland and having spent a period in Kilmainham jail in 1881 with Parnell, was now a bitter old man nursing a cankerous hatred for the English and their sacking of Ireland in 1920; he had ceased to hold his former broad political interests.⁵¹

On 25 October, Alderman Terence McSwiney, Lord Mayor of

Cork, died after a seventy-four day hunger strike in Brixton prison, London, against the English action in Ireland. In Australia there was wide spread revulsion and sympathy within labor and Irish organizations at McSwiney's death. Resolutions of sympathy and prayers were all that Australia seemed able to offer in the whole ghastly affair. Mahon, however, thought otherwise and took independent action by moving the adjournment of the Federal Parliament to discuss the matter.⁵² Ryan or Parker Moloney or Tudor could have spoken on the question in a manner which would not have raised the emotions and ire of those who saw themselves as loyal Britishers and the Irish as Sinn Feiners, rebels and destroyers of the Empire. Not so Mahon. An interjection by Charles Marr, a Nationalist lawyer, ex-soldier and friend of Ryan, brought a heated reply from Mahon; the debate descended to acrimonious personal remarks; Cook took a point of order on whether such a matter could be classed as of public importance in Australia. Hughes, following Mahon, did not lessen the tension or emotion of the debate; he granted that Britain could never govern Ireland properly, but at the same time could not allow a republic in Ireland to threaten its security. "We will not censure Britain", he said "on account of the land of Sinn Fein whose record of crimes and outrages were not equalled in his lifetime".⁵³ Tudor spoke and tried to soften the emotion, but the debate was gagged denying Mahon what he considered was a fair hearing.

Still nursing his hatred of England and the English, Mahon along with Tudor, Parker Moloney, Brennan, Considine and Lucien Cunningham, a Ryan supporter from New South Wales, addressed a meeting of 3000 at Richmond on the following Sunday when he lashed out at the British Government for its treatment of Mannix and for its treatment of McSwiney and the Irish. Mahon said:

Why there never was in Russian history during the time of the most bloody and cruel Tzars a government of a more infamous character . . . I was reproached the other day that the police were being shot in the back – if they are being shot in the back they must be running away. But, anyway, there are no police in Ireland: they are spies, informers and bloody cutthroats . . . They [the members of the House of Representatives] were afraid to hear the truth about Ireland.

One impudent and ignorant person said: What is this to do with Australia . . . What the hell did the war have to do with Australia? . . . The nation which survived Cromwell – a decent man compared with Lloyd George – which outlived the infamies of 1898, is not one to go down before this gang of false hearted hypocrites, who only occupy the Treasury benches of the House of Commons by conspiracy and fraud.⁵⁴

In the press reports of the meeting, the *Age* gave a few lines of no particular interest or consequence while the *Argus* reported the meeting more fully and included some of the above lines. In Labor circles the report was probably read and passed over, but it was unlikely that such sentiments would be easily passed over by the Nationalists. There were those who were genuinely affronted by Mahon's reference to the British Government. Hughes was certainly among these. However, the Prime Minister seldom made decisions for single or simple reasons. He was troubled by those among the Nationalists who would have liked to have him replaced by a more genuine conservative; and he was profoundly concerned with the possibility of a Country party-Labor vote in the house which could bring down the Government and himself.⁵⁵ Mahon's seat of Kalgoorlie had been won narrowly by the National Labor candidate in 1917 but recaptured by Mahon in 1919 with a majority of only 740 votes. On 9 November, following a cabinet meeting, Hughes raised Mahon's speech in the House of Representatives on a matter of privilege.⁵⁶ When Mahon refused to confirm or deny the correctness of the *Argus* report, he left himself open for further attacks from Hughes and the Nationalists. A Nationalist caucus meeting on the following morning agreed to move for his expulsion from Parliament.⁵⁷

Mahon's speech embarrassed his Labor colleagues in Parliament and almost caused a complete split in the Federal PLP.⁵⁸ To avert a split, the caucus agreed that no further action should be taken on Mahon since the correctness of the report of his speech had not been proven.⁵⁹ However, when it was learned that the Nationalists proposed to move Mahon's expulsion, the PLP was forced to come to terms with the issue and to try to save what they could. Few in the caucus were prepared to

support Mahon's sentiments regarding England; equally they felt that the move for his expulsion was based on political spite not on patriotism. Ryan was in Sydney appearing as counsel before the High Court in a further case between the Queensland Government and the CSR. He was thus not able to try to mediate in or advise the caucus. Nevertheless, the PLP had the services of the able Catts who prepared a four-part amendment which, while agreeing to oppose all sedition and treason, denied the propriety of the House of Representatives to hear such a charge.⁶⁰ Ryan left Sydney that morning to travel by the Daylight Express to Melbourne to be present for part of the debate.

When Hughes rose in the Parliament to move the expulsion, the galleries were crowded. The Prime Minister was at his vitriolic and nauseating best as he castigated, in emotional and extravagant language, Mahon, the Sinn Fein, Ireland and disloyalty to the Empire.⁶¹ Tudor followed and moved Catts' amendment. The debate became one-sided as speaker after speaker from the Opposition benches rose to address the house. None tried to defend Mahon or his speech, but each denied the right of the house to expel him. They contrasted the Nationalists' reaction to the case of Considine, who held a safe seat at Broken Hill and had been jailed during the war for speeches he made against the allies and the war, but had not been expelled from parliament, with their reaction to Mahon who held a shaky seat. Hughes rejected the amendment.

It was ten o'clock before Ryan spoke, seven hours after Hughes. In a court, before a judge and jury, his speech might have carried some weight. But the majority of the jury in this case, he said, quoting from the *Argus*, had reached its decision at a prior meeting before any case for the defence could be heard. It was the very antithesis of the law as Ryan conceived and practised it. The Government of Ireland, he said, was the responsibility of the people of Ireland who alone should decide how this would be constituted; as a native of Ireland, Mahon felt compelled to speak with indignation about the events there. He did not necessarily support Mahon's words, but he supported the latter's right to say them:

What we need to do is “to make the bounds of freedom wider yet”. The wider they are the safer we are . . . Even if the language used by the honourable member was very strong, as strong as he could make it, this Parliament is not the tribunal to try his case. Cases of sedition and treason are to be tried by a Judge and jury and the accused has the right of challenging jurors. We have not before us evidence on which we can come to a decision.⁶²

This last point affronted Ryan most – parliament’s making a political decision in the guise of acting judicially. If Mahon had committed a crime, he said, he could be tried by an ordinary court. If he was to be expelled from parliament it should be in accordance with section 44 of the Constitution under which he would have had to be convicted of an offence punishable by imprisonment for one year or longer.

Ryan’s plea for a correct legal course did not move the Nationalists from their predetermined course but spurred a Nationalist lawyer, G. A. Maxwell, to try to frame a legal reply. In a nice piece of causistry he said:

In this motion we have not to decide whether the words uttered by the hon. member for Kalgoorlie bring him within criminal law . . . because it may well be that while the words which he used may not render him liable to the criminal law, they may, in our opinion render him quite unfit to sit and vote in this House.⁶³

Apart from Hughes, only Maxwell and J. M. Fowler, an arch opponent of Hughes, spoke from the Nationalist benches. Both supported Mahon’s expulsion. When the votes on the amendment and the motion were taken at twenty minutes to four on the following morning, the Country party wholly supported the Nationalists and Mahon was expelled by thirty-four votes to seventeen.⁶⁴

It was a dark prospect for the Labor party which had to fight a by-election on the worst possible terms having Mahon as a candidate who had been re-endorsed by his own state branch, but who lacked the wholehearted support of his former parliamentary colleagues. At the caucus meeting which followed Mahon’s expulsion, the debate on a telegram from the West Australian secretary asking for speakers for the by-election was adjourned in favour of the appointment of a sub-committee to draw up a public statement on the sectarian question and the

attitude of the Labor party to this question.⁶⁵ The adjournment was perhaps some gauge of the PLP's resentment of the opprobrium Mahon's expulsion had brought on them. At a special caucus meeting called on 23 November, to consider the proposed repeal of the War Precautions Act, a vague resolution was passed asking that "as many members as possible should go to Western Australia."⁶⁶ The physical and moral support that Mahon was to receive from his colleagues was small. Though the Federal Parliament adjourned for the Christmas recess on 26 November and the by-election was to be held on 18 December, only Catts, Anstey, Cunningham and Yates of South Australia had gone across to try to hold the seat. Considine, who by then had been expelled by New South Wales from the Labor party, also went across.

Since Tudor was making no attempt to assist Mahon, in the last week of the campaign Ryan went over to Kalgoorlie from Sydney. It was in keeping with the attitude to politics of both Ryan and Catts that they should place the importance of retaining the seat of Kalgoorlie above any feelings they may have had about the impropriety of Mahon's offending speech. Mahon had the party's official endorsement: he was doing badly in his campaign; if Kalgoorlie was lost, Labor in Western Australia would not have a single representative in either house of the Federal Parliament, while Hughes stood to be strengthened by a Western Australian Nationalist in his own party and in the House of Representatives. There were thus ample reasons why Ryan should consider it worthwhile suffering the discomfort of 2400 miles of train travel to go to Mahon's assistance. Kalgoorlie was lost in the by-election, admittedly by only 433 votes in a poll of 16,000, but nevertheless lost. And with it the possibility that a Country party-Labor vote might bring down the Government was further reduced.

With the parliamentary recess, Ryan's first year as a federal politician ended. It had been a hectic, tiring and, in many respects, frustrating year. The PLP had not performed well, the Country party obviously was not prepared to play a crossbench role to the fullest and showed little inclination to assist in bringing the Government down. For Ryan, personally, his rapid

advance to a position where he could expect to be Tudor's successor was of some consolation and significance. Building the PLP into a unified body and giving it some purpose remained more difficult tasks.



THE APPLE OF DISCORD

"The Country party finds itself between the Devil and the deep sea. There is no question whatever as to its opposition to the Prime Minister, but its antagonism towards the Labor party is even greater. If any certain method could be found for displacing Mr. Hughes without the possibility of putting the Opposition on the Treasury benches, it would speedily be taken." — Age.

RYAN (to leader of the Country party): "Go on! Push him over!"

COUNTRY PARTY LEADER: "And you nick his apple! We ain't as pushin' as all that!"

"The Apple of Discord" from the Sydney Bulletin of 6 May 1920. [The Bulletin and the Mitchell Library, Sydney]



Hugh Mahon [*Commonwealth Parliamentary Handbook: 1901-1926*]



James Page [*Commonwealth Parliamentary Handbook: 1901-1926*]

19 Beyond the Maranoa

Ryan assisted in healing some of the divisions within the PLP during the Christmas recess by making it known that he would not be challenging Tudor's leadership during the remainder of the parliament.¹ He used the recess to speak at public meetings where he constantly reiterated the need for labor unity. He particularly urged the wisdom of this on the warring factions in New South Wales at the Annual Conference in March.² His was merely one idea clamouring for acceptance. He took little other part in the conference and made no attempt to secure election to either the State Executive or the 1921 Federal Conference. There had been some interest shown within the party regarding Fisher's return from London and his possible re-entry into federal politics where his prestige could assist in bringing the members of the PLP closer together.³ This was expressed more as a hope than as a possibility. Fisher himself gave no indication that he intended to re-enter active politics.

The Labor party was not alone in its lack of unity. Throughout the recess there were constant newspaper reports of infighting among the Nationalists and of moves to unseat Hughes.⁴ On the other hand, the Country party had welded itself into a cohesive unit and Earle Page replaced McWilliams as the leader, Gregory remaining as the deputy leader. Though a newcomer to politics, Page had shown considerable ability as a politician. He was to be a shrewd tactician and a strong leader, and though he and Ryan were personal friends, Page was politically opposed to Labor's ideals and determined not to allow Labor to become a government. With Page as leader, Ryan's manoeuvres to have the Government defeated on the

floor of the house were much less likely to succeed. An indirect test of this came on the day of Page's election when it was announced that Fowler, the Nationalist member for Perth, would move when the parliament resumed "that in order to restore responsible government to this parliament; to place the finances of the Commonwealth on a more satisfactory basis and to put an end to wasteful and inefficient administration, it is necessary to discharge the present Ministry from office."⁵ A copy was sent to the leaders of the Labor and Country parties and to each Nationalist member. By all the canons of their stated political beliefs, the Country party should have supported Fowler. They made it known that they would not and the motion was dropped.⁶

The abrupt dismissal of 1600 men from the naval dockyards at Cockatoo Island, when treasury funds ran out four months before the end of the financial year, heralded the problems to be faced by the Government in the new session. On the first day after the resumption of the session, Mahoney, the Labor member for Dalley, moved the adjournment of the house to discuss the matter.⁷ He found some support among the Nationalists who attacked both Cook's handling of the Treasury and Laird Smith's administration of the naval portfolio. Marr from the Nationalist benches remarked: "... the way to breed revolution is to dismiss 1600 men on 5 minutes notice."⁸ The debate took on an air of considerable importance; three ministers spoke; two extensions of time were given. Page, for the Country party, saw the issue as a wastage of money which might have been better spent in other parts of the country; he did not seem so disturbed at the fate of the 1600 men thrown out of work. Ryan entered the debate following the dinner adjournment. After paying suitable compliments to Page as the new Country party leader, he subjected Cook and Laird Smith to a particularly uncomfortable twenty minutes of cross-examination. It was rather like his earlier cross-examinations of Denham. Where other Labor speakers had been concerned with the issue of the sacking of the men, Ryan probed into the administration of the Treasury and the navy, which could allow a twelve months' budget to be spent in eight months. Ryan's

cross-questioning could rest on his legal and administrative knowledge and required no preparation. It aroused the interest of the house which allowed him an extension of time to conclude his examination.⁹ In the end there was no adjournment, but there was sufficient pressure raised to persuade the cabinet to appoint a Royal Commission headed by Senator Mat Reid. The caucus elected Ryan and Mahoney as the Labor representatives.

Despite the fact that the Nationalists had gained Mahon's seat, Hughes was still not confident of his position in Parliament. He wished to attend the Imperial Conference in London in May, but before leaving Australia wanted some assurance that the Country party would not join with the Labor opposition to bring about the downfall of the Government. Page was not prepared to grant total immunity though he accepted that the Prime Minister should represent Australia at the London talks and that there should be no attempt to force an election during his absence. He agreed to give the Government limited immunity during Hughes' absence. The house adjourned on the night of 7 April during the debate on Hughes' statement on the naval defences, the Anglo-Japanese treaty and the purpose of the conference. On 14 April before the debate resumed, Edward Jowett, a Victorian pastoralist, moved the adjournment of the house to discuss the high shipping costs for primary producers. Amid taunting by Jim Page that Jowett would not seek a division on the question, the debate abruptly ended before the allotted time, a division was taken and the motion passed by thirty-two votes to thirty.¹⁰ The Government was thrown into a quandary. There was little doubt that an error had been made and that the Country party had not really intended to defeat the Government on the floor of the house. Yet the fact remained that the business of the house had been taken out of the Government's hands. Ryan taunted the Country party with being not a separate political group but merely the tail of the Nationalists. However, later, when he was interviewed in Sydney after his arrival there with Earle Page, he was not really sanguine about the possibility of an early election.¹¹ A week later Hughes obtained a tacit vote of

confidence in parliament and prepared to leave.^{1 2}

When the house resumed after the adjournment vote, Ryan spoke on the Imperial Conference. It was again apparent that he had not recovered his early drive or attention to political detail and was trying to make up for this by moving politically loaded amendments. From earlier speeches in the debate and from newspaper comments it would appear that there were a number of Nationalists and Country party members who were unsure about just what Hughes might commit Australia to supporting. Ryan therefore moved an amendment to prevent Hughes from committing Australia to any agreement unless this was subject to the approval and ratification of the people of Australia.^{1 3} What precisely he had in view, if anything, remained unclear despite continued questioning by Cook as to whether he wanted a referendum. On the other hand, Ryan was concerned at the new military and naval strength of Japan in the Pacific area and wanted no treaty between Britain and Japan that could in any way interfere with Australia's linking itself to the United States in the likely event of a major war in the Pacific. Equally, he was concerned that those seeking an imperial federation might have some success at the London conference and persuade Hughes to commit Australia wholly or in part to this, even though the Prime Minister seemed opposed to the idea. Ryan's amendment was easily defeated. For all his Empire loyalty, Hughes recognized the importance of the United States in the Pacific. The peace of the world, he had said, depended upon an understanding of some sort between the United States and the British Empire.

During Hughes' absence, the new tariff proposals were to be debated, promising dull periods for the politicians and journalists and little opportunity for embarrassing the Government. From early May, Ryan was involved in the Cockatoo Island Royal Commission. He was absent when the caucus decided that Tudor should take a two or three months' trip to try to regain his health. Though this left Ryan as the Acting-Leader, he was not anxious to return to Melbourne but preferred to remain in Sydney with his wife and family and attend the Commission. He did not return to Melbourne until the

beginning of June when two events occurred that greatly affected him.

On 4 June Jim Page died. It came as a shock to the Labor party and to Ryan. Page had held the western Queensland seat of Maranoa since 1901. His grip on the seat, which embraced the two State seats of Barcoo and Maranoa, had depended on his local popularity, particularly around Barcaldine, where he owned a hotel, and on the respect in which he was held by his political opponents. With the expulsion of Higgs, only Kennedy, held by an ailing Charlie McDonald, and Maranoa had remained Labor seats in Queensland. The emergence of the Country party and the loss of the State seat of Maranoa in 1920 suggested a distinct possibility that Page's seat also might be lost. The QCE did not assist by their selection of a candidate. Owing to the shortness of time before the by-election, the QCE decided to select the Maranoa candidate itself instead of holding a plebiscite. Nine candidates nominated and included Coyne, Fihelly, Bow, Dunstan, and H. Sullivan, a western selector. Following an exhaustive ballot, Sullivan led Dunstan by eleven votes to eight, but when the four absent members of the QCE voted by post, Dunstan was elected as the candidate by twelve votes to eleven.¹⁴ It was to be an unfortunate choice. Where Page had been a western Queenslander, a local man close to the people of the west, Dunstan, although secretary of the AWU, the union covering employees in the area, was a city man, a Brisbane candidate and one who had been brought to Queensland from South Australia in 1913. His selection as the candidate had to be constantly defended by Labor speakers, a sure indication that all was not well. Moreover, the Labor party's chances of retaining the seat were further prejudiced when AWU members in Brisbane sent a letter to the Maranoa WPO advising its members not to assist Dunstan "in view of his persistent refusal to assist the AWU section of Brisbane unemployed to interview the Labor ministers".¹⁵

As the by-election campaign began in Maranoa, Ryan's libel case against the *Mercury* opened in the High Court in Melbourne. Ryan's complaint concerned an editorial, "Soldiers and Anarchy" published on 27 March 1919 at the time of the

Merivale Street riots in South Brisbane when Ryan had been on his way to England. In commenting on the clash between some returned soldiers and the police who were defending a group of Russian *émigrés*, the *Mercury* had written:

The Queensland Government has shown itself quite friendly and sympathetic with these enemies of the community and especially has encouraged the parade of the red flag, which is the recognised symbol of anarchy. Indeed Mr. Ryan and Mr. Fihelly who are at present in England, have been as open in their sedition as the worst of the men whose demonstration on Sunday led to the violent intervention of the returned soldiers.

