THE PORT KEMBLA LIVING HISTORY PROJECT

Some absolutely splendid work is being done by the Port Kembla Living History Committee in conjunction with the Port Kembla Community Centre Outreach Programme. The group can be contacted by phoning the Community Centre’s Outreach Worker on 76 1229.

An excellent display has been established in the Port Kembla Primary School Building. They have amassed an extraordinarily comprehensive collection of photographs, some splendid oral history and the Committee has plans to complete a book on the history of the town. All this has been done, and done very well indeed, without any assistance from the Illawarra Historical Society. The Society, it seems to me, is running the risk of becoming an irrelevance if it cannot adopt a more active community profile.

GENERAL STRIKES AND THEIR AFTERMATH IN ILLAWARRA

1917, 1949. These are the dates which have hitherto signalled the most visible evidence of working class mobilization in Illawarra.

Business and Government attacks, combined union response and then the subsequent victimization of individual unionists. This was the pattern set during the last two general strikes this century.

Will 1991 be any different?

Well, the October 23rd, 1991 General Strike was certainly historic.

It was clearly more ‘general’ than either 1917 or 1949.

With journalists and teachers and nurses and shop assistants on strike as well as the traditional industrial unionists, there was certainly a wider-range of unions participating than ever before. And for the five-days up until November 11, 1991, it looked as it the whole region would come out to defeat BHP’s attempts to force contract labour on the striking steelworkers.

It was a strong stand by ordinary workers, but as recent events have shown you’ve got to be even stronger if you’re a union leader.

For, even when BHP backs off from its threat to sack striking workers, a union leader has got to be prepared to cop a blasting in the local press.

The local media has done a fine job in this repect. Phone-in surveys on radio, two touching editorials (one even posing as a letter to the Prime Minister) calling for industrial peace and you would have thought it was all over bar the shouting.

But, no, on Saturday November 9, The Illawarra Mercury ran an exclusive photo on page 3 of a Mercedes Benz with the grafitti ‘Paul Matters Sucks Shit’ scrawled across it.

Hardly the apogee of tasteful photo-journalism one would have thought - particularly when this highly ambiguous political message was unaccompanied by not even a trace of semiotic analysis as to the real-meaning of such grafitti. After all, if ‘the medium is the message’, as Marshall Mcluhan assured us, then it is by no means stretching a point to suggest that the message emblazoned across the pages of the Mercury may actually have been an attack upon the sort of people who can afford a Mercedes Benz rather than on an individual Trade Union leader.
But Paul Matters should perhaps be thankful for small mercies. At least he hasn’t been charged with attempted murder!

For that’s precisely what happened to local union leader Fred Lowden during the 1917 General Strike.

Today Fred Lowden is remembered as the finest working class internationalist this region has produced. Lowden Square near Wollongong Station bears his name and a large photo of him graces the foyer of the Fraternity Club (which he helped to form in the 1950s) as a tribute to the first union leader to hold out his hand to the working class migrants who were being shipped here as factory-fodder for BHP.

But in 1917, he was a leader of the Scarborough Miners during the Great Railway Strike, an ex-member (or perhaps covert member) of the proscribed Industrial Workers of the World (IWW), and about to pay very dearly for his political beliefs.

And so when a scab railway guard was shot and wounded during the 1917 Strike, Fred Lowden and James McEnaney were framed and charged with intent to murder - even though Lowden had the perfect alibi in that he was dining with a member of the NSW Parliament on the night of the shooting.

But rather than attempting to tell their story, I would like to introduce Mr. James Sproston (about whom I know nothing) to tell the story of how Lowden and McEnaney became the greatest martyrs in the cause of Illawarra Unionism this century. What happened to Mr. Sproston himself, I have been unable to determine. He appears to have left the district soon after this article received publication - no doubt unable to get a job for having the audacity to voice his opinions. My guess is that the article that follows is the first article written by a class-conscious militant worker ever to appear in an Illawarra Historical Society Bulletin. It is taken from the pages of the Sydney Truth, December 10, 1917. It is not without significance I believe that it failed to receive publication in our local press.

