

2014

Australian working songs and poems - a rebel heritage

Mark Gregory

University of Wollongong, mark.gregory@gmail.com

Follow this and additional works at: <https://ro.uow.edu.au/theses>

University of Wollongong

Copyright Warning

You may print or download ONE copy of this document for the purpose of your own research or study. The University does not authorise you to copy, communicate or otherwise make available electronically to any other person any copyright material contained on this site.

You are reminded of the following: This work is copyright. Apart from any use permitted under the Copyright Act 1968, no part of this work may be reproduced by any process, nor may any other exclusive right be exercised, without the permission of the author. Copyright owners are entitled to take legal action against persons who infringe their copyright. A reproduction of material that is protected by copyright may be a copyright infringement. A court may impose penalties and award damages in relation to offences and infringements relating to copyright material.

Higher penalties may apply, and higher damages may be awarded, for offences and infringements involving the conversion of material into digital or electronic form.

Unless otherwise indicated, the views expressed in this thesis are those of the author and do not necessarily represent the views of the University of Wollongong.

Recommended Citation

Gregory, Mark, Australian working songs and poems - a rebel heritage, Doctor of Philosophy thesis, School of Humanities and Social Inquiry - History and Politics, University of Wollongong, 2014.
<http://ro.uow.edu.au/theses/4293>

Research Online is the open access institutional repository for the University of Wollongong. For further information contact the UOW Library: research-pubs@uow.edu.au

**UNIVERSITY OF
WOLLONGONG**



**SCHOOL OF HUMANITIES AND SOCIAL INQUIRY
History and Politics**

Australian Working Songs and Poems – A Rebel Heritage

Mark Gregory

**"This thesis is presented as part of the requirements for the
award of the Degree of Doctor of Philosophy of the
University of Wollongong"**

June 2014

MARK GREGORY, Master of Arts, Macquarie University 2007
SCHOOL OF HUMANITIES AND SOCIAL INQUIRY

Thesis certification

I, Mark Gregory, declare that his thesis, submitted in fulfillment of the requirements for the award of Doctor of Philosophy in the Department of History and Politics, University of Wollongong, is wholly my own work unless otherwise referenced or acknowledged. The document has not been submitted for qualifications at any other academic institution.

(Signature)
Mark Gregory
30 June 2014

ABSTRACT

Songs and poems about work and working conditions in Australia provide a rich lode for the historian. This thesis examines the origins and uses of this lyrical material as an important part of the culture that influenced the way the Australian labour movement developed. Analysis of the one hundred and fifty songs and poems produced across a time frame ranging from colonisation to the Second World War and cited in this work reveals a long history of composition, publication and performance of this lyrical material. The material describes and argues a contending world view among organised workers, especially about rights and the way inequality affects those who labour. These popular vernacular narratives also indicate the transplanted culture of those who were transported to Australia and demonstrate the refashioning of this culture to meet the very different circumstances they faced in the new colony.

The Australian labour movement with its trade unions and political organisations, its banners, meetings, marches, speeches, its connections to similar movements overseas, its defeats and victories, has at its heart a significant tradition of working song and poetry. At the core of this lyrical material lies a determination to assert what power and agency is available in each period to gather support in order to bring about radical social change. Embedded in the songs and poems is powerful evidence for the historian of a rebellious tradition that proclaims working class attitudes and concerns.

This thesis examines the provenance and the use of this lyrical material from the colonial beginnings to the Second World War, reflecting on its trajectory over time. Symbolically, it can be argued, this lyrical material reinforces the legitimacy of the rebellious traditions of the labour movement, essential to the legitimacy and agency of the movement itself. My aim in this thesis is to significantly expand our understanding of the role played by lyrical material in the Australian labour movement and how the existence and continued production of such material constitutes a heritage where meaning and values are always under discussion and are revised by continuous negotiation.

History from below encourages attention to the cultural traditions of the labour movement especially those that show a radical approach and determination to change class society, opening it up to embrace equality as fundamental. The Australian labour movement has proved itself capable of extending rights to benefit the whole of society, even overcoming its own prejudices in the process of exposing, challenging and often confounding self-interested hegemonic ruling power.

ACKNOWLEDGEMENTS

My thanks go to my supervisors Dr. Anthony Ashbolt and Dr. Glenn Mitchell for the encouragement and advice that enabled me to present my research in this thesis.

Thanks to fellow higher degree students of both Macquarie University and the University of Wollongong who showed continued interest in my research and ideas over a period of four years.

Thanks to all those in the Australian folk song movement, the Illawarra Folk Club and the National Folklore Conference who have encouraged me at workshops and festivals and helped me develop some of the themes of my work.