The *Mercury* denied that the words were either false or malicious or that Ryan was meant to be depicted as a traitor to Australia and guilty of sedition. The case opened on 8 June before Starke J. and a jury of twelve. J. R. Macfarlan K.C., and T. C. Brennan appeared for Ryan and H. W. Bryant K.C., J. G. Latham and E. Reynolds appeared for Davies Brothers, the proprietors of the *Mercury*.¹⁶ All the incidents and bitterness of the conscription referenda were dragged up and canvassed once more: Fihelly's speech, the seizure of *Hansard*, the IWW, resolutions of the BIC, the Perth conference, and anti-conscription meetings. Bryant in his summing up argued that Ryan's continued close association with the disloyal anti-conscriptionists had proved that his own loyalty to the Empire was not worth a snap of the fingers; the *Mercury* in its editorial had done a public duty and had not exceeded the bounds of fair comment. He made much of Ryan's not entering the witness box to which Macfarlan retorted that neither had anyone from the *Mercury*, though they were the defendants in the case.

Starke's summing up seemed to favour Ryan though he had some adverse comments about the evading of censorship regulations in the *Hansard* incident. At two o'clock the jury retired to consider its verdict; by eight o'clock they had arrived at neither a unanimous decision nor at a three-quarter majority opinion. Their main problem, according to the foreman, was trying to decide whether the editorial could be comment even if it was not fair comment; the majority could not agree on what was fair comment. After a further explanation by Starke, the

foreman asked a rather extraordinary question: "Must we base ourselves wholly on the evidence or can our private views be brought to bear?" Starke ruled out absolutely any allowance of matter other than that in the evidence presented. However hearsay and prejudice did enter into the judgment and when aggravated by the time taken to arrive at the verdict, produced nine out of the twelve in favour of the *Mercury* with costs against Ryan. It was a stunning blow financially and personally to Ryan with his faith in the commonsense of the law. The reaction in the labor movement was one of amazement. John Wren, attempting to graft himself on the Labor party, appointed himself organizer of an appeal fund in Sydney, Melbourne and Brisbane to raise £5000 – the estimated cost of the trial.¹⁷

Throughout the case Ryan had been attending the court during the day and Parliament at night. Though the result of the trial was a personal blow, he brushed it aside in a jocular fashion, his usual method of passing off a crisis. On the day after the verdict, he set the house laughing when, in the midst of a speech critical of the Government, he said he did not want to make a charge without adducing evidence, otherwise it might be unfair comment. He repeated the joke later in the debate when, replying to an interjection from Cook, he leaned across the table and shaking his spectacles at his opponent asked: "Is there any basis of fact which would lead us to inquire that this is fair comment?"

An appeal was instituted against the *Mercury* decision and Ryan left for Brisbane, ostensibly for a few days' rest at his Brisbane home at Auchenflower, but really to appear for Purcell in a further High Court case. Returning to the House of Representatives on 7 July, Ryan, now leading the Labor opposition, threw himself once more into the political struggle giving no quarter or immunity to the Nationalists and drawing the Country party to the limits of its promise to Hughes. Throughout the tariff debates Ryan acted not as the principal Labor spokesman but as its principal tactician, tying up Massey Greene, forcing concessions from him and delaying the Government's timetable for the legislation. To force the Country party

and some of the anti-Hughes Nationalists to declare themselves, he moved several adjournments of the house, one being to prevent Hughes' committing Australia to any policies until these were ratified by the Australian people. On this Watt supported Ryan's very moderate speech as did Earle Page.¹⁸ The latter however made it clear that he still maintained his granting of an electoral immunity to Hughes during his absence, but was seemingly coming to the end of his tether so far as the Nationalist government was concerned.

When official unemployment figures rose to around ten per cent, their highest since the economic disturbances which had accompanied the outbreak of war, Ryan obtained from the caucus authority to move an amendment on unemployment when the debate on supply opened.¹⁹ Cook was thrown on to the defensive and had to retreat to the old story of Ryan's having ruined Queensland's credit. Page, like Ryan, having one eye on the Maranoa by-election, saw the solution to unemployment as lower taxation and less borrowing. He would not accept Ryan's interjected invitation to advocate a cessation of public work. Allied with unemployment at this time were the low export price of wheat and the Commonwealth's abandonment of the wheat pool. Together these were creating considerable hardship in the rural areas. Politically, enormous possibilities were opened up, which Ryan moved to exploit. Melbourne newspapers were already discussing a report that the Country party wished to end the truce. It would be difficult for the Country party members to oppose or amend a proposal calling on the Federal Government to continue the wheat pool.

The parliament was to adjourn on Friday 22 July and before this, Ryan wished to attempt one more thrust. He had telegrams sent to all absent Labor members asking them to be present for a further amendment to be moved in the supply debate on Wednesday the twentieth.²⁰ As soon as Cook moved his formal motion seeking supply, Ryan rose to speak. He moved straight into the question of wheat, quoted from Hughes' policy speech regarding the continuation of the wheat pool, returned to the Labor platform on wheat and the maintenance of the pool and concluded by moving his amendment. This called on the

Government to ensure the maintenance of the wheat pool and for the Commonwealth to enter into negotiations with the states to give effect to this.²¹ It was in effect the third censure motion that Ryan had moved in a week and though the *Argus* editors still voiced their dislike of his politics their parliamentary roundsman, who saw Ryan at work each day, had acquired a sympathy and respect for his employer's adversary. His comment on the three motions Ryan had moved that week revealed something of Ryan's political technique and also the potential deadlines of his actions:

Mr. Ryan does all these things very quietly. He attends early, listens patiently while his colleagues ask more questions than wise men can answer and then in a perfectly composed style sets out his motion. It is never a motion of censure... these are friendly acts to help the Government.²²

Some Labor members of parliament and many officials in the labor movement outside were restive about his approach to defeating the Government. These would have preferred to see him addressing public meetings rather than weaving his plots in the House of Representatives.²³ Ryan, however, was aware that it was within the parliament that the divisions within the Nationalists and between the Nationalists and the Country party could best be exposed and exploited. Press reports of divisions created here would be more significant than those of meetings he might address.

Ryan's amendment to the supply motion placed the Country party in an extremely embarrassing position. Both Gregory and Stewart supported it. Gregory extracted an assurance from Cook that the wheat pool would be continued and then declared the amendment a want of confidence motion to prevent other Country party members from crossing the floor.²⁴ When the guarantee was reported in the press on the following day and McWilliams admitted that he would have voted for the amendment but for his party's guarantee to Hughes, the last thrust had failed. After the debate which had been particularly acrimonious, Ryan went around the table, shook hands with Cook and said he "was going to the Maranoa. I want to shake hands before I go", he added.²⁵ On Friday

morning, before the last day of the session, he left Melbourne for Blackall and the Maranoa by-election.

Gregory was to have the last word in the battle of tactics that had characterized the Ryan period in federal politics. At the conclusion of question time on the following day, Cook presented a paper dealing with flour and freights to the United Kingdom. He innocently moved that it be printed. Gregory immediately rose and moved an amendment that the house favoured the continuance of the wheat pool.²⁶ It was in substance Ryan's amendment defeated on the previous day. Tudor was absent, Ryan had left and Catts was no longer a member of the PLP. The Labor party was caught completely off guard and without any notion of what to do. Charlton, acting as leader, but no tactician, retorted with a clumsily-worded amendment blaming the Country party for its failure to support the earlier Labor amendment. This was defeated and when the Labor members began to comment unfavourably and at length on Country party tactics during the session, Stewart moved the gag and Gregory's amendment was carried. Ryan would have appreciated the shrewdness of Gregory's tactic and the final compliment included there.

There had been considerable concern and comment in the parliament about Ryan's health and about the advisability of his taking part in the by-election. He was suffering from a heavy cold, possibly verging on pneumonia, and was physically exhausted. Those who accompanied him on the 2000 miles from Melbourne to western Queensland were aware that he should have been in bed, not being tossed about in smoky trains. Along the route small crowds gathered at each stop to see him and hear him say a few words. Coughing blood and with his physical condition worsening, Ryan should have cancelled the tour and remained in Sydney or at least in Brisbane or Rockhampton. Why did he insist on going on to the Barcoo region? The public reason he gave was that he thought the clear western air would benefit his cold. That he did not have to travel 2000 miles for clear air was apparent, but this was the kind of reason Ryan might have been expected to offer. There was patently a deeper compulsion which drove him on. Almost

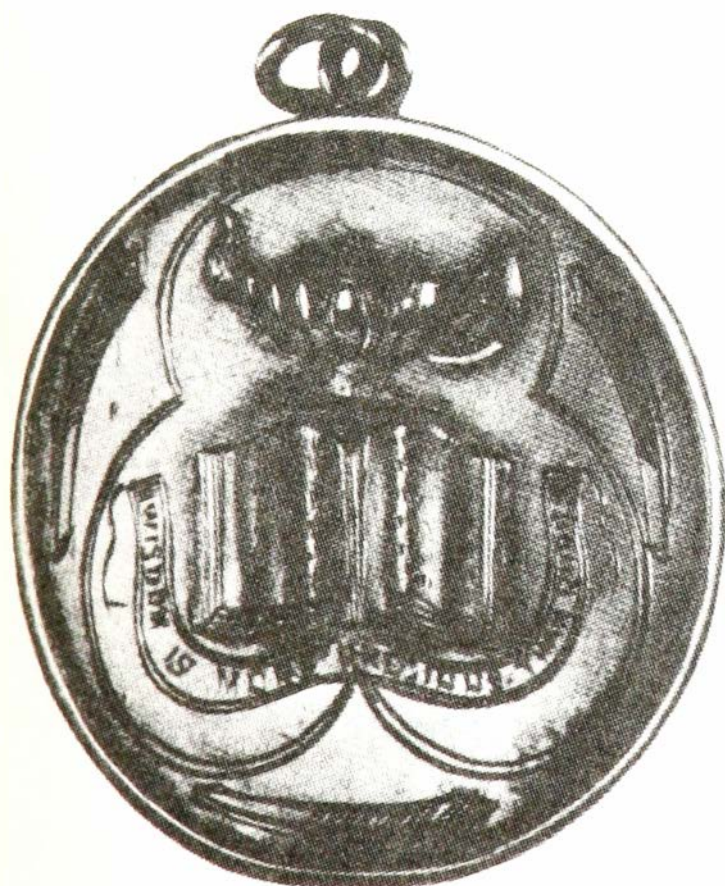
eighteen years before he had joined the Labor party and had adopted its ideals – or as some of his political opponents said, accepted its brief; through that party he had risen to the heights of Australian politics and was regarded by friend and foe as a certain prime minister of the future; his party again needed his assistance and as its leader he felt an obligation to give that assistance even though he was physically in no condition to do so.

As the train travelled the 400 miles from Rockhampton to Blackall, Frank Bulcock, the young agricultural scientist who now held the seat of Barcoo, begged Ryan to go back to Rockhampton where he could be hospitalized. Ryan declined. The Labor supporters in the west were expecting him. At Blackall he coughed his way through a meeting and left by rail to go back the hundred miles to Jericho where he would change trains for Barcaldine. Reports of his health further alarmed his parliamentary colleagues in the south, his former colleagues in Brisbane and several of his political opponents, all of whom flooded Mrs. Ryan with telegrams of inquiry and goodwill.²⁷ On the Friday night before the poll, he addressed a meeting at Barcaldine and was taken immediately afterwards to a private hospital where he became unconscious. While the Maranoa electors went to the polls and elected a Country party member in place of Jim Page, Ryan lay dying. A special train with oxygen was sent from Brisbane on Sunday. Early reports in Monday morning's press indicated that he had recovered somewhat on Sunday. But all hopes were dashed when shortly before six o'clock on the Monday morning, Ryan died.

His death stunned the labor movement, his political colleagues and thousands of supporters outside politics. In London, Hughes was reported, privately, as having been "genuinely cut up about it."²⁸ As the body was brought back to Brisbane for burial, crowds gathered at each railway station along the way to pay their respects. From St. Stephen's Cathedral where Archbishops Duhig and Mannix conducted the service, the body was carried through the crowded silent streets of Brisbane to the Toowong Cemetery.

Apart from a life insurance policy of £8000 and debts owing

to him of £3900, Ryan left very little of value in his will. His personal estate was valued at less than £16,000 and real estate below £7,750.²⁹ The fund established to finance Ryan's appeal against the High Court decision in the *Mercury* libel case amounted to £1754. The High Court ruled that there could be an appeal by the Public Curator acting for Ryan's estate against the decision in the *Mercury* case. The appeal did not eventuate as the *Mercury* agreed to a settlement outside the court. What the settlement was remained undisclosed apart from a reference by Brennan to the federal caucus that it had been "an advantageous and honourable settlement."³⁰ The £1754 was donated by Mrs. Ryan to a memorial fund whose committee, headed by Frank McDonnell, collected a further £1500. With the £3254, a ten foot bronze statue of Ryan was erected at the corner of Elizabeth and William Streets in Brisbane, near the Executive Building. A verse of McDermott was placed on the pedestal. The remainder of the money was put into a trust fund to purchase a medal to be called the Ryan medal, which was awarded alternately to the boy or girl obtaining the highest pass in the State Scholarship Examination each year.³¹



The T.J. Ryan medal which was first presented in 1927 at the instigation of the T.J. Ryan Memorial Fund Committee. It was awarded alternately to the boy or girl who won the State Scholarship Examination, until 1962 when this examination was abolished. From 1963 to 1970 it was presented to the pupil of the opposite sex from the winner of the Byrnes medal which was awarded to the top Junior Certificate candidate. In 1970 the Junior Public Examination was discontinued and in 1973 an Act of Parliament ended the presentation of the Ryan medal for scholastic achievement.

[Courtesy Spencer Routh]

Postscript

Ryan was only forty-five when he died. His death was regarded by both the Labor party and the labor movement as a grievous blow. It is doubtful whether, before or since, the labor movement has placed so much hope for salvation in one political leader. It is generally agreed among historians of the Australian labor movement that Ryan would have been the fourth Labor prime minister. His friend, Earle Page, supporting this in his autobiography, referred to Ryan as "one who . . . carried a Prime Minister's baton in his knapsack". Whether he would have been as successful as a prime minister as he had been as a premier can only be speculation, as can be the possibility that under him, Labor might have won a federal election before the depression of 1929. Both are doubtful. Those four hectic years as premier had left their mark. Additionally, the already low strength of the Federal PLP was further reduced when Tudor died in January 1922 and Theodore, J. B. Chifley, John Curtin and Joe Lyons did not enter Federal Parliament until the late 1920s.

Although he had an ambition to be prime minister, Ryan must be judged essentially as a Queensland Labor leader and Premier. Within the labor movement, he demonstrated that loyalty to the party, intelligence, tact and political capability could overcome any supposed disadvantage that a non-working class background and education have, so far as being accepted as the leader of the Labor party was concerned. Ryan was essentially a radical liberal, equally sympathetic towards urban and rural workers among whom he classed many farmers, and he was one who was able to stand astride this coalition within

the Labor party. His ability to do this successfully rested on an acceptance of the majority consensus and an unwillingness to be seen as being tied to one particular group in the party. However, though he was essentially a radical liberal, he was not affronted by what other liberals saw as socialism, that is, the use of state power and state business undertakings to interfere with the free enterprise, capitalist society. Ryan had no philosophic or economic abhorrence of state enterprise and, indeed, he had a greater faith in this than did many of the former trade union officials in the caucus. Nor did he have any inhibitions about publicly calling capitalists "capitalists", in a perjorative not a descriptive sense, nor about being prepared to fight these in the electorates, in parliament and in the courts. For this reason he built up support, not opposition, from men like Moroney, Rymer, Lane, Collings, Ferricks and others who saw themselves as being socialists. On the other hand, he accepted and supported attitudes with which socialists did not all agree. He privately sought knighthoods and imperial honours for certain public servants;¹ he was a fervent advocate of a white Australia; though he became the leading political figure among the anti-conscriptionists in 1917, he continued to support Australia's part in the war; and long before Curtin sought direct American assistance in the Pacific, Ryan was advocating and attempting to build closer and more formal links between the two white, English-speaking democracies in the Pacific area. These national and imperial attitudes were held by many trade unionists and members of the Labor party and by a majority of the electorate.

Although he held high ideals for the reforms which the Labor party could effect, Ryan was little concerned with theories of politics or with political theory. He was essentially a practical politician who brought the practical man's approach to political questions. His only political theories were that people should govern themselves on an equally-based franchise, that they should enjoy as much freedom as was possible and that the state should act to provide equality in the opportunities open to its citizens. Through his legal training, combined with a pragmatic nature, he brought also to politics a capacity to weigh

alternatives judicially. This was well illustrated in his handling of conscription, the tactical battles for the abolition of the Legislative Council, the northern railway strike and the continuing crises in the sugar industry. It was better in Ryan's view to have a question properly discussed and thought over before a decision was reached, with the discussion being based on practical alternatives. A decision so reached should have been better than one made hurriedly or on some narrow theoretical basis and, more importantly, it should provide for the maintenance of unity without which no Labor party could succeed. There were times when this required leadership from the top, but equally there were occasions – such as that about conscription in 1916 – when the party had firmly made up its mind and the leader was required to accept this. Ryan believed that when such a decision had been made, he should not deviate from it. His strength and success as a leader rested firstly on his ability to appreciate when the party wanted to be led and when it wanted the leader to walk with the rank and file, and secondly, on not being tied down by a theoretical concept of how a Labor leader should react in what were very practical political issues facing a practical political party.

