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P R E F A C E

In 1976 five research papers in Australian history, written by second year students in the ordinary History IIB course, were presented in this format. The favourable response that they received suggests that the project is a worthwhile one and it will therefore be continued annually. This year, however, publication of the papers has been undertaken by students under the auspices of the History Club and the S.R.C.

Each year students in this course are asked to investigate some aspect of Australian history, preferably through research in primary sources. They are encouraged to look wherever possible at questions through which light can be thrown on significant problems by the study of local history. Over a hundred such projects were undertaken this year, and the variety of topics as well as the quality of the papers presented was very encouraging.

The papers published here were chosen not only because they are good papers, but also to show the variety of issues that interest students. Many other papers could have been chosen.

Peter Stephens :	Morpeth in the era of the Steamship.
Mary Livingstone :	The First General Strike in the Coal Industry
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Peter Jeffrey :	The Paul Bunyans of Cedar Arm

C. Bacchi

P. Hempenstall

N. Rutherford

The works presented in this collection are not only a tribute to their authors, but also to Carol Bacchi, Peter Hempenstall and Noel Rutherford who provided the opportunity, the support, and the encouragement that made it all possible. The History Club is pleased to be associated with such a worthwhile project.

History Club Executive

THE 1929 COLLIERIES LOCKOUT AND THE ROTHBURY INCIDENT

BY

WILLIAM HILL

SYNOPSIS:

In 1929 the member proprietors of the Northern Collieries Association locked out ten thousand miners in an attempt to force their union, the Miners' Federation, to accept a decrease in wages and conditions. The New South Wales government, under Premier T. R. Bavin, took up the coal-owners cause because their demands coincided with the State's economic policy, and moves were begun, publicly and behind the scenes, to force the miners back to work on dictated terms.

The Rothbury colliery, its owners and employees, became embroiled in the conflict between the polarized forces. Why was Rothbury chosen by the Premier to be the point of confrontation in the dispute, and what was the role of Mr. Bavin himself in the whole affair?

Throughout the history of the coal-mining industry there has been continuous conflict between the employers and the employees over wages and conditions, each side jealously guarding any concessions gained from the other. The northern coalfields of New South Wales were no exception. In 1928, when the members of the Northern Collieries Association, ¹ fearing economic collapse within the industry due to increasing costs, began to demand a reduction in wages and conditions to the 1914 level the stage was set for a prolonged struggle with the miners. The Association argued that until the Great War the industry had been stable but because the miners had made unreasonable demands during the war years the industry was now badly in need of rationalization which could best be achieved by reducing wages. Australian coal would then be able to be sold at a more competitive rate on the open market while the increase demand would stabilize the industry guaranteeing miners regular, instead of intermittent, labour, which would in turn ensure a regular wage above the present level.

The Miners' Federation opposed any reductions whatsoever. The union felt that members had earned the little they had gained and argued that any drop in wages, combined with the irregularity of work, could only lead to a further decline in weekly earnings and destroy their already meagre standard of living. ²

The miners may have been able to stand their ground against the owners and triumph if the world economic situation had not been deteriorating as well. The Premier of New South Wales, T. R. Bavin, was determined that the state's economy should be supported and to his eyes the two things liable to upset the economy were wages, because they threatened business prosperity, and militant unionists, collectively described as the "Reds". ³ Bavin therefore supported the colliery owners in their battle against the miners and their unions and took it upon himself to see that they won.

In January, 1929, Bavin announced that the miners must accept a drop in their rate of 1/- per ton, and that day labourers wages would be reduced by 6d. per day. If these new rates were accepted the colliery owners would drop their profit by 1/- per ton, the State government would subsidize freight rates at 2/- per ton and the Federal government offered a bounty of 1/- per ton on export coal; in all a reduction of 5/- per ton which the owners believed would bring their prices back into the market.

While the Premier and the Association members were trying to bluff the mine-workers into accepting the new rates without a fight a special request was made to the Premier of South Australia to keep a tender for the supply of 800,000 tons of coal open till the end of January, though it had been due to close on 28 September, 1928. Bavin was hopeful of a solution to the wages problem because if the South Australian business terminated, he said, "the effect on the northern coalfields will be nothing less than calamitous, and the unemployment which is now so acute will be worse." ⁴ On the 23 January it was announced that the South Australian government would buy its coal from England at 24/6 per ton, which was below the supposedly best New South Wales price.