Joseph Davis

Taken from “TRUTH” December 30, 1917

VICTIMISATION

THE CRUEL CASE OF LOWDEN & McENANEY

Facts as to the Thorburn “Frame-up”.

NARRATED

The monstrous case in which a Scoundrel accused Innocent men
Of shooting with intent to murder Alfred Vivian Green

The two innocent men refused Compensation: and denied employment.

We have been asked by Mr. James Sproston, of Scarborough, to publish the following article dealing with the facts as to the treatment of the two men who were victims of a scoundrel named Thorburn, during the recent strike. As newspaper readers are aware, the man who is now serving a term of imprisonment for his wicked attempt to make these men suffer for a crime that they had not committed. The two men are highly esteemed in the district and in the local miners’ lodge. They were put to great expense in providing for their defence:
but have been refused compensation and have also been deprived of employment. These unfortunate men are suffering, for no other reason apparently than that they were trusted unionists. Mr. Sproston’s article is as follows:

Scarborough,
24th December, 1917

"Here, read that". As he uttered the words, Fred Lowden tossed a letter over the table for my perusal. I glanced at the contents which were as follows:

Wollongong
Mr. A.A. Lysaght,

Sir,- Referring to your letter of 31st October last asking that Frederick Louden and James McEnaney be compensated in respect of their arrest and detention on a charge of shooting at Alfred Vivian Green with intent to murder, I am directed to inform you that the Minister of Justice, after careful consideration of the facts of this matter, is unable to see his way clear to recommend the payment of any compensation.

I looked Lowden in the eyes as I remarked, "Minister of Justice, eh?"

"Yes", he said, quietly. "There is some justice about it, but then", he went on, "what can you expect? These fellows never get the inns and outs of a case like that, they do not understand".

"I see they have again spelt your name with a u instead of w", I said.

"Yes, I noticed it", said Lowden. "It probably looks a bit foreign to spell it like that; they have been told about it often enough".

"Well, what is the best thing to do now?" I inquired.

"I hardly know", returned Lowden, and he sighed.

I knew what he was thinking of, £50 had been borrowed from a friend to pay Mr. Lysaght, the solicitor, of Wollongong, and there was another 25 guineas to pay, for the solicitor’s fee amounted to £76 5s.

"Well, look here", I said. "I am going to write the full facts of the case to "Truth". You know how we went to "Truth"office and how we learned from the edition of "Truth", August 6th, 1916, that he was a sly grog police pimp. You remember how delighted we were that Thorburn’s photo appeared in that edition. Also the fact that in the edition of "Truth" February, 11th 1917, there appeared a case in which this same Thorburn admitted being a special constable, describing himself as a special inquiry agent who had no office, but had worked for the police for 18 months. You remembered how a grin spread over the features of Andy Lysaght when we took those copies of "Truth" to his office. How we fervently hoped that Thorburn would be put in the box and he confronted with these things out of "Truth"?

"Yes", said Lowden, "we got some good things from "Truth", I’ll admit".

"Well, then", I asked, "Give me your permission to write to "Truth" office and appeal to "Truth" to publish the whole facts of the dirtiest plot that was ever attempted upon the Union officials of Scarborough Lodge".

"All right, go ahead", said Lowden. "We will have to pay that money back somehow, and God knows how we are going to now we are victimised".

On the Sunday morning of the 26th of August, the sleepy little village of Scarborough was aroused by the news that a "loyalist" had been shot on the railway near the New Tunnel Mine, or what is known officially as the South Clifton
Tunnel Colliery. Rumor, as usual, was quick on the scene. It was at first the driver of the train, and he was dying; then it was the fireman, and he was dead. From the very first day, public opinion in Scarborough declared that whoever was responsible for the shooting, it was not the miners, for their behaviour during the strike was all that could be desired. The chief reason for the lack of excitement was the fact of there being no strike at all in the collieries at this end of the Illawarra District, as soon as the railway strike commenced, the "Worker" as the train is called which conveys men to and from the mines, was knocked off, and the the proprietors closed down the mines at Scarborough, Coalcliff and Coledale.