According to Sidney Hook's definitions of the eventful man and the event-making man, Ryan belongs to the latter group. However, Hook qualifies the role of the hero in history by noting: "... the event-making figure in history obviously can achieve nothing by himself alone. He is dependent upon a narrow group of lieutenants or assistants who constitute a 'machine', and upon a much broader group in the population whom he may call a social class."² In Ryan's case, he was clearly assisted by a well organized labor movement conscious of its role in demanding major social and economic changes in Queensland society. In addition, within the caucus, his lieutenants – Theodore, Hunter, Lennon and Fihelly – provided complementary abilities which he was not to find later in the federal caucus, while his inheritance of McDermott, McCawley, Ross, Robinson, Webb and other public servants made his event-making possible. Yet, even allowing for these, Ryan was a politician who created initiatives, who grasped opportunities

when they offered and who directed his caucus along the road to fulfilment of his own plans.

Politics is a continuous business. What one man builds or achieves, others may alter, modify, destroy or improve upon. The State Government Insurance Office remains and is a most successful example of a state enterprise; the Public Curator's Office remains; the stabilization of the sugar industry has been completed. Successive Labor governments continued to favour the primary producer with legislation. The Legislative Council has been abolished; the death penalty has gone and there is adult franchise in local government elections in Queensland. Restrictions on trade unions have been removed; compulsory workers' compensation insurance remains and as a state monopoly; hours and conditions of work have been regulated and legislation accepted as necessary to provide for safety in industry; a system of arbitration guarantees the payment of minimum wages and also rules on conditions of work. A state iron and steel works had not been founded nor has a state shipping line; there is no popular initiative and referendum in Queensland, and eighteen year olds have only recently been enfranchised. There is no State legal service as Ryan envisaged it. The state enterprises have been sold or disbanded. Their later history was not a happy one, not because the principle was wrong, but because post-war economic conditions were unfavourable, and because those who administered them were not conscious of their wider purpose. The Ryan government is still held as an example of what the labor movement can achieve through political action, given the presence of sufficient able men.

In the field of law, the decision in the McCawley case remains Ryan's most significant achievement. The interpretation of section 92 which Ryan argued in the Meat Embargo case and which successfully convinced a majority of High Court judges in 1916 has been overruled. The Mooraberrie case is largely forgotten as are the Eastern, and Gibson and Howes cases. Whether Ryan would have followed the path of other barristers who had left politics for the bench is again an area of speculation as is any estimation of his probable capacity as a

judge. Sir William Webb, who was later to become the Chief Justice of Queensland and a High Court judge, rated Ryan very highly as a barrister. In a special *Daily Standard* supplement of 9 August 1921, Webb related that at the close of the Mooraberrie case in the Privy Council, Lords Dunedin and Shaw came down from the board table to the barristers' bench to congratulate Ryan on his arguments, and that in 1919 Ryan was elected an honorary bencher of Gray's Inn, "a compliment paid only to lawyers of undoubted distinction." On the other hand another legal contemporary, Robert Menzies, sneered at Ryan's reputation in the courts. In a page and a half of *The Measure of the Years* (Melbourne, 1970) pp. 264–5, Sir Robert Menzies relates the story of a constitutional case, after the Engineers case and involving Queensland, in which he appeared as a junior to Ryan against Sir Edward Mitchell in the full High Court. Ryan fared badly as Duffy J. cross-examined him. Finally Ryan left the case to Menzies and it was subsequently won. It would seem highly probable that any case in the High Court, where Ryan, Mitchell and Menzies were appearing as counsel, would be reported in the CLR, yet those reports for 1920 and 1921 record no such case.

Ryan remains something of a forgotten figure in Australian history. Forty years of Labor rule in Queensland, the demise of the federal Labor party in the 1920s, the Depression, the Second World War and the return of federal Labor to office have pushed the events of the First World War and the immediate post-war period into the background. Yet, in the provision of advanced labour legislation in Queensland, in the abandonment of the 1915 referendum, in the conscription campaigns, in stabilizing the Australian sugar industry, in the defeat of the 1919 referendum, in the abolition of the Legislative Council and in Australian constitutional history – to name a few areas – Ryan's role was of the greatest significance. Nor have historians of the Irish and Catholics in Australia given him much more than passing reference despite the pedestal on which Archbishop Mannix and the Irish-Catholic press placed him from 1917 to 1921. Neither J. G. Murtagh in *Australia: The Catholic Chapter* nor T. R. Luscomb in *Builders and*

Crusaders, which purports to be a series of biographies of the principal Irish Catholics in Australia, mentions Ryan. Patrick O'Farrell in his short history of the Catholic Church in Australia mentions Ryan in a five-line passing comment on Queensland. However, in the Queensland State Archives there are bound in two volumes over 700 letters written to Mrs. Ryan and the Labor party from a range of people and organizations in the weeks after Ryan's death; these provide a ready assessment of his status among contemporaries. The letters are from unions, business houses, politicians, schools, banks, Labor party branches, religious organizations, journalists, community organizations, overseas political figures, shire councils and the list goes on. The language is usually emotional and fifty years later might be considered extravagant. Nevertheless a few are worth quoting.

C.A. Bernays, clerk of the Queensland Parliament during Ryan's ten years there, and the chronicler of the first sixty years of Queensland political history wrote:

There is hardly any field where one may study human nature with such precise results as in the Parliamentary arena, and apart altogether from politics, my humble estimate of him was that among all the men who have come and gone in the years that I have served in Parliament, he stood pre-eminent as a leader; as an earnest exponent of the faith that was in him, and as a generous, big-hearted fighter. How few public men can say with truth that they are the personal friends of their political enemies! That characteristic in itself stamps a man as broad minded, and big, and out of the common.

The Central Divisional Council of the militant Australian Railways Union saw Ryan in a somewhat different light: "The late Mr. Ryan was a great statesman, an advanced thinker and worker for the working class and though he will be sorely missed by those he was working for, the greatest tribute of respect we can show him is to carry on and finalize the great work of emancipating the working class." It was Billy Demaine, the master printer and in many respects a part of the ARU's working-class and a part of Bernay's ordered world, who reflected the broad Labor and liberal view of Ryan and the loss suffered by his sudden death: "We were building a lot on Tom Ryan" he wrote, "and now the whole structure is shattered. He

was a man.”

During the first half of the twentieth century, the Australian labor movement produced half a dozen or so outstanding political leaders. Ryan must be numbered among these. Yet his education and background set him apart from the other leaders such as Curtin, Chifley, Watson, Theodore, Forgan Smith, Hughes and Holman. Ryan's unique contribution was to demonstrate that a manual working-class background was not an essential pre-requisite to success in the Labor party. Political capability inside and outside the party, a capacity for work, intelligence, continued self-education and a firm understanding of the peculiar nuances of the labor movement were, in the last analysis, the qualities which mattered and which link the outstanding leaders. Ryan clearly was well endowed with these qualities and by making the most of each political opportunity as it arose earned his place in the front ranks of Australian labor.

In the broader political field he stood out as a giant among his contemporaries and remains, perhaps, Queensland's most outstanding Premier.

Appendix

THE ANTIS' CREED

I believe the men at the Front should be sacrificed
I believe we should turn dog on them
I believe that our women should betray the men who are fighting for them
I believe in the sanctity of my own life
I believe in taking all the benefit and none of the risks
I believe it was right to sink the Lusitania
I believe in murder on the high seas
I believe in the IWW
I believe in the Sinn Fein
I believe that Britain should be crushed and mutilated
I believe in the massacre of the Belgian priests
I believe in the murder of women and baby killing
I believe that Nurse Cavell got her deserts
I believe that treachery is a virtue
I believe that disloyalty is true citizenship
I believe that desertion is ennobling
I believe in Considine, Fihelly, Ryan, Blackburn, Brookfield, Mannix, and all their works
I believe in egg-power rather than man-power
I believe in holding up transports and hospital ships
I believe in general strikes
I believe in burning Australian haystacks
I believe in handing Australia over to Germany
I believe I'm worm enough to vote "No"
Those who don't believe in the above creed will vote "Yes"

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Notes to Text

1: THE LABOR PARTY

1. For the principal debates on the Labor party in Australia prior to 1921 see H. V. Evatt, *Australian Labour Leader* (Sydney, abridged ed, 1954); Robin Gollan, *Radical and Working Class Politics* (Melbourne, 1964); L. F. Fitzhardinge, *William Morris Hughes*, vol. 1, (Sydney, 1964); Ian Turner, *Industrial Labour and Politics* (Canberra, 1965); D. W. Rawson, *Labor in Vain?* (Melbourne, 1966); and D. J. Murphy (ed.) *Labor in Politics*, (Brisbane, 1975).
2. This point is discussed in more detail in D. J. Murphy "The Dawson Government in Queensland, The First Labour Government in the World" *Labour History*, 20, May 1971.
3. For short biographies of Glassey, Dawson, Kidston, Hinchcliffe, Reid and Boote, see D. J. Murphy, R. B. Joyce and Colin A. Hughes (eds.) *Prelude to Power* (Brisbane, 1970).
4. For biographical details of Watson, Hughes, Fisher, Pearce and O'Malley see L. F. Crisp *The Australian Federal Labour Party 1901-1951* (Melbourne, 1955).
5. The Victorian Labor Party held office briefly from 9 to 22 December 1913.
6. On State enterprises established by Labor governments see R. S. Parker, "Public Enterprises in New South Wales", *AJPH*, IV, 2, November 1958; J. R. Robertson, "The Foundations of State Socialism in Western Australia 1911-1916", *HSANZ*, 10, 39, November 1962; D. J. Murphy "The Establishment of State Enterprises in Queensland 1915-1918", *Labour History*, 14, May 1968.
7. The statement is reproduced in C. M. H. Clark *Sources of Australian History*, (London, 1957), pp. 475-80.
8. Celia Hamilton "Irish Australian Catholics and the Labour Party. A historical survey of developing alignment in New South Wales, Victoria and Queensland 1890-1921", unpublished 1957 M.A. (history) thesis, Melbourne University, p.115.
9. The relationship between Hughes, the Irish and conscription is dealt with in Alan D. Gilbert, "The Conscription Referenda, 1916-17: The Impact of the Irish Crisis", *HS*, 14, 53, October 1969.

10. Turner, *Industrial Labour and Politics*, chaps. 3–7, *passim*; Rawson, *Labor in Vain?* chaps. 1, 3.
11. *Ibid.*, p. 49.
12. For biographical details of Holman, Vaughan, Scaddan and Spence, see Crisp, *The Australian Federal Labour Party*.

2: BECOMING A POLITICIAN

1. Family details concerning Ryan were supplied by Miss Mary McLean of Port Fairy, whose mother was Ryan's only surviving sister at the time of writing.
2. J.A. La Nauze *Alfred Deakin*, 2 vols, (Melbourne, 1965).
3. *Port Fairy Gazette* 18 January 1891.
4. Margaret Kiddle *Men of Yesterday*, (Melbourne, 1961) p. 507.
5. Quoted by J. Larcombe *The Life and Work of T. J. Ryan* (Brisbane, 1937) p. 3.
6. Details of Ryan's scholastic career were supplied to the author in a letter from the Officer-in-Charge, Students' Records, University of Melbourne, 30 April 1968.
7. La Nauze *Alfred Deakin* pp. 106–07, see also Zelman Cowen *Isaac Isaacs* (Melbourne, 1967) chap. 3.
8. For the strength of the liberal tradition in Victoria and its continuing to absorb the Victorian Labor party in the 1890s, see Humphrey McQueen "Victoria" in D. J. Murphy (ed.) *Labor in Politics*.
9. S.B. Hopwood, Launceston, to the author and Brigadier J. S. Wilkinson, Christchurch, to the author.
10. W.R. Johnston "A Study of the Relationship between the Law, the State and the community in Colonial Queensland", unpublished 1968 MA. (history) thesis, University of Queensland p. 217.
11. Ryan to Minister for Justice, 31 March 1900, with minute, photocopy supplied by Mrs. Jill Lambert.
12. Maryborough *Chronicle*, 17 December 1900.
13. C.A. Bernays *Queensland Politics during Sixty Years* (Brisbane, 1919) p. 519.
14. L. Green "The Queensland Attitude to Federation", unpublished 1952 BA. Hons (history) thesis, University of Queensland, p. 68.
15. QPD, LXXXI, 9 June 1899, p. 402.
16. As late as 1915 H. V. Evatt in *Liberalism in Australia* (Sydney, 1918) could write of the Labor party in Queensland in 1900: "The Queensland Labour party, under the extra parliamentary leadership of William Lane, was the most doctrinaire and impractical of the various parties", (p. 55) and again label the Queensland Labor party as having "doctrinaire views" which put it in the 1890s into "direct and hopeless opposition" (p. 55). Evatt, like Gollan *Radical and Working Class Politics*, appears to have accepted the views of W. G. Spence in *Australia's Awakening* (Sydney, 1909) of the influence of Lane on Queensland labor. W. G. Spence's claim that "The Labour movement in Queensland differed from that of the other colonies, in

- that it was decidedly and definitely Socialistic from the jump . . . ” *Australia’s Awakening*, (p. 175) has been questioned in recent years. See J. B. Dalton “The Queensland Labour Movement”, unpublished 1961 BA Hons (history) thesis, University of Queensland and D. J. Murphy (ed.) *Labor in Politics*.
17. For a discussion on Rockhampton society in 1901, see Thomas Hanger, *Sixty Years in Queensland Schools* (Sydney, 1963) pp. 2–3.
 18. Headmaster, Rockhampton Grammar School to the author.
 19. Interviews with Mr. F. McKinnon who lived with the Ryans in Brisbane from 1916 to 1919 and Sir William Webb, Queensland Crown Solicitor from 1917.
 20. Johnston, “A Study of the Relationship between the Law, the State and the Community in Colonial Queensland”, p. 226.
 21. *Rockhampton Morning Bulletin*, 20 September 1901.
 22. *Ibid.*, 7 October 1901.
 23. *Ibid.*, 24 November 1903.
 24. *Ibid.*
 25. *Ibid.*, 21 November 1903.
 26. *Ibid.*, 25 November 1903.
 27. *Ibid.*, 26 November 1903.
 28. *Worker*, Brisbane, 12 December 1903.
 29. *Morning Bulletin*, 27 November 1903.
 30. *Ibid.*, 8 January 1904.
 31. Minute book, Rockhampton Democratic League, Fryer Library, University of Queensland.
 32. *Worker*, Brisbane, 19 March 1904.
 33. *Ibid.*, 16 July 1904.
 34. *Morning Bulletin*, 16, 23 June 1904.
 35. *Ibid.*, 16 August 1904.
 36. *Critic*, 12 August 1904.
 37. Francis, a grazier, had sued Lyons, another grazier, in the Supreme Court in April 1906 claiming damages for breach of agreement. The jury found in favour of Lyons and Ryan, appearing for Francis, appealed to the Full Court, which dismissed the appeal. A further appeal to the High Court in May 1907 before Griffith C. J. Isaacs and Higgins J. J., was upheld, Francis being awarded one shilling damages. 4 CLR 1023.
 38. *Morning Bulletin*, 28 February 1907.
 39. *Official Record of the Fourth Labour-in-Politics Convention* (Brisbane, 1905), pp. 16–18.
 40. *Morning Bulletin*, 11 February 1907.
 41. *Official Record of the Fifth Labour-in-Politics Convention* (Brisbane, 1907) p. 25.
 42. *Morning Bulletin*, 16 May 1907.
 43. *Ibid.*, 17 May 1907.
 44. CPE minutes, 27 November 1907.
 45. *Western Champion*, 6 April 1918.
 46. *Morning Bulletin*, 25 January 1908.
 47. *Ibid.*, 25 January 1908.

48. Ibid., 7, 8 August 1908.
49. Interview with Mr. Frank Bulcock who succeeded Ryan as the Labor member for Barcoo in 1916.
50. Telegram in Rockhampton Trades Hall papers, Fryer Library.
51. At a subsequent appeal to the Full Court in April 1910, the original conviction was upheld though the gaol sentence was quashed and no costs were allowed to either side. By then, its political value to Ryan had passed. 1910 *StRQ* 116.
52. *Western Champion*, 25 September 1909.
53. Interview with Mr. George Ryland Jr.

3: "THROWING IN HIS LOT WITH THE EXTREMISTS"

1. C.A. Bernays *Our Seventh Political Decade* (Sydney, 1931) pp. 326, 330.
2. QPLP minutes, 1 November 1909.
3. Colonel A.J. Thynne, the other partner, was President of the Law Council, a former minister and now member of the Legislative Council. Thynne and Macartney were solicitors for the British-owned Brisbane Tramway Company, the Chillagoe and Etheridge Mining and Railway Companies and the American Meat Company (Swifts) when it was established in Brisbane in 1912.
4. QPD, CIV, 6 December 1909, p. 700.
5. M.J. Fox *The History of Queensland its People and Industries* (Brisbane, 1923), III, p. 263.
6. See chap. 7.
7. QPD, CIV, 16 December 1909, p. 979.
8. CPE minutes, 5 September 1910.
9. One member of the PLP who did vote for the Bill, J. Crawford, a miner from Mt. Morgan, had his endorsement for the following election withdrawn by his WPO, *Western Champion*, 21 January, 1911.
10. QPD, CVI, 6 October 1910, p. 1305.
11. Ibid., CV, 14 July 1910, p. 50.
12. Details of Ryan's and Purcell's association with the *Daily Record* were provided in letters and interviews by Mr. George Westacott of Rockhampton.
13. QPD, CV, 28 July 1910, p. 221. For an account of the new state movement in Queensland see R. G. Neale "The New State Movement in Queensland" *HSANZ* 4, 15, November 1950, and Bernay's *Queensland Politics During Sixty Years*, p. 506, *et. seq.*
14. *Courier*, 29 July 1910.
15. QPD, CV, 11 August 1910, p. 419.
16. Ibid., CVI, 29 September 1910, p. 1163.
17. Ibid., CV, 15 September 1910, p. 947, the Speaker J. T. Bell was absent during the session through illness.
18. *Worker*, Brisbane, 24 September 1910.
19. QPD, CVI, 7 October 1910, pp. 1355–58.