But Bavin could have met the overseas price! The following day the Newcastle Morning Herald reported that the Rothbury Colliery had offered to supply coal at 19/10 per ton to the Government for the State railways. A critic of the Premier considered that he had a good deal to explain if the offer had been made and ignored because Rothbury coal was the equal of any other and could be just as plentiful. He also wished to know "why the South Australian Government was not made aware of the Rothbury offer. Had it been accepted many other collieries would have been found offering at the same price". ⁵

Little protest was heard from the owners or administrators of the Rothbury Colliery over this lost business. Surely some protest would have been expected? But there is none in evidence in papers relating to the property, although there is room for speculation. The Rothbury property was part of the estate of David Scott Mitchell which, upon his death in 1907, passed into the control of the executors of his estate, Messrs- W. D. M. and E. R.H. Merewether. Mitchell's will provided for a bequest of £80,000 to the New South Wales government to establish an investment fund, the interest from which was to be used to provide books and materials for what was to be named the Mitchell library. ⁶ The full sum of the bequest apparently was never received by the State because of a continual lack of ready cash and the method of paying dividends to the beneficiaries of the will, ⁷ though the Government continued to spend the interest on the "bequest". Presuming that the Government set up the library fund with its own monies, in anticipation of eventually receiving the gift which was never completed, the Mitchell estate would have been indebted to the Government, which in turn may have given the Government the opportunity to decide some of the affairs of the colliery to the Premier's advantage, in particular the suppression of a cheap coal offer which would have given the lie to the coal-owners campaign for lower wages.

The Miners' Federation, backed by its members refused to accept the new rates and would not concede the right to hire and dismiss to the mine managers. ⁸ The Association retaliated on 2 March, 1929, by locking out ten thousand miners employed in the group's collieries. The miners of the Rothbury lodge were undecided about whether to down tools or work out their notices but they were united with their fellows in the decision not to give in to the owners. They had for too long been told that such conflicts were unavoidable in a capitalist society and drew moral strength from the justice of their cause. ⁹ These men amongst all the miners had the most to lose if wages fell because since 1924 they had only averaged 113 days per year for each man ¹⁰ whereas men in the other pits were averaging about 170 days each. ¹¹

The Northern Collieries Association continued in their efforts to gain more power over the unions. Major coal-owners were seeking amendments to the Commonwealth Arbitration Act to make lockouts and strikes legal. The Miners' Federation was resolved to oppose changes because the new legislation, if passed, would allow proprietors and managers to lock-up the mines or dismiss men without fear of prosecution. At the same time the unions would be weakened considerably if single lodges could strike without the support of the union executive because without union solidarity small disputes would crumble.

The coal-owners need not have worried about altering the Act to protect themselves from court action over the March lockout. In the Legislative Assembly Premier Bavin avoided the issue by contending that prosecution of the owners would only prejudice the Royal Commission hearing into colliery profits which had begun in February, and, anyway, such action would serve no good purpose! ¹² Bavin reminded members that "... the coal industry was subject to an award or order of a Federal Tribunal, but in May Prime Minister Bruce debated that the issue was not a federal matter because only one state was involved, and, besides, his interference would only prejudice negotiations. ¹³ Questioned again about prosecuting the owners when the lockout was actually in progress the Premier refused to recognize that the men had been locked out or that the law had been broken. ¹⁴

Federal and State Labor Party members thought that Bavin was obsessed by reduction. J. E. Smith, M.P., claimed in Parliament that "Mr. Bavin's masters had spoken" in reference to his support of the colliery proprietors demands. ¹⁵ The Bulletin attacked the Premier from another angle accusing him of "craven imitations of Langism" for paying out £10,000 a week in "sustenance" amongst the northern miners instead of taking strict action with the men. ¹⁶ Perhaps in June the Premier was still hopeful of the miners going back to work of their own accord though, of course, at the new rates, if they weren't unduly antagonized.