This is perhaps the reason why we so bitterly resent the action of the Government and the colliery managers in the victimisation of any one man who was employed in any of the collieries which did not strike, but were shut down during the period of the fight. But I am getting away from the subject.

For days after the shooting occurred, the residents of Scarborough were pestered with the dust and stink of the motor car 1403, which passed up and down the South Coast road full of detectives, police, inspectors, blacktrackers included. Even in the small hours of the morning one was aroused out of a peaceful slumber to mutter to himself, "Confound the D's and their 1403, I wish they would run over the cliff or bump some of the stray cattle in the village".

On the morning of September the 4th, Tuesday, the village was again stirred by the news that the President and Delegate of Scarborough Lodge had been arrested on the shooting charge, and on every side the villagers were heard to comment, "Great heaven's, they are mad; they could not have chosen two quieter or more sensible men in the village." Quickly again rumor got to work and it was circulated that Thorburn, who was better known as Smith, had supplied information which led to the arrest. One certain man named Hughes quickly informed the residents that if it was Thorburn who supplied the information it was invented; for he knew for a fact that Thorburn and the woman who was with him stayed in his Hughes' house on the night of the shooting, until half-past twelve and the train went down soon after ten o'clock the place where the shooting occurred being about half a mile from where he lived.

As soon as the Secretary of the Scarborough Miners' Lodge (Mr. Salkeld) heard of the above he went to see Hughes, accompanied by the writer. We got a written statement from him, and placed it in the hands of Mr. A. A. Lysaght, of Wollongong. We also went to see Inspector Anderson to arrange for the defence of the President and Delegate of our Lodge.

The inspector inquired if we were going to get a solicitor from Sydney; and we informed him we were going to obtain the services of Mr. Lysaght, of Wollongong, as he was the solicitor for the miners in the Illawarra district. I wondered at the time why such a question should be asked, but I found out later, for on every occasion that the two accused were brought before the court the Crown endeavored to obtain a remand to Sydney, and would doubtless have succeeded had we obtained the Services of a city solicitor.

I remember, too, having in my hand a copy of the "Daily Telegraph" of Wednesday, September 5th, I read there the report that Lowden and McEnaney had been charged at the Scarborough Police Court before Mr. Edwards; represented by Mr. A. A. Lysaght, Wollongong, and remanded for eight days to Sydney. I had
that copy in my hand before the court opened. As soon as the charge was read out, the Crown applied for an eight day’s remand to Sydney, but the “Telegraph” made a slip. Mr. Lysaght rose to object, and the Magistrate remanded the accused for three days to Wollongong. I showed Mr. Lysaght the report in the “Telegraph” that morning after the court rose; and he remarked, with a grin, “Didn’t I ouchre them? Fancy wanting a remand to Sydney.”

On Friday, September 7th, at Wollongong the two accused were again brought before Mr. Edwards; again the Crown asked for a remand to Sydney; again Mr. Lysaght objected to the accused going to Sydney, and they were remanded for eight days again to Wollongong. On Friday, the 14th of September, the charge was read over before Mr. Edwards again, and again the Crown asked for a remand, Mr. Lysaght said, after consulting the accused, that he would not object to a remand for a month or even three months if the accused could be let out on bail. The Crown would have no case, he thought, at the end of that time.

Mr. Bathgate, for the Crown, seemed to think he would get a conviction, and some amusement was caused when he turned to Mr. Lysaght with the remark, “You don’t know what I know”, and quick as a flash came the retort, “No, but I know what you don’t know”. However, my heart warmed a bit towards the magistrate when I heard him say he thought it would be unfair to keep the two men in custody any longer “they had already been in prison eleven days” without granting them bail, therefore he would grant bail; but when Mr. Bathgate for the Crown asked for substantial bail, and suggested £1500 each, and the magistrate said quickly, “I have already decided on that figure”, my heart grew cold, and I forgot I was in a court of justice. £3000 in cash or securities had to be raised to release our two Lodge officers, two honest coal-miners, £3000: Great God, how my head ached: As the clock was striking twelve on the next day at noon, Lowden and McEnaney were proudly walking away from the Police Court accompanied by their friends. Such a wondrous fellow-felling was exhibited amongst the miners that I dare venture to say now that even though bail had been fixed at £3000 each, it would have been forthcoming. But I could not help making a comparison of the case in Sydney where one man had the misfortune to shoot a fellow-being dead, how differently he was treated. But that man was a “loyalist”; and the President and Delegate of Scarborough Miners’ Lodge were designated as “strikers” - even though we were locked out and did not strike. These things were hard to swallow, but at that time we did not bother much; we had got another remand for eight days, and Lowden and Mac had their liberty.