20. Ibid., p. 1359.
21. *Worker*, Brisbane, 22 October 1910.
22. QPD, CVI, 14 October 1910, p. 1490.
23. Ibid., CVII, 13 December 1910, p. 2754.
24. Ibid., p. 2775.
25. Annual Report of the Registrar of Friendly Societies for 1911, QPP, II, 1912, p. 887.
26. Quoted in the *Morning Bulletin*, 23 February 1911.
27. *Worker*, Brisbane, 11 November 1911.
28. *Critic*, 31 March 1911.
29. *Official Report of the Proceedings of the Second Queensland Trade and Labour Union Congress* (Brisbane, 1911) p. 7.
30. CPE minutes, 16 August 1911.
31. QPLP minutes, 16 July 1911.
32. QPD, CVIII, 13 July 1911, p. 73.
33. Ibid., 20 July 1911, p. 158. In the caucus, Theodore had sought to make the issue a want of confidence motion, but was persuaded to use a less drastic form. QPLP minutes 16, 18 July 1911.
34. *Heggie v. Brisbane Shipwrights Provident Union* and *Standley v. Queensland Typographical Association*. In the former case the costs and damages brought about the collapse of the Shipwrights Union. See S. K. Proctor "Brisbane Unionism and the Plumbers Union" in D. J. Murphy *et al.* (eds) *Prelude to Power*, p. 143.
35. Theodore had expressed this view in his presidential address to the 1911 Trade and Labour Union Congress. *Official Report*, p. 5.
36. QPD, CVIII, 20 July 1911, pp. 164–65.
37. Ibid., 27 July 1911, pp. 283–85.
38. T. O'Sullivan "Reminiscences of the Queensland Parliament 1903–1915" (manuscript, nd. Oxley Library) p. 140.
39. QPD, CVIII, 1 August 1911, p. 357.
40. *Worker*, Brisbane, 5 August 1911.
41. The suggestion for this analysis of Ryan came from interviews with Mr. F. McKinnon and Sir William Webb.
42. QPD, CVIII, 14 September 1911, p. 1003.
43. Fitzhardinge *William Morris Hughes*, chap. XV.
44. Despite their public demands for small numbers of electors in western seats, quite a few politicians since Ryan, representing rural electorates, have found themselves able to do this more efficiently while living in Brisbane.
45. *Courier*, 26 October 1911.
46. *Sydney Bulletin*, 13 July 1911.
47. QPD, CIX, 3 October 1911, p. 1260.
48. Ibid., 19 October 1911, p. 1673.
49. *Worker*, Brisbane, 28 October 1911.
50. QPD, CX, 20 December 1911, p. 3093.
51. Ibid., 21 December 1911, p. 3107.
52. Ibid., 9 January 1912, p. 3147.
53. *Courier*, 10 January 1912.
54. QPLP minutes, 24 January 1912.

55. *Courier*, 26 January 1912.
56. Report of the combined union meeting in the minutes of the Plumbers and Gas Employees Union of Australia (PGEUA), 29 January 1912.
57. E. Lane *Dawn to Dusk* (Brisbane, 1939) chap. IX; Lane was one of the AWA delegates in Townsville during the strike.
58. *Official Strike Bulletin*, no. 1, 31 January 1912.
59. *Ibid.*, no. 1, 31 January 1912.
60. *Courier*, 3 February 1912; *Morning Bulletin*, 3 February 1912; *Western Champion*, 10 February 1912.
61. *Courier*, 3 February 1912.
62. *Ibid.*, 3 February 1912.
63. *Ibid.*, 7 February 1912.
64. *Courier*, 10 February 1912.
65. *Worker*, Brisbane, 3 February 1912.
66. *Daily Record*, 27 February 1912. Copies of the broadsheet are in the Oxley and Fryer Libraries.
67. *Critic*, 8 March 1912.
68. *Morning Bulletin*, 2 March 1912.
69. *Ibid.*, 7 March 1912.
70. MacGregor to the Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams 1, 2 February 1912, GOV/68, QSA.
71. *Ibid.*, 7 September 1912.
72. *Ibid.*, 2 February 1912.
73. *Courier*, 16 March 1912.
74. *Worker*, Brisbane, 16 March 1912.
75. QPLP minutes, 12 March 1912.
76. *Morning Bulletin*, 19 March 1912.
77. *Worker*, Brisbane, 16 March 1912.
78. *Western Champion*, 30 March 1912.
79. *Courier*, 29 March 1912.
80. *Special Strike Bulletin* No. 53, 1 April 1912.
81. *Morning Bulletin*, 15 April 1912.

4: DIVIDE AND CONQUER

1. On the importance of agrarian political influences in Queensland see Glen Lewis *A History of the Ports of Queensland* (Brisbane, 1973).
2. QPD, CXI, 3 July 1912, p. 6.
3. *Ibid.*, 9 July 1912, p. 116.
4. QPLP minutes, 23 July 1912.
5. *Ibid.*, 6 August 1912; *Worker*, Brisbane, 3 August 1912.
6. QPD, CXI, 12 August 1912, p. 701.
7. *Ibid.*, 13 August 1912, pp. 724–34.
8. For example that of 15 August 1912.
9. *Worker*, Brisbane, 12 September 1912.
10. M. O'Sullivan, *Cameos of Crime*, (Brisbane, 1943) p. 148.

11. MacGregor to the Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 1, 23 November 1912, GOV/68, QSA.
12. QPD, CXI, 5 September 1912, p. 991.
13. QPLP minutes, 12 August 1912.
14. *Ibid.*, 21 November 1912.
15. The early financial problems of the *Daily Standard* are revealed in the reports of delegates of the Plumbers Union after board meetings of the newspaper. See PGEUA minutes, 1913–15.
16. *Daily Mail*, 24 February 1913.
17. *Official Report of the Seventh Labour-in-Politics Convention* (Brisbane, 1913) pp. 10–12.
18. CPE minutes, 9 July 1913.
19. *Daily Mail*, 24 May 1913.
20. QPP, II, 1911–12, pp. 1005–1211.
21. CPP, III, 1912, p. 1089.
22. QPLP minutes, 18 June 1913.
23. *Ibid.*, 24 June 1913.
24. QPD, CXIV, 18 June 1913, pp. 32–33.
25. QPD, CXIV, 24 June 1913, p. 96.
26. *Daily Mail*, 23 June 1913.
27. QPD, CXIV, 24 June 1913, p. 101.
28. *Ibid.*, 3 July 1913, p. 297.
29. The Great Western Railway was to have run 1289 miles from Hungerford on the New South Wales border to Camooweal on the Northern Territory border. It was a project that had long fascinated Queensland politicians, and following what could only be termed a perfunctory survey of the route by one of the surveyors of the Railway Department in 1909, a bill to borrow money and to build the line was passed through the State Parliament in 1910. It was expected to cost at least £12 million to build. QPP, III, 1910, pp. 481–94.
30. *Daily Mail*, 25 January, 19 July 1913.
31. QPD, CXIV, 12 August 1913, p. 873.
32. *Ibid.*, CXVI, 4 November 1913, p. 2425.
33. *Ibid.*, 5 November 1913, p. 2497.
34. *Ibid.*, p. 2507.
35. T. O'Sullivan saw this attitude to Denham in 1913 as being an important factor in the Liberals' subsequent defeat at the 1915 election. "Reminiscences of the Queensland Parliament 1903–1915" pp. 158, 162–65.
36. *Daily Mail*, 9 December 1913.
37. *Ibid.*, 14 November 1913.
38. MacGregor to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 12 June 1914, GOV/68, QSA.
39. O'Sullivan, "Reminiscences of the Queensland Parliament 1903–1915" p. 48; MacGregor to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Tele-

- grams, 18 December 1913, GOV/68, QSA.
40. QPLP minutes, 9 November 1913; CPE minutes, 17 November 1913.
 41. MacGregor to Secretary of State for Colonies, Governor's Secret and Confidential Despatches and Telegrams, 18 December 1913, 2 March 1914, GOV/68, QSA.
 42. CPE minutes, 19 November 1913.
 43. *Ibid.*, 15 January 1914.
 44. *Ibid.*, 1 July 1914.
 45. *Ibid.*, 15 July 1914.
 46. MacGregor to Secretary of State for Colonies, Governor's Secret and Confidential Despatches and Telegrams, 12 June 1914, GOV/68, QSA.
 47. *Daily Mail*, 5 June 1914.
 48. *Ibid.*, 13 May 1914.
 49. MacGregor to Secretary of State for Colonies, Governor's Secret and Confidential Despatches and Telegrams, 12 June 1914, GOV/68, QSA.
 50. A report in the *Daily Standard*, 5 February 1917, claimed that this had been Adamson's charge when Fihelly won the secretaryship.
 51. QPD, CXVII, 8 July 1914, p. 56.
 52. *Daily Mail*, 13 July 1914.
 53. *Ibid.*, 18 July 1914. Telegrams of support had come from Sarina, Wide Bay and Burnett, Mackay and Pialba – all non-Labor voting areas.
 54. Robinson to Denham, 6 August 1914, item 16/12804, PRE/61, QSA.
 55. Denham to Robinson, 22 August 1914, folder "Meat", PRE/55, QSA.
 56. QPD, CXVII, 11 August 1914, p. 579. The absence of such a provision was to hamper his own dealings with the meat companies. See chap. 6.
 57. Denham to Robinson, 22 August 1914, folder "Meat", PRE/55, QSA.
 58. The question of governmental control of prices was being subjected to widespread debate throughout Australia as Labor governments in New South Wales and Western Australia were establishing state enterprises to control certain prices.
 59. *Daily Standard*, 7 September 1914.
 60. QPD, CXVIII, 21 October 1914, p. 1411.
 61. *Ibid.*, p. 1422.
 62. Minutes, State Campaign Committee, 1914–1915 nd, QCE records.
 63. The twenty seven pamphlets were: 1 *Defence of Australia* 2 *Liberal Government and Mining* 3 *Agricultural Implements* 4 *Liberal Government Railway Policy* 5 *Denham's Career* 6 *Lucky Bag* 7 *Food Destroyers* 8 *Liberals' Coinage* 9 *How Your Money Goes* 10 *Farmers and Men on the Land* 11 *Truth about Land Tax* 12 *Patriotism* 13 *Politicians and Farmers* 14 *German Dredgers and Government Printing* 15 *Black and Brindle Australia* 16 *High Prices and Low Wages* 17 *Farmers and Agricultural Machinery* 18 *Tampering with*

- the Franchise* 19 *Dear Meat and Diseased Meat* 20 *High Cost of Living* 21 *Great Black Peril* 22 *How Farmers are Duped* 23 *How Farmers are Treated by Liberal Govt.* 24 *NSW food and wheat* 25 *Your Meat Bill* 26 *A Rising Tide* 27 *Queensland Liberal Fraud.*
64. CPE minutes, 28 October 1914.
 65. *Daily Mail*, 12 November 1914.
 66. QPLP minutes, 3 November 1914, voting fourteen to six.
 67. QPD, CXVIII, 3 November 1914, p. 1658.
 68. *Ibid.*, CXIX, 19 November 1914, p. 2057.
 69. Morgan to Secretary of State for Colonies, Governor's Secret and Confidential Despatches and Telegrams, 21 January 1915, GOV/68, QSA.
 70. *Ibid.*
 71. *Ibid.*
 72. V. Gordon Childe claimed that there was "the strongest circumstantial evidence" of an alliance between Labor and the liquor trade in 1915. *How Labor Governs* (Melbourne, 1964), p. 76.
 73. Reverend Lee Kenny to Bishop Le Fanu, 26 April 1915, minutes, Bible in State Schools League, item 066-5-Fw, Oxley Library.
 74. *Worker*, Brisbane, 29 March 1915.
 75. *Daily Standard*, 5 September 1925, quoted in M. Birrell "T. J. Ryan and the Queensland Labour Party 1901-1919", unpublished B.A. Hons. (history) thesis, Queensland University, p. 38.

5: THE LINES OF BATTLE ARE DRAWN

1. QPLP minutes, 31 May 1915.
2. The *Courier*, 1 June 1915, allotted the portfolios as follows: Ryan, Attorney-General; Adamson, Railways; Hardacre, Lands; Lennon, Treasury; Hamilton to the Council with Public Instruction; Hunter, Agriculture; Theodore and Bowman doubtful.
3. *Advocate*, Brisbane, 27 May 1915, *Age*, Brisbane, 29 May 1915.
4. A.C.V. Melbourne, *Early Constitutional Development in Australia*. R. B. Joyce (ed.), (Brisbane, 2nd ed. 1967) p. 465.
5. *Courier*, 18 June 1915.
6. Royal Commission on the Supply and Distribution of Wheat and Flour in the State of Queensland, QPP, 1, 1915-16, pp. 55-67.
7. *Brisbane Telegraph*, 27 October 1909.
8. Report of the Select Committee on Industrial Enterprises, QPP, 111, 1917, p. 1289.
9. Details of McDermott's association with Ryan were obtained from his daughter, Sister M. Claver, All Hallows Convent, Brisbane.
10. Interviews, Sir William Webb; J. Larcombe, *Notes on the Political History of the Labor Movement in Queensland* (Brisbane, 1934), p. 19. See also M. Cope, "A Study of Labour Government and the Law in Queensland", unpublished 1972 B.A. Hons. (history) thesis, Queensland University.
11. Robinson to Denham, 21 January 1915, item 16/12804, PRE/61, QSA.

12. Denham to Robinson, 27 January 1915, item 16/12804, PRE/61, QSA.
13. Cox to Birt and Co., Brisbane, 3 March 1915, item 15/02339, PRE/55, QSA.
14. Memorandum, Ross to McDermott, 5 June 1915, item 15/14725, PRE/58, QSA.
15. Robinson to Ryan, 31 July 1915, PRE/10, QSA (letters in bundle PRE/10 are not numbered).
16. Munro Ferguson to Secretary of State for Colonies, 31 May 1915, CP 78/22, item 1915/180, CAO.
17. Sugar supply in the Commonwealth, CP 78/22, item 1915/180, CAO.
18. *Courier*, 18 June 1915.
19. *Ibid.*, 30 June 1915.
20. *Worker*, Brisbane, 17 June 1915.
21. Central Council of Employers to Ryan, 18 June 1915, item 15/06232, PRE/A493, QSA. For the broad national argument against social or labour legislation in war time see *Round Table*, 5, 2, 1915, pp. 671–91.
22. *Courier*, 16 June 1915.
23. QPLP minutes, 9 July 1915.
24. QPD, CXX, 12 July 1915, pp. 9–11.
25. Goold-Adams to Secretary of State for Colonies, Governor's Secret and Confidential Outwards Despatches and Telegrams, 2, 14 October 1915, GOV/69, QSA.
26. QPD, CXX, 15 July 1915, pp. 36–39.
27. *Ibid.*, pp. 41–45.

6: DOWN TO WORK

1. QPD, CXX, 28 July 1915, pp. 224–25.
2. *Ibid.*, p. 225.
3. See also F.K. Crowley *Australia's Western Third* (London, 1960), p. 188; J. R. Robertson "The Foundation of State Socialism in Western Australia" *HSANZ*, 10, 39, November 1962.
4. QPD, CXX, 25 August 1915, pp. 414–19.
5. Goold-Adams to Secretary of State for Colonies, Governor's Outward Despatches and Telegrams, VII, 3 February 1916, GOV/56, QSA.
6. *Ibid.*
7. Goold-Adams to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 2, 3 February 1916, GOV/69, QSA.
8. QPD, CXX, 2 September 1915, pp. 568–75.
9. *Ibid.*, 8 September 1915, pp. 625–30.
10. Memorandum, re workers' compensation, re insurance, nd, JUS/138, QSA.
11. Robinson to Ryan, 17 September 1915, item 18/04261, PRE/A586, QSA.

12. Circulars were quoted by Fihelly, *QPD*, CXX, 15 September 1915, pp. 723–25.
13. *Courier*, 24 September 1915.
14. *QPD*, CXXI, 30 September 1915, pp. 1029–31.
15. *Ibid.*, Hamilton's observation, p. 1030.
16. *Ibid.*, 7 October 1915, p. 1133.
17. *Ibid.*, 12 October 1915, p. 1213.
18. *Ibid.*, 21 October 1915, p. 1496.
19. *Queensland Journals of Parliament*, 1915–16, p. 128.
20. Goold-Adams to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 2, 20 January 1916, GOV/69, QSA.
21. QGG 5, 6, 25 August, 27 September, 16 October 1915.
22. *Courier*, 20 August 1915.
23. QPLP minutes, 23 August 1915.
24. *Worker*, Brisbane, 9 September 1915.
25. *QPD*, CXX, 8 September 1915, p. 620.
26. *Courier*, 18 September 1915.
27. *QPD*, CXX, 23 September 1915, p. 900.
28. Amendments covering two and half pages of *Journals* were sent back. *Queensland Journals of Parliament*, 1915–16, pp. 159–61.
29. *Courier*, 11 October 1915.
30. QPLP minutes, 21 October 1915.
31. *QPD*, CXXI, 21 October 1915, pp. 1491–95.
32. *Ibid.*, 26 October 1915, p. 1581.
33. *Ibid.*, 28 October 1915, p. 1659.
34. Ryan to Fisher, 6 July 1915, item 15/6623, PRE/A496, QSA.
35. *Courier*, 11 August 1915.
36. Ryan to Fisher, 9 August 1915, item 15/12452, PRE/A505, QSA.
37. Correspondence and details of interviews were published in the debate on the Chillagoe and Etheridge Railway Purchase Bill *QPD*, CXXV, 7 December 1916, pp. 2413–16, 2497–2508.
38. *QPD*, CXXI, 14 October 1915, p. 1341.
39. Secretary USL to Ryan, 20 September 1915, item 15/11244, PRE/34, QSA.
40. *Manifesto*, Universal Services League, 20 September 1915, item 15/11244, PRE/34, QSA.
41. *Worker*, Brisbane, 26 August, 1915.
42. *Ibid.*, 7 October 1915. On the night before Ryan was interviewed, the NSW Labor Council by sixty votes to forty, had carried a resolution opposing conscription of life that did not first bring wealth under conscription.
43. Robinson to Ryan, 30 July 1915, item 15/10404, PRE/500, QSA.
44. *Summary of Proceedings, Premiers' Conference Melbourne*, September 1915, p. 3, CRS A463, item 63/2249, CAO.
45. *QPD*, CXXXI, 13 October 1915, pp. 1265–74.
46. *Ibid.*, 26 October 1915, p. 1558.
47. *Ibid.*, pp. 1558–60.
48. QPLP minutes, 21 October 1915.