"Dai" Davies, General Secretary of the Miners' Federation, accused the Premier of sidestepping the issue. If Bavin was avoiding trouble union agitators were not. Mass picketing was going on at associated and unassociated mines that were still working and extremists, particularly Militant Minority Movement members, were coming up from Sydney urging the men to stay out. Tempers were rising with the hardships of a winter of privation, and rumours of extra police on the coalfields and suggestion of the use of free "scab" labour kept the miners on edge. Also, in September, the Royal Commission handed down its decision on the owners' profits stating that in the twenty five pits belonging to the ten companies examined profits averaged 2/1.6 per ton, though neither the owners nor the miners could agree on which items constituted legitimate deductions from gross returns so the dispute over profits dragged on. ¹⁷

More peculiar information to do with the Rothbury mine came to light before the Royal Commission. ¹⁸ "Dai" Davies alleged that a dump of small coal at Rothbury was "practically given away to 'kill' Catamaran", which was a small mine in Tasmania that the unions had tried to operate as a co-operative. Nobody came forward to confirm or deny Davies' charge.

The following day, 2 November, the Premier made public his intention to open three or four mines to supply coal for essential services if the compulsory conference then sitting before the Coal Board failed. ¹⁹ The State would operate the mines at the reduced rates, though the only people prepared to work for the new rates would be free labourers, but Bavin would not concede this fact when questioned.

In his private correspondence with the Premier at a later date the Bishop of Newcastle made the point that few people really believed there was a desperate demand for coal, other than for gassiferous coal, which might have been more sensibly procured from a larger mine such as Pelaw Main or Richmond Main. An "urgent national necessity" for a particular class of coal "should have been met from the miners able to supply that coal expeditiously, and in quantity, and which could have been worked at a profit on the pre-stoppage basis". Taking a more critical tack Bishop Long added "I do not say that the Government is guilty of double dealing, but that the Government has always put forth as the justification for going into Rothbury the urgent national necessity for coal. People say that necessity is not apparent, and will not be met at Rothbury, therefore the real purpose of the Government is to force the new terms." ²⁰

Bishop Long made these comments after Rothbury had been re-opened and it had become obvious that the Government was not going to open any more mines. This fact, and some of the Bishop's queries, are worthy of closer examination.

To begin with the Government claimed coal was needed urgently but it was common knowledge that mines on the western and southern coalfields, and the northern unassociated mines were working good hours and keeping up with demand. The Newcastle Morning Herald, throughout the whole period, published weekly and monthly figures of coal shipments, ex. Newcastle, for interstate and export supply and, though the quantities involved decreased, the trade was continuous.

Secondly, did Bavin seriously expect a small mine like Rothbury, with its notoriously dangerous and difficult to work sloping seam, and consequent low output, to meet the requirements of a "national emergency", especially considering that it was to be worked by inexperienced scab labour? Why did he chose to open the Rothbury colliery in particular? Bavin had nominated other mines for re-opening but these were closer to large concentration of miners in Cessnock and Kurri Kurri, where, if scab labour was used, it would be easier for the unionists to gather in large numbers of picket and disrupt work in the mines. Rothbury was the ideal choice for re-opening because of its

comparative isolation, (the mine is twenty kilometres from Cessnock) and the local workforce, living in Branxton and Rothbury village and numbering a few hundred. Hence they presented no threat to the safety of the free labourers who would be guarded by armed police.

Premier Bavin also held a trump card. If the executors of the Rothbury estate could not meet their debt to the Government, (money owed from Mitchell's bequest), surely they could be persuaded to let the Government use the mine. The State would work the mine which would save the Merewethers the trouble of supervising operations, and arrangements were made for cash to change hands. On 27 August, 1930, the balance of what was described as "excess income accrued" was paid to the Merewether office by the State; gross profit for the "period of occupation" totalled £2620/15/9. ²¹

Bavin's last offer to the miners was made 27 November, 1929. The "November Compromise" demanded a 12½ per cent reduction in miner's wages, (a small concession in that this represented a decrease of 9d. per ton instead of 1/- per ton first demanded), and 6d. a day off the wages of day workers and off hand men. The miners still had to concede the right of dismissal to the management, loss of seniority, ²² and agree not to work the darg. ²³ Fearing the worst for the men a conference of owners and miners representatives advised the miners to go back to work but the executive of the northern Miners' Federation urged the men to stay out, arguing that they had suffered too much to give up now. The miners' leaders were openly disgusted with the findings of the Royal Commission. Mr. H. P. Lazzarini, in the House of Representatives, spoke for the miners when he described the proceedings as an "abomination . . . nothing but a frame-up between the Bruce-Page Government and the Bavin Government". ²⁴