On Friday, the 21st day of September, the same old procedure was gone through. McEnaney by this time was showing effect of the worry, the long days and nights of anxiety were telling their tale. McEnaney is a good man. In a meeting of miners, or even in debate, a perfect gentleman; whether he was with or against the majority, he was never put out, never excited, always open to reason if arguing with an opponent, he was quick to see if he had made a mistake, and with a shake of the head would say, quietly, “Ah ye I never thought of that” , and would sit down.

Lowden on the other hand, is a cheerful but impulsive sort of young man, whose goodness of heart has won him many friends. I remember one night Lowden coming into my place, and, throwing a £1 note over the table, saying to my wife, “I have just heard that Mrs. ...... , whose husband is in the Illawarra Hospital, is hard up. Get her a pound’s worth of groceries, and send them up. Don’t mention my name; say a friend has sent them”. I remember, too, McEnaney coming to my place shortly after the strike commenced, and pushing over the sum of £100.
he said "this money belongs to the District. At the Delegate Board yesterday the money was entrusted to the delegates of the various Lodges, in proportion to the number of members. You know that I used to subscribe to "Direct Action". Probably my name would be on the list of subscribers when the police made a raid on the I.W.W. rooms in Sussex Street. Keep this for the men; it may be needed for some of them for food. If the police ever come to look for any "Direct Actions" at my place, I shall know the men's money is safe". I have wondered many times if McEnaney had a premonition of coming evil. It only shows, however, that men whose thoughts are wrapped in doing good to their class are not to be classed as criminals by any means.

I do not suppose the men of Scarborough Lodge ever knew how McEnaney quietly put their interests first, for the money that was entrusted to him was back in the hands of J. T. Sweeney, the District Secretary, the day after the news came of his arrest. Of such are Lowden and McEnaney. Straight, open, honest as the day, men who would scorn to hurt a bird, good, hard-working toilers, who are now victimised. Not only has the Government refused to compensate them for the injustice, but it has also assisted in the plot to deny them the right to work for their food.

We ask in heaven's name why, and we turn to the very wind for an answer, for the very breezes softly murmur, they were the President and delegate of the Scarborough Miners' Lodge. I sigh as I turn over the newspaper a few weeks old, and I see through a mist of tears, of which I am not ashamed the following: "No man shall be barred because of his past connection with unionism".

Again the Crown asked for a remand on the 21st of September, and again Mr. Lysaght urged that there would be no case against the accused. He also asked that the bail be reduced, but Mr. Bathgate, who no doubt thought the accused were guilty, objected and also insinuated that these men were importations; had only been a few years in the country, also belonged to the notorious organisation, the I.W.W., which statement Mr. Lysaght immediately denied from his knowledge of the facts that we had given to him. The two men used to subscribe to "Direct Actions". For that matter so did I, and I reserve the right to buy any paper which is allowed to go on the market. This much I will say, fearless of contradiction; that Lowden and McEnaney were never members of the I.W.W. after that organisation was declared unlawful, and I turn to the copy of Hansard, 18th July, 1917, page 232, and I read there where the Prime Minister in the debate upon the Unlawful Associations' Bill, stated that men shall be able to withdraw from that association and become useful citizens, but I fail to see how a worker can become a useful citizen if he is denied the right to work.