49. *Labor Call*, Melbourne, 10 June 1915; CPE minutes, 19 October 1915.
50. *Labor Call*, 15 July 1915.
51. Evatt, *Australian Labour Leader*, p. 116.
52. Proposed alteration Commonwealth Constitution, industrial matters 29 June 1915, PRE/A504, QSA (loose in the bundle).
53. FPLP minutes, 18 August 1915.
54. *Summary of Proceedings*, September 1915, p. 6, CRS/A463, item 63/2249, CAO.
55. When the CPE sought assistance from the PLP for the referendum campaign, the latter, by twenty-one votes to nineteen, in a division, carried the following motion: "That the CPE represent to the PM by telegram that the proposed date for the referenda is not suitable and if taken on such a date the party will be unable to render its full assistance as parliament will be sitting". Ryan was absent from the meeting. QPLP minutes, 4 November 1915.
56. Holman to Ryan, 5 October 1915, item 15/12404, PRE/A504, QSA.
57. Munro Ferguson to Bonar Law, 22 November 1918, MS696, item 770, Novar papers, NLA.
58. *Ibid.*, 20 June 1917, item 9747.
59. FPLP minutes, 30 October 1915.
60. *Ibid.*, 4 November 1915; Mr. L. F. Fitzhardinge kindly lent the author a copy of that section of the draft manuscript of the second volume on Hughes dealing with abandonment of the 1915 referendum.
61. QPLP minutes, 10 November 1915.
62. W.F. Finlayson, the federal member for Brisbane and one who was considered something of a radical in labor circles, defended the Premier's decision at his divisional executive meeting and congratulated Ryan on being the first to suggest that the states should grant the necessary powers to the Commonwealth. *Daily Standard*, 3 December 1915.
63. *Daily Standard*, 8 December 1915.
64. *Labor Call*, 10 February 1916; CPE minutes, 27 November 1915.
65. CPE minutes, 13 December 1915.
66. QPD, CXXI, 11 November 1915, p. 2023.
67. *Ibid.*, p. 2067.
68. Hughes to Ryan 17 November 1915, item 18/02842, PRE/A583, QSA.
69. QPD, CXXII, 17 November 1915, pp. 2163–71.
70. *Ibid.*, 8 December 1915, pp. 2747–49.
71. QPLP minutes, 17 December 1915.
72. A.C.V. Melbourne, *Early Constitutional Development in Australia*, R. B. Joyce (ed.), pp. 479–80.
73. Goold-Adams to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 2, 14 December 1915, GOV/69, QSA.
74. QPD, CXXII, 9 December 1915, p. 2938.
75. Bernays *Queensland Politics During Sixty Years*, pp. 248–54; QPD,

- CXXII, 15 December 1915, p. 2984.
76. Goold-Adams to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 14 December 1915, GOV/69, QSA.
 77. Joint opinion, Workers' Compensation Bill, 3 November 1915, JUS/138. McCawley endorsed the opinion on the document.
 78. QPD, CXXII, 20 December 1915, pp. 3113–15.
 79. Goold-Adams to Ryan, 22 December 1915.
 80. QPD, CXXII, 22 December 1915, p. 3217.
 81. *Courier*, 5, 13 November 1915. Fisher had informed all state premiers in February 1915 that the validity of the New South Wales Meat Supply Act was being questioned. Memorandum, Fisher to all states (except Victoria) 15 February 1915, item 15/01537, PRE/56, QSA.
 82. QGG, 12 November, 9 December 1915.
 83. Queensland meat companies to Hunter, 30 November 1915, item 15/14036, PRE/58, QSA.
 84. Ross, memorandum to Queensland meat exporters, 9 December 1915, BUT/12, QSA, (items not numbered in this bundle).
 85. McCawley to Ryan, 6 December 1915, item 16/20372, PRE/61, QSA.
 86. Ryan to Robinson, 30 December 1915, Ibid.
 87. Robinson to Ryan, 9 February 1916, Ibid.
 88. Ryan to Robinson, 11 February 1916, Ibid.
 89. Harrison Moore to Ryan, 15 February 1916, Ibid.
 90. Robinson to Ryan, 24 February 1916, Ibid.
 91. The immediate incident involved Denis McCarthy, a youth sentenced to fifteen years hard labour in the 1912 strike for striking an elderly unionist who died as a result of the fall. The executive remitted the remainder of his sentence in 1915. Cooper refused to pass any further sentences until the question was cleared. Ryan produced sufficient precedents to show that he was not making any innovations in the enforcement of the law.
 92. QPLP minutes, 20 December 1915.
 93. *Courier*, 15 November 1915.
 94. PGEUA minutes, 30 September 1915.
 95. *Worker*, Brisbane, 9 December 1915.
 96. *Courier*, 10 December 1915.
 97. *Daily Standard*, 7 December 1915.
 98. Ryan to McDermott, 8 December 1915, item 15/14313, PRE/34, QSA.
 99. Report of the meeting, *Daily Standard*, *Courier*, 9 December 1915.
 100. Ryan to Hughes, 18 November 1915; Hughes to Ryan, 18 November 1915, item 18/02842, PRE/A583, QSA.
 101. QPLP minutes, 25 January 1916.
 102. *Official Record of the Eighth Labor-in-Politics Convention* (Brisbane, 1916) pp. 15–18.
 103. Ibid., p. 25.
 104. Ryan's will, 28 March 1916, item 608/21 Supreme Court Archives, Brisbane.

7: ENGLAND

1. *Fowles v. The Eastern and Australian Steamship Company*. For details of the case see pp.164–65.
2. See chap. 3.
3. Note of an interview with Ryan, 1915, E. J. Brady papers, MS206, NLA.
4. San Francisco correspondent's interview with Ryan, *Courier*, 27 May 1916.
5. McDermott to wife, 3 May 1916, correspondence lent to the author by Sister M. Claver.
6. *Advocate*, Brisbane, 4, 11 May 1916.
7. For Australian reaction to the Irish rebellion and its aftermath see Alan D. Gilbert "The Conscription Referenda 1916–17: The Impact of the Irish Crisis", *HSANZ*, 14, 53, October 1969 and "Religion, Loyalty and Conscription", *Politics*, VI, 1, May 1971.
8. *Argus*, 11 May 1916. O'Donnell was the leader of the Home Rule movement in Victoria.
9. *Advocate*, Brisbane, 18 May 1916.
10. *PD*, Commons, LXXXI, 25, 26, 27 April 1916, cols. 2463–66, 2486, 2525–75.
11. *The Times*, 3 May 1916; see also Philip Snowden *An Autobiography*, I, (London, 1934) chaps. XXVII, XXVIII.
12. *Ibid.*, 2 May 1916, *Argus*, 4 May 1916.
13. *Manifesto*, British Empire Producers Organisation, 1916, PRE/10, QSA.
14. *The Times*, 9 May 1916.
15. 21 *CLR* 357.
16. Goold-Adams to Acting-Premier 26 May 1916, item 16/20372, PRE/61, QSA.
17. Hunter to Theodore, 27 May 1916, *ibid.*
18. Acting-Secretary, Prime Ministers Department, to Governor-General, 5 June 1916, CP78/22, item 1916/71, CAO.
19. *Argus*, 1 June 1916.
20. Theodore to Ryan, 5 June 1916, item 16/20372, PRE/61, QSA.
21. Ryan to Theodore, 7 June 1916, *ibid.*
22. Bonar Law to Goold-Adams, 2 August 1916, *Ibid.* McDermott sent a copy of the cable to Ryan in Melbourne on 26 September.
23. Ryan to Theodore, 26 June 1916, item 16/8062, PRE/A527, QSA.
24. Retail price of meat, confidential document of H. W. M., Board of Trade, 10 June 1916, PRE/10, QSA.
25. Ryan to Theodore, 11 May 1916, item 16/5778, PRE/A524, QSA.
26. Theodore to Ryan, 15 May 1916, *Ibid.*
27. Thynne and the Melbourne chairman of the company, J. S. Reid, had reduced the earlier figure of £950,000 in subsequent interviews with Ryan. £700,000 was reported as the new price sought in December 1916. *QPD*, CXXV, 8 December 1916, p. 2509.
28. Privy Council Appeal Case, no. 97 of 1915, CP78/22, item 1916/12, CAO.
29. O'Sullivan, "Reminiscences . . ." p. 142.

30. Privy Council Appeal Case, nos. 43 and 44 of 1915; CP 78/22, item 1916/12, CAO.
31. *Advocate*, Brisbane, 25 May 1916.
32. McDermott to wife, 25 May 1916.
33. *The Times*, 25 May 1916.
34. *Courier*, 27 May 1916.
35. *The Times*, 27 May, 1 June 1916.
36. C.E.W. Bean *Official History of Australia in the War of 1914–1918*. III, (Sydney, 1938), p. 891.
37. The close association between conservatism, the protection of capitalism, opposition to the Labor Government and the Law Council and Bar Association are set out in M. Cope "A Study of Labour Government and the Law in Queensland".
38. 1916, *StRQ*, 135.
39. *Courier*, 9 February 1916.
40. *Ibid.*
41. *Ibid.*, 11 April 1916.
42. *Courier*, 16 June 1916.
43. *Ibid.*, 22 August 1916.
44. CPE minutes, 26 June 1916.
45. Ernest Scott, *Australia During the War*, (Sydney, 1936), p. 871.
46. *Courier*, 25 June 1916.
47. *Ibid.*, 12 July 1916.
48. *Ibid.*, 13 July 1916.
49. *Daily Standard*, 1 May 1916.
50. CPE minutes, 7 August 1916.
51. Letter, L.F. Fitzhardinge to G. Shaw. See appendix to the latter's "Conscription in Queensland 1916–17", unpublished 1966 B.A. Hons. (history) thesis, Queensland University.
52. *Sydney Morning Herald*, 16 August 1916.
53. *Ibid.* The commander of the Anzac Corps, Lieutenant General Birdwood, and the Chief of the General Staff of the Corps, Major General White, both favoured conscription as a means of preventing the 3rd AIF Division being broken up to provide re-inforcements for the 1st, 2nd, 4th and 5th AIF Divisions.

8: "ROCKS AHEAD"

1. *Courier*, 18 August 1916.
2. *Ibid.*, 29 August 1916.
3. 1916 *StRQ* 238.
4. 1917 *StRQ* 1.
5. Ryan to Hughes, 31 August 1916, item 16/06723, PRE/A557, QSA.
6. QPD, CXXIII, 29 August 1916, pp. 125–28, Childers Chamber of Commerce to Ryan, 4 September 1916; Crawford to Ryan 4 September 1916, *Ibid.*
7. Ryan to Hughes, 31 August 1916, *Ibid.*
8. Theodore to Ryan, 4 September 1916, *Ibid.*

9. Crawford to Ryan, 3, 9 September 1916, *Ibid.* These letters were published in the *Courier*, 5, 11 September 1916.
10. QPD, CXXIII, 22 August 1916, pp. 1–3.
11. *Ibid.*, 29 August 1916, pp. 125–28.
12. The cabinet had studied the South Australian Bill before drawing up that for Queensland. Theodore to Vaughan, 10 July 1916, item 16/09596, PRE/A529, QSA.
13. QPD, CXXIII, 1 September 1916, pp. 278–82.
14. *Ibid.*, 7 September 1916, p. 410.
15. *Ibid.*, 14 September 1916, p. 585.
16. *Ibid.*, 14 September 1916, p. 592.
17. *Ibid.*, 12 September 1916, pp. 488–89.
18. 20 *CLR* 54. See also G. Sawyer *Australian Federal Politics and Law 1901–1929* (Melbourne, 1956) pp. 152–54.
19. 22 *CLR* 556, p. 567.
20. Robinson to Ryan, 26, 29 September 1916, item 16/20372, PRE/61, QSA.
21. Interview with Sir William Webb.
22. McCawley to Ryan, 28 September, 2, 3, 5 October 1916, *Ibid.*
23. Mitchell to Ryan, 5 October 1916, *Ibid.*
24. 22 *CLR* 446; Sawyer, *Australian Federal Politics and Law 1901–1929*, p. 154.
25. Cowen, *Isaac Isaacs*, p. 83.
26. McArthur case, 28 *CLR* 530.
27. Ryan to Robinson, 18 October 1916, item 16/202372, PRE/61, QSA.
28. These cases are discussed in chaps. 10 and 16.
29. FPLP minutes, 24 August 1916.
30. *Courier*, 31 August 1916.
31. *Daily Standard*, 30 August 1916.
32. *Ibid.*, 31 August 1916.
33. Mr. Frank Bulcock and Sir William Webb claim that this was an expression Ryan used often to recommend caution.
34. Report of a deputation from the Queensland Recruiting Committee to the Premier, 8 September 1916, item 16/13153, PRE/A534, QSA.
35. QPLP minutes, 29 August 1916.
36. CPE minutes, 4 September 1916.
37. W.J. Gall, Under-Secretary of the Home Secretary's Department claimed: "Ryan, Hunter, Huxham, Hardacre and Coyne were conscriptionists but the leaders of Industrial Unionism turned it down. Ministers had to follow suit". Memoranda file, nd, Gall papers, Fryer Library.
38. QPLP minutes, 6 September 1916.
39. *Ibid.*, 11 September 1916.
40. *Daily Standard*, 15 September 1916.
41. CPE minutes, 13 September 1916.
42. *Ibid.*
43. (M.E. Lloyd). *Sidelights on Two Referendums 1916–1917*. p. 50.

44. Report of Brisbane Trade Union Congress, 26, 27 August 1916, PGEUA minutes, 31 August 1916; *No Conscription Manifesto*, Brisbane Trade Union Congress, item Q355, 22M, Mitchell Library; Lane, *Down to Dusk*, p. 171.
45. *Worker*, Brisbane, 21 September 1916.
46. *Advocate*, Brisbane, 7 September 1916.
47. QPD, CXXIII, 20 September 1916, p. 693.
48. *Ibid.*, 21 September 1916, pp. 721–66.
49. QPLP minutes, 26 September 1916.
50. *Ibid.*
51. *Daily Standard*, 29 September 1916.
52. QPLP minutes, 29 September 1916.
53. *Courier*, 30 September 1916.
54. QPD, CXXIII, 29 September 1916, pp. 997–1001.
55. Original correspondence and subsequent letters between Ryan and Thynne were printed in the *Courier*, 2, 3 October 1916, and in the *Daily Standard*, 30 September, 2 October 1916.
56. *Courier*, 3 October 1916.
57. *Daily Standard*, 4 October 1916; conscription pamphlets, T. J. Miller and F. J. Riley papers, Mitchell Library.
58. Higgs friend King O'Malley noted in his diary of 9 October that Page had urged Higgs to resign from cabinet. O'Malley papers, ms. 460 NLA.
59. *Courier*, 5 October 1916.
60. Deputation to Premier in regard to the Dickson award, 5 October 1916, item 17/6722, PRE/A567, QSA.
61. *Ibid.*, 6 October 1916.
62. *Courier*, 6 October 1916.
63. *Ibid.*
64. QPLP minutes, 2, 5 October 1916.
65. Goold-Adams to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 2, 17 December 1917, GOV/69, QSA.
66. CPE minutes, 18 October 1916.
67. Ryan to Robinson, 20 September 1916, item 19/8401, Robinson to Ryan, 27 October, 6 November 1916, item 16/14636, PRE/A633, QSA.
68. Finlayson to Ryan, 20 December 1916, item 19/08401, PRE/A633, QSA.
69. Scott quotes Fisher as having said to a war correspondent in 1918: "I never believed that if conscription were carried in Australia you could enforce it . . . In Queensland any attempt to enforce it would have led to open revolt", *Australian During the War*, p. 299.
70. *Daily Standard*, 23 October 1916.
71. *Worker*, Brisbane, 26 October 1916.
72. *Daily Standard*, 10 November 1916.
73. *Report of Proceedings of the Special Commonwealth Conference* (Melbourne, 1917) pp. 4–16.