The main reason for the intense anger towards the Government and coal-owners was the fact that, though a better wage deal had been offered, it was now apparent from the other demands that a frontal attack was being made on union militancy. This was a far more valuable goal and the importance of the new demands was not lost on the miners. ²⁵

With no end to the dispute in sight the Premier instructed the Minister for Mines, R. W. D. Weaver, to advertise for, and hire, free labour to work at the Rothbury mine at the reduced rate. Behind the scenes Bavin arranged to have the mine made available for when he was ready to move. Early in December E. R. H. Merewether wrote to the manager of his Burwood office, B. E. Drew, advising him, "The Government are (sic) going to commandeer Rothbury and work it." Thomas, the mine manager, would be responsible for the operation of the mine although the Government would supply the labour and Thomas should obey the instructions of Government officers. Finally, on receipt of a wire reading "Get ships ready Wednesday next", Drew was to prepare the pit for work with all haste. ²⁶

Bavin announced that the Rothbury mine would not begin operating till after Christmas so that the ten day break would not disrupt work in the mine. Then, suddenly, police and free labourers were sent by rail to Rothbury on Friday, 13 November. On the following Monday morning some five thousand men gathered from all over the coalfields. ²⁷ Part of the crowd rioted and tried to get through the colliery fence to stop the scab labourers entering the pit whereupon the police guards repulsed several attacks on the mine compound. Men were wounded and injured on both sides and a young engineer from the Greta lodge, Norman Brown, ²⁸ was killed by a stray bullet.

Privately Bavin expressed many regrets for those injured in the affray and he wrote to his friend Bishop Long asking him to intercede on his behalf and convey a message of sympathy to young Brown's mother. Publicly he was unrepentant. In the Legislative Assembly J. T. Lang accused the Premier of having said at a Nationalist meeting in August, "If I had the power I would force the issue. I will stand for a rigid and, if necessary, a ruthless attitude towards the employees". ²⁹ implying, in effect, that Bavin had carried out his threat. Bavin denied responsibility for the confrontation and blamed the Communists and extremists for persuading the men to demonstrate.

Over the next few months Bavin was greatly criticized for maintaining his position. The free miners were kept at work at Rothbury even though the cost to the State of the very low output must have been considerable, and there was the added expense of maintaining the police guard. The Federal Arbitration Court called a compulsory conference to settle the matter. Claiming that it was not a federal affair the Premier ignored Judge Beeby's ruling. In the High Court the decision was ruled bad in law and therefore null and void. Bavin appeared to be unbeatable, a fact that the Miners' Federation finally came to accept, and in June, 1930, the free labourers were withdrawn and the Rothbury miners went back to work at the reduced rate, beaten and impoverished.

Premier Bavin held to his belief that wages must be reduced to the end, the worsening international situation strengthening him in his resolve. ³⁰ The methods he used to achieve his ends, however, leave much to be desired. To take up the employer's cause with complete disregard for the miner's interests was unconscionable. The methods he used to force the demands of the Government and the coalowners on the workers were equally unscrupulous. Tendered prices and orders for coal, which could have kept the mines working, were ignored in order to force the miners to accept work at reduced rates. The Federal Arbitration Court and High Court decisions made during the period was overlooked or enforced depending on the best advantage to the Government. Information contrary to the Premier's line of action was neglected or suppressed; moderate unionists were branded, with the radicals, as Reds, and publicized as such to sway public opinion.

In all the owners were too sure of their ground which made the struggle hopelessly unequal, especially when the miners were deserted by the Federal Labor Party, their natural ally, and the courts failed to support them when they were legally in the right. Premier Bavins' behavior throughout the whole affair made the final outcome inevitable.