Of course there is the question of enlisting, but that is another subject. Even the Magistrate stated that the remark of Mr. Bathgate about the I.W.W. and the accused was unfair at that stage, but he did not reduce the bail, and another remand was granted for 19 days on the same bail. During the next 19 anxious days, I had many an opportunity of discovering from Lowden and McEnaney what it was like to be in a cell. "Whatever did you think, Mr. McEnaney, when you were in that dreadful place?" My wife inquired one night. I remember the night, Mac was sitting in an armchair in the corner looking as though (as Mr. Lysaght once so aptly put it) he had the whole of the cares of Ireland on his shoulders. Lines were appearing on his face, and, though it may have been my imagination, I felt sure he
was growing grey, patches of white appeared here and there were appearing in his
hair, going grey at thirty-four! Would to God the Minister of Justice had been with
us that night: Mac raised his head from between his hands and said, in response
to the question: "I thought of all kinds of things, Mrs. but there was one thing
that troubled me more than everything else. It worried me night and day, it was
the thought that a fellow being could descend so low as to try and swear away the
liberty of men that he knew to be innocent. I never imagined that such a being
existed. I did not think a working man could be so vile." I looked across at my
wife as he finished speaking, I saw the glistening tear reflecting the lamp light;
I choked back a lump in my throat, as I thought. "How this man loves the workers
when it hurts him most to have his faith shattered in such a way." Half an hour
later I stood with my wife at the bedside of our three little children, ere we retired
for the night. How peacefully children seem to sleep. I noticed the little curls
over the forehead of my little girl aged 6, my wife touched me on the shoulder
and said impulsively, "Oh, I hope our children will be as good as McEnaney when
they grow up". "Pray God they will", I answered, "I shall be satisfied".

Slowly the nineteen days passed by. Now and then Lowden would remember
and relate to us some of the petty insults and indignities they had been subject to
whilst in custody. One day, whilst crossing the courthouse yard in Wollongong,
and enterprising cinema photographer had snapped them, and we had learned since
that their photos had been exhibited on one of the picture screens in the City of
Sydney. I remember the photographer at Wollongong trying to get a snapshot
of Mr. Lysaght in front of the Presbyterian Church, but Andy turned his back,
then said. "Look here, old man, I don't object to being photographed, but I'm
hanged if I'm going to be exhibited standing in the front rank like a parson". On
one of the days on which the two men appeared before the court Mr. Lysaght
was taken for one of the accused men. He was walking down Crown Street towards
the courthouse accompanied by Lowden and McEnaney, when his attention was
called to a party of people in a motor car, and he overheard the following: "There
go the men who did the shooting. Do you see that tall man, that (meaning Mr.
Lysaght) is McEnaney, that (indicating McEnaney) is Lowden, and that smart­
looking young fellow (indicating Lowden) is their solicitor". Mr. Lysaght related
this with amusement, saying to Lowden, "You did not know you were taken for
a solicitor, eh, Lowden?" It was a great relief to us all when the two anxious
Lodge officials appeared at the end of the 19 days, to hear the magistrate express
his regret that the two men had been caused such inconvenience, and to hear him
say that no doubt the Crown would compensate them for the expense they had
been put to, but it was not for him to say.

It was a relief to see Thorburn in the dock to receive his reward. But, in
summing up the whole affair, there are several things arising out of this case which
we will never understand. We wonder why the Crown wanted a remand to Sydney.
Why was Lowden and McEnaney's hut searched four or five times? Why cartrid­
ges were discovered in their hut that were not there at the first search, especially
so, seeing that Lowden or McEnaney never possessed a firearm in their lives; and
why are Lowden and McEnaney not only denied compensation, but denied the
right of a job - denied the right of earning a few pounds honestly to enable them
to pay their solicitor? Why, also, is the late secretary of Scarborough Miners'
Lodge denied the right of a job? The man who promptly planted down £50 out of his own savings in order to get Andy Lysaght to fight this case.

There may be an appeal made to the miners, and knowing their previous generosity I have no doubt that it will be successful, but it is not charity, these two men desire it is justice. Oh, that the people could hear and give the answer.

Why are these men victimised?

What have they done?