9: UNDER ATTACK

1. QPD, CXXIII, 31 October 1916, p. 1390.
2. Munro Ferguson, reporting a conversation with the Anglican Archbishop of Brisbane, to Bonar Law, 2 February, 1917, MS696/877 Novar papers, NLA.
3. Interview with Mr. Hubert Sizer.
4. See D.J. Murphy, "The Establishment of State Enterprises in Queensland 1915-18", unpublished 1965 M.A. (qualifying history) thesis, Queensland University, p. 96.
5. QPD, CXXIV, 17 November 1916, p. 1891.
6. Ibid., 16 November 1916, p. 1841.
7. Ibid., 21 November 1916, p. 1947.
8. QPP, II, 1916-1917, pp. 1265-1341.
9. QPD, CXXIV, 21 November 1916, p. 1934.
10. Ibid., CXXIV, 15 December 1916, pp. 1786-90.
11. Goold-Adams to Ryan, 27 November 1916, item 17/00816, PRE/A543, QSA.
12. Ryan to Goold-Adams, 17 January 1917, Ibid.
13. Goold-Adams to Secretary of State for Colonies, Governor's Secret and Confidential Outward Despatches and Telegrams, 2, 26 September 1916, GOV/69, QSA.
14. QPLP minutes, 28 November 1916.
15. Ibid., 7 December 1916.
16. CPE minutes, 18 December 1916. The voting was ten to three in favor of swamping.
17. QPLP minutes, 19 December 1916.
18. Ibid., 2, 9 February 1917.
19. Hughes to Secretary of State for Colonies, 9 October 1916, CP78/22 item 1916/71, CAO.
20. Secretary of State for Colonies to Hughes, 1 November 1916, CP78/22 item 1916/71, CAO.
21. Robinson to Ryan, 1, 5 November 1916, item 17/11253, PRE/64, QSA.
22. Ryan to Robinson, 3 November 1916. Ibid.
23. Robinson to Ryan, 9, 22 November 1916, Ibid.
24. Hughes to Secretary of State for Colonies, 14, 28 November 1916, CP78/22, item 1916/17, CAO.
25. Opinion of Robinson in cable to Ryan, 5 November 1916, item 17/11253, PRE/64, QSA. See also letter United Pastoralists and Grazing Farmers Association to Hughes, *Daily Standard*, 27 January 1917.
26. Hughes - to Secretary of State for Colonies, 30 November 1916, CP78/22, item 1916/71, CAO - again tried to force the British Government to give the Commonwealth Government alone the meat contracts.
27. Ryan to Robinson, 29 November 1916, item 17/11253, PRE/64, QSA.
28. Secretary of State for Colonies to Hughes, 1 December 1916, CP

- 78/22, item 1916/71, CAO.
29. *Official Report of Debates, Premiers' Conference*, December 1916, p. 14, January 1916, pp. 4–13, CRS A463, item 65, 1336, CAO.
 30. Ryan to Hughes, 27 November 1916, Premier's Conference, December 1916, file 4146/4, CAO.
 31. Official Report, January 1917, pp. 24–25; 34–36.
 32. Letters reprinted in *QPD*, CXXV, 8 December 1916, pp. 2498–2508.
 33. Director of Mt. Elliott to Ryan, 18 November 1916, item 16/16060, PRE/A539, QSA.
 34. *QPD*, CXXV, 8 December 1916, pp. 2497–2508.
 35. The north Queensland belief in the value of the minerals at Chillagoe is discussed in G. C. Bolton, *A Thousand Miles Away*, p. 316.
 36. Copy of letter J.S. Reid (Chairman, Chillagoe Co.) to Thynne 21 March 1916, item 16/17214, PRE/A541, QSA.
 37. *QPP*, III, 1916–17, pp. 387–488.
 38. *Daily Standard*, 8 January 1917.
 39. Hughes to Lloyd George, 29 December 1916, MS696/1390, Novar papers, NLA.
 40. Munro Ferguson to Bonar Law, 2 March 1917, MS696/1788, Ibid.
 41. *Daily Standard*, 23 January 1917.
 42. *National Leader*, 19 January 1917.
 43. *QPD*, CXXV, 31 January 1917, pp. 2926–34.
 44. QPLP minutes, 31 January 1917.
 45. *QPD*, CXXV, 31 January 1917, p. 2935.
 46. Ibid., pp. 2939–48.
 47. QPLP minutes, 1 February 1917; CPE minutes, 20 February 1917.

10: CONFRONTATION

1. *QPD*, CXXXIV, 3 November 1916, p. 1507.
2. Shepherd to the Governor-General, 31 January 1917, CP 78/23, item 1917/89/284, CAO.
3. This is discussed further in L. L. Robson *The Recruitment of the First AIF* (Melbourne, 1970), chaps. 5–8.
4. *Daily Standard*, 31 January 1917.
5. Dash to Ryan, 7 February 1917, item 17/02302, PRE/A547, QSA.
6. Minutes of deputation from Queensland Recruiting Committee, 19 February 1917, Ibid.
7. *Daily Standard*, 21 February 1917.
8. Ibid., 8 March 1917; Crows Nest WPO to Lily Ryan, 12 March 1917, item 17/03731, PRE/A551, QSA.
9. *Courier*, 6 March 1917.
10. Robinson to Ryan, 5 November 1916; Ryan to Robinson, 16 February 1917, item 17/11253, PRE/64, QSA.
11. Memorandum, formation of the National Government, policy in general, Pearce papers, MS213/21, NLA.

12. *Daily Standard*, 9 February 1917.
13. *Courier*, 17 February 1917.
14. Ryan to Robinson, 16 February 1917, item 17/11253, PRE/64 QSA.
15. Ryan to Hunter, 21 February 1917, *Ibid.*
16. Robinson to Ryan, 26 February 1917, *Ibid.*
17. 1917 *StRQ* 250.
18. 23 *CLR* 510.
19. 23 *CLR* 77.
20. Hughes to Ryan, 3 January 1917, item 17/01587, PRE/A545, QSA.
21. *Daily Standard*, 14 February 1917.
22. *Courier*, 2 March 1917.
23. *Ibid.*, 3 March 1917.
24. *Ibid.*
25. *Ibid.*, 28 April 1917. The growers had asked for £22.7.0 not £24 a ton, but were satisfied with £21.
26. Lang and Evans to Ryan, 20, 23 February 1917, item 17/02443, PRE/A547, QSA.
27. *Daily Standard*, 1 March 1917.
28. *Ibid.*, 5 March 1917.
29. See G.P. Shaw, "Conscription and Queensland, 1916-17", B. A. thesis, p. 284.
30. *Ibid.*, p. 285.
31. *Daily Standard*, 30 March 1917.
32. Scott, *Australia During the War*, pp. 63-82.
33. *Courier*, 23 March 1917.
34. *Daily Standard*, 3 April 1917.
35. *Courier*, 28 March 1917.
36. *Ibid.*, 5 April 1917.
37. CPE minutes, 12 March 1917.
38. *Ibid.*, 15 March 1917.
39. *Ibid.*, 28 March 1917.
40. *Courier*, 17 April 1917.
41. *Ibid.*
42. *Daily Standard*, 25 April 1917.
43. 1917 *StRQ* 208 and daily reports in the *Courier* and *Daily Standard* 26-30 April 1917.
44. Goold-Adams to Chief Secretary, 18 April 1917, Governor's Outward Despatches and Telegrams, VII, GOV/56, QSA.
45. *Daily Standard*, 28 April 1917.
46. 23 *CLR* 457. Lengthy reports of his and other's arguments were given in the *Daily Standard*, the *Daily Mail*, the *Brisbane Courier* and the *Argus*. Griffith, who was ill at the time, was most indignant with his fellow judges for allowing this compact. He considered it quite unconstitutional. Munro Ferguson to Bonar Law, 8 May 1917, MS696/1793, Novar papers, NLA.
47. CPE minutes, 21 May 1917.
48. *Daily Standard*, 7 May 1917.
49. *Courier*, 8 May 1917.

50. *Daily Standard*, 9 May 1917.
51. Munro Ferguson to Bonar Law, 8 May 1917, MS696/1795. Novar papers, NLA. At about the same time a Brisbane Catholic businessman and close friend of Duhig, T. C. Beirne, was awarded £5000 damages against a Brisbane newspaper for a sectarian article. *Daily Standard*, 5 June 1917.
52. *Courier*, 18 May 1917.
53. CPE minutes, 21 May 1917.
54. This was agreed to at the CPE meeting of 16 July 1917 and became the basis for *Socialism at Work*, a 136—page book.
55. Hughes to Ryan, 10 May 1917, CRA A2, item 17/3586, CAO.
56. *Courier*, 16 May 1917.
57. *Ibid.*
58. *Ibid.*, 30 May 1917.
59. *Ibid.*, 29 May 1917.
60. *Ibid.*, 1 June 1917.
61. *Ibid.*, 4 May 1917.
62. *Times Law Reports*, 22 June 1917, p. 439.
63. *Worker*, Brisbane, September, 1890.
64. *Courier and Daily Mail*, 12 June 1917.
65. Charles Nielson to Hughes, 15 June 1917, CRS A2, item 17/3586, CAO.
66. Bamford to Hughes, 28 June 1917, CRS 2, item 17/5886/155, CAO: *Courier*, 16 June 1917.
67. Telegrams in CRS A2, item 17/3586, CAO and in the *Courier*, 19 June 1917.
68. *Courier*, 15 June 1917.
69. Isis Primary Producers Association to Hughes, 14 June 1917, CRS A2, item 17/3586/153, CAO.
70. *Courier*, 23, 27, 29 June 1917; Ryan to Hughes, 28 June 1917, *Ibid.*
71. Mackay Sugar Manufacturers to Hughes, 28 June 1917, CRS A2, item 17/3586/145, CAO; United Cane Growers, Ayr, to Hughes, Central Marian Mill Co. to Hughes, Mackay Chamber of Commerce to Hughes, CRS A2, items 17/3586/111a/1129/150, CAO.
72. *Courier, Daily Standard*, 26 June 1917.
73. *Courier*, 27 June 1917

11: "THE MAILED FIST"

1. *Daily Standard*, 15 June 1917.
2. *Ibid.*, 19 June 1917.
3. *Ibid.*, 29 June 1917.
4. QPLP minutes, 6 July 1917.
5. Interview with Mr. Frank Bulcock.
6. QPLP minutes, 24 July 1917.
7. *Ibid.*, 26 July 1917.
8. QPD, CXXVI, 9 July 1917, pp. 1—4.
9. *Ibid.*, 1 August 1917, p. 520.

10. QPLP minutes, 9 August 1917.
11. QPD, CXXVII, 11, 18 July 1917, pp. 77–82, 212–29.
12. Charles Nielson to Hughes, 15 June 1917, CRS A2, item 17/3586, CAO; CSR to Oldershaw (sugar controller), 8 November 1917, *ibid.*
13. *Daily Standard*, 13, 14, 15 June 1917.
14. *Ibid.*, 9 August 1917.
15. Reply of the Queensland Railways Union to the commissioner's supplemental case of first day of July 1918. Documents relating to 1917 railway strike held by Mr. W. E. (Ernie) Sampson, secretary of the QRU in Townsville in 1917, and lent to the author.
16. *Daily Standard*, 13 August 1917.
17. Gould-Adams to Secretary of State for Colonies, Secret and Confidential Despatches and Telegrams, 2, 17 December 1917, GOV/69, QSA.
18. QPLP minutes, 9 August 1917.
19. *Ibid.*
20. *Daily Standard*, 10 August 1917.
21. Turner doubts that there was any such desire on the part of the Railway Commissioner. *Industrial Labour and Politics*, pp. 141–42.
22. Hughes to Ryan, 15 August 1917, item 17/13113, PRE/A570 QSA.
23. Ryan to Hughes, 20 August 1917, *Ibid.*
24. 23 CLR 510.
25. See chap. 16 for the Privy Council case.
26. 23 CLR 457.
27. *Daily Standard*, 13 August 1917.
28. Mr. Ernie Sampson said this was the principal reason for the strikers agreeing to return. They had friends out in railway camps who depended on the trains for their food supplies.
29. *Courier*, 23 August 1917.
30. *Daily Standard*, 22 August 1917.
31. *Daily Standard*, 25 August 1917.
32. *Ibid.*, telegram also quoted by Ryan QPD, CXXVI, 29 August 1917, p. 830.
33. *Daily Standard*, 29 August 1917.
34. The correspondence between Ryan and Higgins and between Ryan and Hughes was reprinted in the *Daily Standard* 3 September 1917, *Courier*, and *Daily Mail* 4 September 1917 and in QPD, CXXVI, 29 August 1917, pp. 837–39. McCawley wrote to Higgins on 10 October regretting Hughes' attitudes, MS1057/291, Higgins papers, NLA. Hughes and Higgins were at the same time engaged in a bitter dispute over Higgins refusal to de-register the Waterside Workers Federation.
35. *Courier*, 28 August 1917.
36. *Ibid.*
37. *Daily Standard*, 29 August 1917.
38. *Ibid.*
39. Fuller to Ryan, 29 August 1917, item 17/13113, PRE/A570, QSA.
40. Hughes to Ryan, 28 August 1917, *Ibid.*
41. Ryan to Hughes, 29 August 1917, *Ibid.*; published in *Courier* 30 August 1917.

42. Goold-Adams to Munro Ferguson, 1 September 1917, MS696/1877. Novar papers, NLA.
43. Munro Ferguson to Bonar Law, 4 September, 10 December 1917, MS696/1834, 1870, Ibid.
44. Hughes to Ryan, 30 August 1917, item 17/13113, PRE/A570, QSA.
45. *Sidelights on Two Referendums* p. 75.
46. *Worker*, Brisbane, 30 August 1917.
47. *Daily Standard*, 3 September 1917.
48. *Courier*, 6, 7 September 1917.
49. Ryan to Fuller; Ryan to Hughes 1 September 1917, item 17/13113, PRE/A570, QSA.
50. Fuller to Ryan, 3 September 1917, *ibid.*
51. Hughes to Ryan, 4 September 1917, *Ibid. Courier*, 4 September 1917.
52. Ryan to Hughes, 4 September 1917, *Ibid.*
53. QPD, CXXVI, 29 August 1917, p. 807.
54. Quoted by Ryan, *Ibid.*, p. 827.
55. *Ibid.*, p. 831.

12: SOCIALISM AT WORK

1. In July the Western Australian Legislative Assembly carried a resolution calling for another conscription referendum. *Courier*, 1 August 1917.
2. *Ibid.*, 6 August 1917.
3. *Ibid.*, 9 August 1917.
4. *Ibid.*, 15 August 1917: *Daily Standard*, 15 August 1917.
5. *Courier*, 4 September 1917.
6. B.E. Clifford to Munro Ferguson, 18 June 1913, MS696/9842 Novar papers, NLA.
7. Interview with Mr. Frank Bulcock.
8. QPLP minutes, 28 August 1917.
9. Editor the *Soldier* to Ryan, 7 August 1917, item 18/0813, PRE/A595, QSA.
10. McDermott to editor, the *Soldier*, 24 August 1917, 11 September 1917, *Ibid.*
11. *Soldier*, 28 September 1917. Later advertisements were not so well prepared and repeated earlier stories.
12. QPP, III, 1917, pp. 1202–16.
13. *Unlawful Associations Act* 1916–1917, No. 14 of 1917.
14. Hughes to Ryan, 20 September 1917, item 17/13535, PRE/A571, QSA.
15. Ryan to Hughes, 21 September 1917, *Ibid.*
16. Hughes to Ryan, 22 September 1917, *Ibid.*
17. Ryan to Hughes, 22, 24 September 1917, *Ibid.*
18. See M.H. Ellis “Summary of the Disloyal Actions of the Queensland Labour Party and its adherents including the ministry 1915–1918”, nd MSSS80, Mitchell Library, p. 379 *et seq.* for documents gathered

by the Nationalists to show Ryan's association with extremists, disloyalists in the civil service and disloyal organizations in the Labour party.

19. J. Hogan (secretary, Mackay Wharf Labourers Union) to Ryan, 25 September 1917, item 17/13113, PRE/A570, QSA.
20. Hughes to Ryan, 6 September 1917, item 17/12867, PRE/A569, QSA.
21. Ryan to Hughes, 10 September 1917, Ibid.
22. Hughes to Ryan, 12 September 1917, Ibid.
23. Mackay Traders Association to Ryan, 17 September 1917, item 17/13113, PRE/A570, QSA.
24. Ryan to Mackay Traders Association and to United Cane Growers, Mackay, 17 September 1917, Ibid.
25. Theodore to Waterside Workers Union, Mackay, 17 September 1917, Ibid.
26. Ryan to Mackay Traders Association, to secretary, United Cane Growers Association, to Mayor of Mackay, 17 September 1917, Ibid.
27. Secretary United Cane Growers Association, Mackay to Ryan, 18 September 1917, Ibid.
28. Ryan to general-secretary, Seamen's Union, Sydney; Belmore (acting secretary, Queensland) to secretary Seamen's Union, Sydney, 20 September 1917; Ryan to Waterside Workers' Union at Rockhampton, Mackay, Bowen, Townsville, Cairns, 21 September 1917, item 17/12827, PRE/A569, QSA.
29. Ryan to Macdonald, Hamilton and Co. 21 September, 1917, Ibid.
30. Telegrams to Ryan from north Queensland, 21–27 September 1917, item 16/13113, PRE/A570, QSA.
31. Dowling (secretary, Waterside Workers Union, Cairns) on behalf of watersiders at Cairns, Townsville, Bowen, Lucinda, Mourilyan, Maryborough, Bundaberg, Gladstone, Rockhampton, to Ryan 26 September 1917, item 17/13113, PRE/A570, QSA; Fenwick (Mackay) to Ryan 25 September 1917, item 17/12827, PRE/A569, QSA; *Daily Standard*, 26 September 1917.
32. Macdonald Hamilton, Australian Steamship Company, Howard Smith, Adelaide Steamship Company to Ryan, 24 September 1917, item 17/12827, PRE/A569, QSA.
33. Ryan to Hughes, 25 September 1917, Ibid.
34. *Daily Standard*, 26 September 1917.
35. *Daily Mail, Courier* 26, 27, 28 September 1917. QPD, CXXVI, 27 September 1917, p. 1441.
36. Hyne and Son to Ryan, 29 September 1917, item 17/12827, PRE/A569, QSA.
37. Ryan to Wheeler, 1 October 1917, Ibid.
38. Ryan to Neilson and Robertson, 1 October 1917, Ibid.
39. Neilson and Robertson to Ryan, Wheeler to Ryan, 4 October 1917, Ibid.
40. Ryan to Fuller, Ryan to Hughes, 4 October 1917, Ibid.
41. Hughes to Ryan, 7 October 1917, Ibid.