FOOTNOTES:

1. The Northern Collieries Association was the representative body of the proprietors of forty mines on the northern coalfields. These mines produced 86 per cent of the total coalfield tonnage and the twelve largest owners produced 53 per cent of the N.S.W. output. Miriam Dixson, "Stubborn Resistance : The Northern New South Wales Miners' Lockout of 1929-30; in John Iremonger, et. al. (Ed's), Strikes, Angus and Robertson, Sydney, 1973, p.128.
2. British miners had taken a wage reduction for these same reasons which had resulted in further poverty, unemployment, and in places starvation.
3. To the Government and the industrialists union organizers and militants were equally tarred with the same brush. The Reds were, particularly, the professed Communists, anarchists, the remainder of the I.W.W. movement and the vocal militant cliques in the unions. The most conspicuous of the latter being the Militant Minority Movement, inspired by the Red International of Labour Unions, the industrial wing of the Communist International which wanted to turn union policies to social revolution. They openly challenged the Miners' Federation leadership and the later caused splits in union solidarity. Edgar Ross, A History of the Miners' Federation of Australia, (Pub. by) The Australasian Coal and Shale Employees Federation, Sydney, 1970 p. 331.
4. Newcastle Morning Herald, 23 January, 1929.
5. Ibid., 24 January, 1929. The Premier's Critic was unnamed.
6. Personal communication with Mr. Denis Rowe, Archives Officer, University of Newcastle, May, 1977. Documentary proof is hard to establish because of lack of adequate sources but the Merewether archives at the Newcastle Reference Library do lend a general credence to this interpretation.
7. Merewether Archives, Rothbury Estate papers show that there were a number of beneficiaries of the estate whose dividends were paid from the gross profits of the Rothbury Colliery though the colliery hardly ever made a net profit after tax and deductions. This may explain why the mine was never fully capitalized, thus unproductive and little likely to meet the debts caused by Mitchell's will.
8. Given this power management could dismiss union delegates in the mines and destroy the middle line authority within the union until a new man was thrown up from the ranks.
9. Miriam Dixson in John Iremonger, et. al. (Ed's.) Strikes, 1973, p. 128.
10. Newcastle Morning Herald, 2 November, 1929.
11. Edgar Ross. A History of the Miners' Federation of Australia. 1970. p.325.
12. Newcastle Morning Herald, 27 February, 1929.
13. Ibid., 6 May, 1929, and Edgar Ross: A History of the Miners' Federation of Australia, 1970, p.339.
14. Newcastle Morning Herald, 13 March, 1929.
An interesting point is that the victorious Federal Labor government elected later in the year, denied the miners any aid in the Federal Courts although deputy leader Theodore had promised before the election that the mines would be re-opened in the "name of the people" if Scullin won. Arguing fear of influence, pre justice, and etc., they accepted the Bavin plan as being most suitable to settlement of the situation.
15. Ibid., 29 January, 1929.
16. The Bulletin, 5 June, 1929.
17. Newcastle Morning Herald, 24, 25 September, 1929.
18. Ibid., 1 November, 1929.
19. Rothbury, Pelton, and Cessnock collieries were the chosen few.
20. Bishop C. M. Long's Correspondence, Vol. 1, 13 January, 1930. University, of Newcastle Archives.
21. Merewether Archives, Rothbury estate papers, Newcastle Reference Library.
22. The miners had only been granted seniority in the mines in 1917 by the then Labor government.
23. The darg was the agreed maximum amount that miners would draw daily.
24. Miriam Dixson, "Stubborn Resistance", John Iremonger, et. al. (Ed's.), Strikes, Angus and Robertson, 1973, p.139.
25. Ibid., p.138.
26. Letter from E. R. H. Merewether to B. E. Drew, December, 1929. Merewether Archives, Rothbury estate papers, Newcastle Reference Library.

FOOTNOTES: (Cont.)

27. Various commentators set the number of men gathered in the range of 3,000 to 10,000. 5,000 seems to be the most popular and more probable estimate.
28. It seems that Norman Brown only went to Rothbury because the Greta miners insisted that all members attend to show solidarity. He was wounded while playing cards some distance from the fighting. Edgar Ross also reports that a Rothbury lodge member, Tom. Flannery, collapsed and died during one of the clashes. Edgar Ross, A History of the Miners' Federation of Australia, 1970. p. 341.
29. Newcastle Morning Herald, 18 December, 1929.
30. Bavin wrote to Bishop Long in February, 1930, detailing Australia's desperate financial position in London. He stressed that if the situation deteriorated "it may not be a question of 9d. or 1/-d per ton reduction but a far more serious one for everybody." Bishop C. M. Long's Correspondence, Vol. 1. University of Newcastle Archives.

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