42. Bedford to Ryan, 6 October 1917, Ibid.
43. Pritchard to Ryan, 25 September 1917, Mackay Sugar Manufacturers to Ryan, 26 September 1917, Ryan to Mackay Farmers Association and to Traders Association, 28 September 1917, item 17/13113, PRE/A570, QSA.
44. QPD, CXXVII, 4 October 1917, p. 1588–89.
45. UCGA, (Mourilyan, Goondi, Daraji and Innisfail) to Ryan, published in the *Daily Standard*, 2 October 1917; Goondi Cane Suppliers Association to Ryan, 4 October 1917, item 17/13113, PRE/A570, QSA. The CPE on 5 October unanimously passed a resolution of Collings and George Lawson expressing “gratification at the bold and statesmanlike manner in which he [Ryan] and his Government are facing the problems of the day.”
46. QPD, CXXVII, 4 October 1917, pp. 1615–18.
47. Ibid., p. 1622.
48. *Courier*, 6 October 1917.
49. Ibid.
50. Ibid., 8 October 1917.
51. Ibid., 9 October 1917.
52. QPD, CXXVI, 5 September 1917, pp. 967–69.
53. Pritchard to Oldershaw, 27 September 1917, CRS A2, item 17/3586/200, CAO.
54. Hughes to Ryan, 3 October 1917, Ibid.
55. Pritchard to Oldershaw, 18 October 1917, Ibid.
56. CSR to Oldershaw, 8 November 1917, Ibid.
57. Tolmie QPD, CXXV, 19 December 1916, p. 2775; Hunter, CXXVI, 12 September 1917, p. 1113; QPP, 1, 1917, p. 501.
58. QPD, CXXVI, 12 September 1917, p. 1093.
59. Ibid., 19 September 1917, p. 1278.
60. Report of the Royal Commission on Wando Vale Purchase, QPP, III, 1917, pp. 1017–18.
61. QPD, CXXVII, 17 October 1917, p. 2022.
62. QPLP minutes, 16, 24 October 1917.
63. *Courier*, 19 October 1917.
64. QPP, III, 1917, pp. 1159–62.
65. Goold-Adams to Secretary of State for Colonies, Governor’s Secret and Confidential Outward Despatches and Telegrams, 2, 17 December 1917, GOV/69, QSA.
66. Goold-Adams to Secretary of State for Colonies, Governor’s Outward Despatches and Telegrams, VIII, 12 October 1917, GOV/57, QSA.
67. These were: Jones, the minister, C. H. McGhie, a former co-owner with Demaine of the Maryborough *Alert*, Frank McDonnell, Labor member for Fortitude Valley from 1896 to 1907 and now a prosperous draper, Peter Murphy, Fihelly’s father-in-law, a businessman and owner of two hotels, and Albert Hinchcliffe now the manager of the *Australian Worker* in Sydney.
68. QPLP minutes 11, 18 September 1917.
69. Ibid., 18 September 1917.
70. In addition to the above, there were appointed W. R. Crampton,

manager of the *Daily Standard* and formerly Director of Labor; H. C. Jones a returned soldier with service at Gallipoli and a founder of the Plumbers' Union; H. Llewellyn a Gympie bookseller; G. Page-Hanify, president of the Good Templars; I. Perel, proprietor of the weekly newspaper the *Patriot*; W. J. Riordan, president of the AWU; R. Bedford, journalist and shareholder in several large mines; F. Courtice a sugar farmer from Bundaberg; E. B. Purnell, secretary of the Waterside Workers Federation at Rockhampton; and T. Nevitt, formerly front bench member in the Legislative Assembly and now a quarantine officer at Townsville.

71. Goold-Adams to Secretary of State for Colonies, *op.cit.*
72. *Courier*, 15 October 1917.
73. *Daily Standard*, 19 October 1917.
74. QPD, CXXVII, 17 October 1917, p. 1900.
75. QPP, III, 1917, pp. 709–10.
76. QPD, CXXVII, 23 October 1917, p. 2130.
77. *Ibid.*, CXXVIII, 28 November 1917, p. 3354.
78. Theodore, Premier in 1920, promised in his 1920 policy speech to build the iron and steel mill at Bowen. *Daily Standard*, 11 September 1920.
79. *Daily Standard*, 26 October 1917.
80. Memorandum on casualties in the AIF and rate of reinforcements required; Pearce to Groom, 8 October 1917, MS 236, folder 26, Groom papers, NLA.
81. *Courier*, 17 October 1917.
82. Munro Ferguson to Samfordham, 14 October 1917, MS696/298/303 Novar papers, NLA.
83. QPLP minutes, 31 October 1917.
84. McCawley to Higgins, 2 February 1918, MS1057/312, Higgins papers, NLA.
85. *Daily Standard*, 7 November 1917.

13: "IN FORTY-EIGHT HOURS I'LL HAVE HIM"

1. Pearce to Groom, 25 June 1917, MS236/946, Groom papers, NLA.
2. *Ibid.*, these figures have to be read in the light of the war census definition of a "fit" man. According to Scott, "men were deemed fit if they described themselves as being in good health, not having lost a limb, and being neither blind nor deaf". *Australia During the War*, p. 310n.
3. Memorandum of MacKinnon, recruiting, 7 June 1917, Groom papers.
4. *Courier*, 30 June 1917.
5. *Sydney Morning Herald*, 1 November 1917.
6. Scott, *Australia During the War*, p. 412.
7. *Argus, Courier*, 8 November 1917.
8. *Daily Standard*, 8 November 1917.
9. *Ibid.*, 10 November 1917.

10. Munro Ferguson to Bonar Law, 8 January 1918, MS696/1883, Novar papers.
11. Scott *Australia During the War*, p. 413.
12. *Manifesto to the Electors of the Commonwealth*, T. J. Miller papers Q355.22/M, Mitchell Library.
13. *Labor Call*, 28 November 1917.
14. *Sydney Morning Herald*, 16 November 1917.
15. See also Niall Brennan *Dr Mannix* pp. 140–54 for Mannix' role in Australian politics during 1917.
16. *Sidelights on Two Referendums*, p. 80.
17. Documents for inspection by defendants, JUS/61, QSA.
18. *Courier*, 19 November 1917.
19. *Daily Mail*, 21, 22 November 1917.
20. *Courier*, 19 November 1917.
21. *Ibid.*, 21 November 1917.
22. Quoted in QPD, CXXVIII, 22 November 1917, p. 3163.
23. *Courier*, 21 November 1917.
24. The speech he delivered has to be obtained from the *Hansard* of 22 November 1917 and from the *Daily Standard* of 20 November 1917.
25. Scott *Australia During the War*, pp. 441–42.
26. *Daily Standard*, 20 November 1917.
27. QPD, CXXVIII, 22 November 1917, p. 3137.
28. QPLP minutes, 21 November 1917.
29. QPD, CXXVIII 21 November 1917, p. 3069.
30. *Ibid.*, 22 November 1917, pp. 3132–38.
31. *Ibid.*, pp. 3138–42.
32. *Ibid.*, p. 3152. It is possible that Gall, the Under-Secretary in the Home Department and a fervent Nationalist, caught a whisper of what was afoot and passed this on to Macartney. Some members of the anti-conscription committee thought that one of their members Talbot Sewell, a draftsman in the Electrical Engineer's Department of the post office was a police spy. *Sewell v. Riordan* libel case, *Courier* 21 May–5 June 1918.
33. For full reports of evidence in these see *Argus*, 15–22 August 1919, 8–17 June 1921; the cases are covered in chaps. 17 and 19.
34. *Argus*, 15 August 1919.
35. See Scott *Australia During the War*, pp. 82–83 and 95–98.
36. Correspondence published in QGG *Extraordinary*, 27 November 1917.
37. *Courier*, 26 November 1917.
38. *Argus*, 10 June 1921.
39. J.J. MacGinley, a clerk of the Justice Department identified Hughes, statement 28 November 1917, JUS/61, QSA.
40. QGG *Extraordinary*, 27 November 1917.
41. *Argus*, 15 August 1919.
42. QGG *Extraordinary*, 27 November 1917.
43. *Courier*, 28 November 1917.
44. *Ibid.*, 30 November 1917.
45. QPD, CXXVIII, 28 November 1917, p. 3359.

46. Randolph Bedford, *Labor Call*, 30 June 1921.
47. M.H. Ellis "Summary of the Disloyal Actions of the Queensland Official Labour Party", pp. 310–18. Macartney held something of the same view. See Clifford to Munro Ferguson, 18 June 1918, MS696/9485, Novar papers. As late as July 1918 Munro Ferguson thought Queensland "well disposed 'to go' out of the Federation or the Empire." Munro Ferguson to Long, 15 July 1918, MS696/1054, Novar papers.
48. *Courier*, 29 November 1917.
49. QPD, CXXVIII, 28 November 1917, p. 3358.
50. *Daily Standard*, 29 November 1917.
51. *Courier*, 30 November 1917.
52. Munro Ferguson to Bonar Law, 10 December 1917, MS696/1871, Novar papers. Mannix was linked with Ryan as being equally dangerous.
53. *Courier*, 30 November 1917, Lloyd Dumas *The Story of a Full Life* (Melbourne, 1969) p. 21.
54. Scott, *Australia During the War*, pp. 415–16.
55. Copies of these are in item 18/1268M, PRE/A576, QSA.
56. *Courier*, 30 November 1917.
57. Ibid.
58. Hughes to Ryan, 29 November 1917, JUS/61, QSA. *Courier*, *Daily Mail*, *Argus*, 30 November 1917.
59. Hughes to Munro Ferguson, 2 December 1917, MS696/2683, Novar papers.
60. Ryan to Hughes, 29 November 1917, JUS/61, QSA: *Courier*, 30 November 1917.
61. *Courier*, 1 December 1917.
62. Invitations in item 17/14307, PRE/A633, QSA.
63. *Daily Standard*, 1 December 1917.
64. Ryan to Hughes, 30 November 1917, documents for inspection by defendants, JUS/61, QSA.
65. Ryan to Pearce, 1 December 1917, Ibid.
66. Ryan to Hughes, 1 December 1917, Ibid.
67. Hughes to Ryan, 2 December 1917, Ibid.
68. Pearce to Ryan, 2 December 1917, Ibid.
69. Court report in *Daily Standard* and *Courier*, 4 December 1917.
70. Ryan to Pearce, 3 December 1917, Ibid.
71. Ryan to Hughes, 3 December 1917, Ibid.
72. Hughes to Ryan, 4 December 1917, Ibid.
73. *Courier*, *Advertiser*, *Sydney Morning Herald*, *Argus*, *Mercury*, 5 December 1917.
74. *Courier*, *Daily Standard*, 7 December 1917.
75. Quoted in Jauncey, *The Story of Conscription in Australia*, p. 289. See Appendix for full *Antis' Creed*.
76. *Courier*, 7 December 1917.
77. *Advocate*, Melbourne, 8, 15 December 1917; *Freeman's Journal*, 20 December 1917.
78. *Sidelights on Two Referendums*, p. 86.

79. Ibid.
80. Evans to Ryan, 10, 11 December 1917, item 17/14985; Ryan to Evans 10, 11 December 1917, item 17/15181, PRE/A633, QSA.
81. *Courier, Advertiser*, 12 December 1917.
82. Ibid., 15 December 1917.
83. *Sydney Morning Herald*, 17 December 1917.
84. *Argus*, 17 December 1917.
85. Ibid.
86. *Sydney Morning Herald*, 18 December 1917.
87. See Hall's statement *Sydney Daily Telegraph*, 22 December 1917.
88. *Courier*, 22 December 1917.
89. Ryan to Robinson, 22 December 1917, item 19/08401, PRE/A633, QSA.

14: "SOLIDARITY SPELLS SUCCESS"

1. QPD, CXXVIII, 30 November 1917, pp. 3464–65.
2. Ibid., 6 December 1917, p. 3715.
3. 1918 StRQ 1.
4. 24 CLR 140 Pritchard's remarks in the *Courier*, 22 December 1917.
5. *Courier*, 7 December 1917.
6. Ibid., 13 February 1918, see p. 391 below.
7. J. Broadbent, Ryan's private secretary, *Daily Standard*, 9 August 1921; cf Woodrow Wilson's advice to F. D. Roosevelt "If you want a memorandum read, put it on one page". Arthur Walsworth *Woodrow Wilson* (Baltimore, 1969) p. 277.
8. Interview, Mr. F. McKinnon.
9. Lane, *Dawn to Dusk*, pp. 211–18.
10. *Daily Standard*, 9 August 1921.
11. Childe, *How Labour Governs*, p. 29.
12. *Official Record of the Ninth Labor-in-Politics Convention*, (Brisbane, 1918) p. 6.
13. Ibid., p. 47.
14. *Daily Standard*, 9 August 1918.
15. This point is explained more fully in D. J. Murphy (ed.) *Labor in Politics*.
16. CPE minutes, 1 August 1918, the report in the minutes simply gives the amount of the donation, not the source.
17. *Courier*, 18 February 1918.
18. Theodore to Ryan, 4 January 1918, item 18/00279, PRE/A578, QSA.
19. *Policy Speech*, 18 February 1918 (Brisbane, 1918) Oxley Library.
20. *Courier*, 22 February 1918.
21. Ibid., 12, 13, 15 March 1918. (Ryan had sold the property early in 1915).
22. Ibid., 6, 9, 14 March 1918.
23. *Western Champion*, 2 March 1918.
24. Colin A. Hughes and B. D. Graham *A Handbook of Australian*

- Government and Politics* (Canberra, 1968) pp. 504–32.
25. *Labor Call*, 28 March 1918.
 26. *The Times*, 21 March 1918.
 27. *Argus*, 18 March 1918.
 28. Quoted in the *Worker*, Brisbane, 4 April 1918.
 29. Interview with Mr. H. E. Sizer.
 30. Lawson to Ryan, 26 November 1918, item 18/13645, PRE/A609, QSA.
 31. Garland to Ryan, 5 December 1918, item 19/00894, PRE/A609, QSA.
 32. Scott, *Australia During the War*, pp. 440–42.
 33. *CPP*, IV, 1917–18–19, pp. 647–50.
 34. Theodore to Ryan, 3 April 1918, item 18/5541, PRE/A589, QSA.
 35. *Daily Standard*, 12 April 1918.
 36. *CPP*, IV, 1917–18–19, p. 657.
 37. *Ibid.*, p. 660.
 38. *Ibid.*, p. 667.
 39. *Ibid.*, pp. 670–72.
 40. FPLP minutes, 11 April 1918. J.H. Catts had been the member of the federal caucus behind this.
 41. *CPP*, IV, 1917–18–19, p. 685.
 42. *Ibid.*, p. 694. Scott does not mention that Ryan, the only Labor premier, was excluded.
 43. *Ibid.*, p. 700.
 44. *Ibid.*, p. 809.
 45. *Ibid.*, p. 811.
 46. *Ibid.*, pp. 813–14.
 47. Ahern to Webb, 11 January 1918, JUS/61, QSA.
 48. Webb to Ryan, 26 February 1918, *ibid.*
 49. Webb to Assistant Crown Solicitor, Brisbane, 27 February 1918, *Ibid.*
 50. Frank Brennan and Rundle to Crown Solicitor, Brisbane, 27 February 1918, *Ibid.*
 51. Ryan to Webb, 30 March 1918, *Ibid.*
 52. Ryan to Crown Solicitor, Brisbane, 30 March 1917, *Ibid.*
 53. *Courier*, 2 May 1918.
 54. *Argus*, 1 May 1918.
 55. *Courier*, 2 May 1918.
 56. R.B. Bousfield to Ryan, 3 March 1918, item 18/02811, PRE/A583, QSA.
 57. *Courier*, 23 May 1918.
 58. Ryan to MacKinnon, Ryan to Orchard, 27 May 1918, item 18/05706, PRE/A589, QSA.
 59. Orchard to Ryan, 28 May 1918, *Ibid.*
 60. MacKinnon to Ryan, 28 May 1918, *Ibid.*
 61. Memorial presented to His Excellency Major Sir Hamilton Goold-Adams by Honourable Members of the Legislative Council of the State of Queensland, 10 May 1918, item 18/7536, PRE/A594, QSA.
 62. Goold-Adams to Ryan, 14 May 1918, *Ibid.*

63. *Courier*, 20 May 1918.
64. For example, *Sydney Morning Herald*, 9 May 1918.
65. *Freeman's Journal*, 21 March 1918.
66. *Courier*, 11 May 1918.
67. *The Times*, 10 May 1918.
68. *Courier*, 10 May 1918.
69. FPLP minutes, 19 May 1918.
70. QPLP minutes, 23 May 1918.
71. *Ibid.*, voting twenty to seventeen.

15: THE WAR IN EUROPE ENDS

1. QPD, CXXIX, 28 May 1918, pp. 5–7.
2. Goold-Adams to Secretary of State for Colonies, Governor's Outward Despatches and Telegrams, VIII, 29 May 1918, GOV/57, QSA.
3. *Daily Standard*, 30 May 1918.
4. *Courier*, 31 May 1918.
5. *Ibid.*, 5 June 1918.
6. *Ibid.*, 6 June 1918.
7. *Ibid.*, 7 June 1918.
8. *Report of the Seventh Commonwealth Conference* (Melbourne, 1918), p. 10.
9. Letter, Mr. Norman Makin to the author.
10. *Report*, p. 11. See Murray Perks "Foreign and Defence Policies and Policy Making in the Australian Labor Parties, 1916–30", M. A., Australian National University, 1974, pp. 209–12 for a more detailed account of the debate, based on material from the Catts papers.
11. *Ibid.*, p. 19.
12. *Ibid.*, p. 23.
13. Turner, *Industrial Labour and Politics*, p. 177n.
14. *Report* p. 27.
15. See also Perks "Foreign and Defence Policies", pp. 216–21.
16. *Report* pp. 28–35.
17. *Ibid.*, pp. 44–45.
18. *Ibid.*, p. 48.
19. *Adelaide Register*, 29 June 1918.
20. *Labour Call*, 4 July 1918.
21. *Age*, 2 July 1918.
22. *Daily Standard*, 19 July 1918.
23. QPLP minutes, 31 July 1918.
24. QPD, CXXIX, 17 July 1918, p. 1053.
25. QPLP minutes, 31 July 1918.
26. Scott, *Australia During the War*, p. 162; *Lloyd v. Wallach*, 20 CLR 299.
27. QPD, CXXIX, 23 July 1918; pp. 1139–67.
28. *Ibid.*, p. 1157–60.

29. *Ibid.*, 30 July 1918, p. 1304; *Daily Standard*, 7 August 1918.
30. *Ibid.*, 8 August 1918.
31. QPD, CXXIX, 23 July 1918, pp. 1140–47.
32. *Daily Standard*, 23 August 1918.
33. QPLP minutes, 7 August 1918.
34. Childe, *How Labour Governs*, pp. 77–79.
35. “State manufacture, importation and sale of intoxicating liquor with ultimate view of total prohibition, subject to Local and State Option.” Childe (p. 77) conveniently omits the last phrase “subject to Local and State Option.”
36. *Worker*, Brisbane, 16 December 1915.
37. QPD, CXXX, 7 August 1918, p. 1440.
38. QPD, CXXIX, 18 July 1918, p. 1093.
39. QPLP minutes, 24 July 1918.
40. *Courier*, *Daily Standard*, 31 July 1918.
41. QPD, CXXX, 20 August 1918, p. 1528.
42. QPLP minutes, 4, 5 September 1918.
43. *Courier*, 2 September 1918; QPD, CXXX, 4 September 1918, p. 2017–18.
44. See chap. 14.
45. 26 CLR 9. Daily arguments reported in *Argus* and *Courier* 11, 12, 13 September 1918.
46. QPLP minutes, 18 September 1918.
47. *Ibid.*, 20 September 1918.
48. *Ibid.*, 2 October 1918.
49. *Ibid.*, 13 August 1918.
50. *Courier*, 5 September 1918.
51. *Labor Call*, 5 September 1918.
52. *Courier*, 5 September 1918.
53. *Daily Standard*, 4 September 1918.
54. QPLP minutes, 4 September 1918.
55. QPD, CXXX, 4 September 1918, pp. 2006–21.
56. *Daily Standard*, 23 September 1919.
57. CPE minutes, 28 August 1918. The reply of the PLP that the Defence Act made much of this mandatory served to inflame the group even more against the war and against politicians, *ibid.*, 26 October 1918.
58. *Ibid.*, 10 October 1918.
59. QPD, CXXXI, 26 September 1918, pp. 2626–34.
60. *Ibid.*, p. 2640.
61. *Ibid.*, 22 October 1918, p. 3362.
62. *Ibid.*, 6, 7 November 1917, pp. 3591 and 3637.
63. *Ibid.*, 23 October 1918, p. 3402.
64. CPE minutes, 12 December 1918.
65. Interview with Mr. George Rymer.
66. *Courier*, 2 November 1918.
67. *Ibid.*, 8 November 1918.
68. Pearce to Ryan, 8 November 1918, item 18/12862, PRE/A607, QSA.

69. *Daily Standard*, 13 November 1918.
70. Ibid.
71. Robinson to Ryan, 25 July 1918, item 21/3787, PRE/129, QSA.
72. Webb to Ryan, 29 July 1918, Ibid.
73. Interview with Mr. F. McKinnon.
74. Ryan to Moloney, 3 October 1918, item 18/13060, PRE/A608, QSA.
75. For example *Labor News*, Sydney, 2 November 1918.
76. On the evidence of Sir William Webb and some papers in the Queensland Archives, Ryan probably had only a number of headings and a few key phrases on a piece of paper. He did not write his speeches beforehand.
77. *Daily Standard*, 18 November 1918.
78. Ibid., 6 December 1918.
79. Ibid., 3 December 1918.
80. Ryan's taking Webb, a Catholic, and O'Hagan, a Catholic, with him was further evidence for M. H. Ellis, now Macartney's secretary, of an Irish Catholic plot in Queensland. Ellis, *op. cit.*, p. 436.

16: A DIFFERENT ENGLAND A DIFFERENT WORLD

1. Scott *Australia During the War*, p. 765.
2. Ibid., p. 789.
3. *San Francisco Chronicle*, 22 January 1919, cutting held by Dr. J. O'Hagan, Brisbane.
4. *Courier*, 3 February 1919.
5. *Daily Standard*, 3 July 1919.
6. Theodore to Ryan, 6 December 1918, item 18/13842, PRE/A609, QSA.
7. Theodore to Ryan, 13 February 1918, item 19/01570, PRE/A616, QSA.
8. Ryan to Theodore, 17 February 1919, Ibid.
9. *Western Champion*, 8 March 1919.
10. Ryan to Hunter, 29 March 1919, item 19/04049, PRE/A616, QSA.
11. *Argus*, 12 April 1919.
12. Ibid., 14 April 1919.
13. *Evening Herald*, (Dublin) 23 April 1919, *Irish Times*, 24 April 1919. Dr. J. O'Hagan's cuttings.
14. International Socialist Conference, speech by Hon. Thomas J. Ryan, 27 April 1919, JUS/61, QSA.
15. Personal papers of Hon. T. J. Ryan, JUS/61, QSA.
16. Ibid.
17. *Argus*, 30 April 1919.
18. QCE minutes, 18 February 1919. The Central Political Executive of the Queensland Labor party was renamed the Queensland Central Executive of the Australian Labor party on 20 November 1918.
19. QPLP minutes, 27 March 1919.
20. QCE minutes, 18 February 1919.

21. Lane, *Dawn to Dusk*, pp. 226–27.
22. Attached to the QCE minutes, 25 March 1919.
23. *Courier*, 25 March 1919; Inspector Ferguson to Police Commissioner, 23 March 1919, item 40610, Red Flag file, QSA.
24. A fuller account of the “Merivale Street Incident” appears in D. W. Rawson “Political Violence in Australia” *Dissent*, 22, Autumn 1968.
25. *Mercury*, 27 March 1919.
26. O’Malley to Fisher, 5 May 1919, MS460/5073, O’Malley papers, NLA.
27. 26 CLR 276 and 26 CLR 285.
28. *Argus*, 7 May 1919.
29. For example *Advocate*, Brisbane, 9 May 1919, *Advocate*, Melbourne 24 May 1919; *Labor Call*, 15 May 1919.
30. *The Times*, 7 May 1919.
31. *Argus*, 10 June 1919.
32. Interview with Mr. F. McKinnon.
33. *Argus*, 10 June 1919.
34. *Ibid.*, 17 June 1919.
35. *Western Champion*, 5 July 1919. This had been one of the most notable political scandals in Queensland in the nineteenth century, see Bernays *Queensland Politics During Sixty Years*, p. 87.
36. *Daily Standard*, 28 June 1919.
37. *Western Champion*, 5 July 1919.
38. *Courier*, 30 June 1919.
39. For example *Queensland, The Breeding Ground of the Bolsheviks* item 331.8S; J. A. Philp *Jingles That Jangle* item A827P, Mitchell Library.
40. *Daily Standard*, 30 July 1919.

17: FEDERAL PARLIAMENT

1. *Official Report of the Seventh Commonwealth Conference of the Australian Labor Party*, (Melbourne, 1919) p. 46.
2. QCE minutes, 27 April 1919.
3. *Official Report of the Eighth Commonwealth Conference of the Australian Labor Party*, (Hobart, 1919) p. 26.
4. *Ibid.*, p. 27.
5. *Ibid.*, p. 27.
6. *Ibid.*, p. 30.
7. *Ibid.*, p. 30.
8. *Ibid.*, pp. 30–31.
9. *Ibid.*, p. 68.
10. *Worker*, Brisbane, 3 July 1919.
11. The account here is based on press reports in the *Courier*, *Daily Mail* and *Daily Standard* and on the minutes of evidence of the “Report of Royal Commission Appointed to Inquire into the circumstances surrounding the Incidents which took place at the lock up at Townsville on the Night of Sunday, the twenty ninth day of June

- 1919, more particularly into the Alleged Use of Firearms and any matters connected therewith." *QPP*, 11, 1919–20, pp. 589–97.
12. *Daily Standard*, 4 July 1919.
 13. *Ibid.*
 14. *Ibid.*, 18 July 1919.
 15. *Ibid.*, 16 July 1919.
 16. *Militant*, 1 September 1919.
 17. *Worker*, Brisbane, 3 July 1919.
 18. 1919 *StRQ* 207. Daily reports in the *Daily Standard*, 15, 16, 18 July 1919, and in the *Courier*, 16, 17, 19 July 1919.
 19. Item 40670, Red Flag file, QSA.
 20. QPD, CXXXII, 2 September 1919, p. 485.
 21. Taylor was to be expelled from the Labor party in October 1941 for his presidency of the Australian-Russian Association's Aid-to-Russia Committee. He was then a member of the State parliament.
 22. Page to Ryan, 25 July 1919, item 19/07582, PRE/A630, QSA.
 23. Ryan to Page, 26 July 1919, *Ibid.*
 24. Ferricks to Ryan, 31 July 1919, *Ibid.*
 25. Turner, *Industrial Labour and Politics*, p. 191.
 26. QPLP minutes, 31 July 1919.
 27. QPD, CXXXII, 5 August 1919, pp. 1–2.
 28. *Ibid.*, 6 August 1920, pp. 50–52.
 29. 27 *CLR* 204. Reports in *Argus*, 15–22 August 1919.
 30. Catts in *Labor News*, 10 January 1920.
 31. QCE minutes, 1 August 1919.
 32. FPLP minutes, 5 December 1918.
 33. *Argus*, 2 September 1919.
 34. *Worker*, Brisbane, 11 September 1919.
 35. QCE minutes, 11 September 1919.
 36. Turner, *Industrial Labour and Politics*, p. 216.
 37. Munro Ferguson to Lord Milner 30 October 1919, MS696/1217, Novar papers.
 38. QPLP minutes, 17 September 1919.
 39. *Daily Standard*, 17 September 1919.
 40. *Ibid.*, 19 September 1919.
 41. *Ibid.*, 20 September 1919.
 42. *Worker*, Sydney, 25 September 1919.
 43. *Daily Standard*, 22 September 1919; *Argus*, 23 September 1919.
 44. *Daily Standard*, 2 October 1919; For Hughes' arguments see Conrad Joyner "W. M. Hughes and the 'Powers' Referendum of 1919", *AJPH* V, 1, April 1959.
 45. CPD LXXXIX, LXV, 1 October 1919, pp. 12841–48.
 46. *Official Report of Special Commonwealth Conference of Australian Labor Party*, (Hobart, 1919) p. 89.
 47. *Ibid.*, pp. 93–4.
 48. *Ibid.*, p. 95.
 49. *Ibid.*, p. 100.
 50. *Ibid.*, p. 101.
 51. *Ibid.*, p. 102.

52. See Catt's articles in *Labor News*, 3, 10 January 1920.
53. *Official Report* p. 104.
54. *Ibid.*, p. 105.
55. *Ibid.*, p. 106.
56. *Ibid.*, p. 108.
57. *Ibid.*, 108.
58. *Ibid.*, 108.
59. *Ibid.*, pp. 109–10.
60. FPLP minutes, 9 October 1919.
61. *Western Champion*, 4 October 1919.
62. *Sydney Morning Herald*, 6 October 1919; *Worker*, Sydney, 9 October 1919.
63. *Argus*, 9 October 1919.
64. *Labor News*, 18 October 1919.
65. QPLP minutes, 21 October 1919.
66. National Speaker's Handbook No. 11, *The Facts v. Mr. Ryan's Claim* (Melbourne, 1919), Mitchell Library.
67. For example *Truth About Queensland*, copy held by author, and *The Profiteers and their Press Hate and Fear Mr. Ryan* item 92/1313, Dixon Library.
68. T.E. Ruth, *The Challenge of Papal Politics* (Melbourne, 1919) item 282R, Mitchell Library.
69. *Courier*, 22 October 1919, others were aware of the Hughes capacity for invective. "The Prime Minister sets a high pitch in vituperation", wrote Munro Ferguson to Stamfordham, 20 October 1919, MS696/347, Novar papers.
70. *Courier*, 24 October 1919.
71. *Manifesto of the Australian Labor Party to the People of the Commonwealth*, 1919, Mitchell Library. Sawyer's point that Tudor "... personally supported the Hughes referenda proposals, but indicated that this was an open question in the Labour party", *op. cit.* p. 185 is not supported by reports of Tudor's meetings in November. Tudor in fact accepted the Federal Conference decision on the referendum.
72. *Freeman's Journal*, 6 November 1919.
73. *Advertiser*, 6 November 1919.
74. *Ibid.*, 12 December 1919.
75. *Ibid.*, 5 November 1919.
76. *Ibid.*, 19 November 1919.
77. *Worker*, Brisbane, 30 October 1919.
78. *Mercury*, 25 November 1919.
79. O'Malley to Brother Forgan Smith, 19 September 1938, MS460/5701, O'Malley papers, NLA.
80. *Mercury*, 27 November 1919.
81. *Ibid.*
82. *Labor Call*, 27 November 1919.
83. Lloyd Dumas *The Story of a Full Life*, pp. 34–35.
84. 27 CLR 294.

18: "MEN MAKE HISTORY ONLY WHEN THEY HAVE PURPOSES"

1. *Labor News*, 10 January 1920.
2. *Argus*, 6 January 1920.
3. *Ibid.*, 5 January 1920.
4. *Ibid.*, 6 January 1920.
5. *Labor News*, 10 January 1920.
6. Sidney Hook *The Hero in History* (Boston, 1955), p. xii.
7. 28 *CLR* 106.
8. Owen Dixon *Jesting Pilate* (Sydney, 1965) p. 49.
9. There are varying estimates of the strength of the political alignments in the House of Representatives of 1920. These figures are quoted from B. D. Graham *The Formation of the Australian Country Parties* (Canberra, 1966) p. 132.
10. Earle Page *Truant Surgeon* (Sydney, 1963) p. 62.
11. Mr. Norman Makin to the author. Attitudes within the caucus towards Ryan are based partly on correspondence from Mr. Makin.
12. FPLP minutes, 25 February 1920.
13. *Ibid.*, 4 March 1920.
14. *CPD*, XCI, 27 February 1920, p. 71.
15. *Ibid.*, 3 March 1920, p. 163.
16. *Ibid.*, 5 March 1920, pp. 210–21.
17. *Ibid.*, 10 March 1920, p. 267.
18. *Ibid.*, 11 March 1920, p. 349.
19. Mr. Frank Green, then a clerk of the parliament, to the author.
20. FPLP minutes, 8 July 1920.
21. *CPD*, XCII, 9 July 1920, p. 2652.
22. *Ibid.*, p. 2662.
23. Lazzarini, *Ibid.*, 15 July 1920, p. 2755, quoting *Sun*, 12 July 1920.
24. *Ibid.*, 9 July 1920, p. 2677.
25. *Ibid.*, 14 July 1920, pp. 2684–98;.
26. *Ibid.*, pp. 2709–813.
27. *Ibid.*, p. 2746.
28. *Ibid.*, p. 2748–49.
29. *Ibid.*, p. 2764.
30. *Ibid.*, 15 July 1920, p. 2783.
31. *Ibid.*, 16 July 1920, p. 2822.
32. The extent of this is revealed in the two volumes of letters written to Mrs. Ryan and the Labor party after Ryan's death and now bound and held by the Queensland State Archives.
33. FPLP minutes, 12 August 1920.
34. *Ibid.*, 19 August 1920.
35. *Ibid.*, 20 August 1920.
36. *Ibid.*, 9 September 1920.
37. *Age*, 10 September 1920.
38. *Argus*, 30 September 1920.
39. 28 *CLR* 129.
40. *CPD*, XCIII, 1 September 1920, p. 4050.

41. Ibid., p. 4064.
42. Sawyer, *Australian Federal Politics and Law*, p. 217n.
43. CPD, XCIII, 1 September 1920, p. 4066.
44. Ibid., 2 September 1920, pp. 4175–78.
45. 28 CLR 530.
46. The implications of the case are discussed in Sawyer *Australian Federal Politics and Law*, p. 217 and Cowen *Isaac Isaacs* pp. 179–89.
47. CPD, XCIV, 8 October 1920, p. 5462.
48. Ibid., 21 October 1920, p. 5850.
49. Ibid., p. 5907.
50. Ryan's speech at the farewell to Sir Hamilton Goold-Adams had concluded: "... He thought that the Irish solution was best left to those who would have to live under the solution, and that was the people of Ireland themselves." *Argus*, 20 January 1920.
51. In writing this section, I have had the use of the penultimate draft of H. J. Gibbney's ANU M.A. (history) thesis on Hugh Mahon.
52. CPD, XCIV, 5 November 1920, p. 6257.
53. Ibid., p. 6262–63.
54. *Tribune*, 11 November 1920, quoted by Gibbney, draft thesis, Appendix 2.
55. Both of these fears were magnified by the result of the Victorian state election at the end of October when the Nationalists lost votes and ten seats, principally to the Country party, leaving Lawson as Premier in a minority Government.
56. CPD, XCIV, 10 November 1920, p. 6327.
57. *Argus*, 11 November 1920.
58. *Age*, 16 November 1920.
59. FPLP minutes, 10 November 1920.
60. Ibid., 11 November 1920.
61. CPD, XCIV, 11 November 1920, pp. 6382–89.
62. Ibid., p. 6435.
63. Ibid., p. 6440.
64. Ibid., p. 6473.
65. FPLP minutes, 18 November 1920.
66. Ibid., 23 November 1920.

19: BEYOND THE MARANOA

1. *Age*, 16 March 1921.
2. *Labor News*, 26 March 1921.
3. Ibid., 1 January 1921.
4. *Age*, 21, 22 February, 3, 14, 15, 22 March, 5 April 1921.
5. Ibid., 5 April 1921.
6. Ibid., 6 April 1921.
7. CPD, XCIV, 6 April 1921, p. 7184.
8. Ibid., p. 7195.
9. Ibid., pp. 7208–11.
10. Ibid., XCV, 14 April, 1921, p. 7642.

11. *Age*, 18 April 1921.
12. *CPD*, XCV, 19 April 1921, p. 7407.
13. *Ibid.*, 21 April 1921, p. 7626.
14. QCE minutes, 16 June 1921.
15. *Age*, 18 June 1921.
16. Daily reports in the *Argus*, 8, 9, 10, 11, 14, 15, 16, 17 June 1921.
17. *Argus*, 29 June, 22 July 1921.
18. *CPD*, XCVI, 13 July 1921, pp. 9982–86.
19. *Ibid.*, 14 July 1921, pp. 10076–82; FPLP minutes, 14 July 1921.
20. FPLP minutes, 20 July 1921.
21. *CPD*, XCVI, 20 July 1921, p. 10318.
22. *Argus*, 23 July 1921.
23. *Freeman's Journal*, 28 July 1921.
24. *Argus*, 21 July 1921.
25. All the newspapers of 2 August 1921 printed this statement from Cook, though some omitted the reference to the final hand shake. It is difficult in reading Cook's account of that meeting not to feel that Ryan felt that this was to be their last meeting.
26. *Ibid.*, XCVI, 22 July 1921, p. 10502.
27. Included in the two bound volumes of letters, QSA.
28. Robert Anderson to Mrs. Ryan, 3 August 1921, T. J. Ryan vol. 1, QSA.
29. Last will of Thomas Joseph Ryan.
30. FPLP minutes, 17 May 1922.
31. Larcombe, *Notes on the Political History of the Labour Movement in Queensland*, pp. 36–38.

POSTSCRIPT

1. Ryan pressed for Robinson to be awarded the KCMG for his services as Agent-General. Goold-Adams to Secretary of State for Colonies 9 March 1916, 16 September 1919, Secret and Confidential Outward Despatches and Telegrams, 2, GOV/69, QSA.
2. Hook, *The Hero in History*, p. 166.

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UQP BIOGRAPHY

T.J. Ryan was a natural leader. In 1915 he was elected Labor Premier of Queensland against the turbulent background of World War I. His Labor government set the foundations for Labor rule in Queensland which lasted until the 1957 split.

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