Thanks to Dr. Hugh Anderson and Emeritus Professor Robert Fagan for their generous encouragement and advice over many years from the germ of my ideas to the finished work. Hugh Anderson gave me access to his personal collection of songs and poems while Bob Fagan unstintingly played the special role of adjunct supervisor for my work.

Thanks to Dr. Rowan Cahill and Emeritus Professor Terry Irving for their timely encouragement and support during the most difficult period of the work.

Thanks to Nick Franklin and Michelle Rayner for their enthusiastic support for the Frank the Poet radio documentary and to Les Murray, Professor Bob Hodge, Associate Professor Hamish Maxwell-Stewart and Emeritus Professor Bob Reece, for their invaluable insights and their generous input to that project.

Thanks to my partner and fellow rebel, Dr. Maree Delofski, and my daughter Morgan for their critical input and unshakable faith in my work.

TABLE OF CONTENTS

ABSTRACT.....	i
ACKNOWLEDGEMENTS.....	iv
TABLE OF CONTENTS.....	v
LIST OF FIGURES.....	vi
LIST OF ABBREVIATIONS.....	vii
Introduction.....	1
1. Convict Era Broadsides and Ballads and the Working Poor.....	22
2. Francis MacNamara: A Convict Poet in Australia.....	80
3. The Eureka Massacre: Lyrical Accounts and Vernacular Reflections.....	145
4. Lyrics, Sounds and Symbols – Culture of the Eight Hours Movement.....	214
5. Australian Railway Songs and Poems - Tethered to the World.....	275
6. Songs and Poems of War and Depression in Australia.....	318
7. A Common Cause – Working Songs of Struggle, Work and Peace.....	364
Conclusion and Suggestions.....	420
REFERENCES.....	428
APPENDIX A Frank the Poet: The Making of the Radio Documentary.....	449
APPENDIX B Frank the Poet: ABC Hindsight radio CD.....	455

LIST OF FIGURES

Fig 1.	<i>Daily News</i> headline 21 November 1917. p. 19.
Fig 2.	The People's Charter. p. 61.
Fig 3.	Convicts writing at Cockatoo Island. p. 77.
Fig 4.	<i>Geelong Advertiser</i> , 6 December 1854. p. 145.
Fig 5.	Trades' Hall - Melbourne 1859. p. 235.
Fig 6.	Shearing the Rams Stamp. p. 255.
Fig 7.	Click Go the Shears Stamp set. p. 260.
Fig 8.	Reproduction of original Eight Hours Banner. p. 261.
Fig 9.	1885 Melbourne Wharf Labourers Union metal token. p. 263.
Fig 10.	Trades Hall Melbourne 1906. p. 264.
Fig 11.	<i>Sydney Morning Herald</i> headline. p. 322.
Fig 12.	Early IWW songbook. p. 327.
Fig 13.	<i>Queanbeyan Age and Queanbeyan Observer</i> graphic. p. 330.
Fig 14.	<i>Daily News</i> headline. p. 331.
Fig 15.	<i>Sydney Morning Herald</i> headline. p. 359.
Fig 16.	"The Hungry Mile", 1930. p. 391.
Fig 17.	"Blood on the Coal." p. 407.
Fig 18.	<i>Canberra Times</i> 1949 miners' strike. p. 411.
Fig 19.	Aborigines' Day of Mourning. p. 423.
Fig 20.	'A Convict's Tour to Hell' from the Trimingham MS. p. 449.
Fig 21.	Frank the Poet radio CD Cover. p. 455.

LIST OF ABBREVIATIONS

(AACo)	Australian Agricultural Company
(ABC)	Australian Broadcasting Corporation
(ABCC)	Australian Building and Construction Commission
(ACT)	Australian Capital Territory
(AEU)	Amalgamated Engineering Union
(AFULE)	Australian Federated Union of Locomotive Employees
(ALF)	Australian Labour Federation
(ALP)	Australian Labor Party
(AMA)	Australian Miners' Association
(ARU)	Australian Railways Union
(AWPA)	Australian Women's Peace Army
(AWU)	Australian Workers' Union
(CMPA)	Coal Miners Protective Association
(ILO)	International Labour Organisation
(IWW)	Industrial Workers of the World
(MUA)	Maritime Union of Australia
(NSW)	New South Wales
(RTBU)	Rail Tram & Bus Union
(SUA)	Seamen's Union of Australia
(TLC)	Trades and Labour Council
(US)	United States
(USSR)	Union of Soviet Socialist Republics
(VSP)	Victorian Socialist Party
(WAAAF)	Women's Auxilliary Australian Air Force
(WACC)	Women's Anti-Conscription Committee
(WILPF)	Women's International League for Peace and Freedom
(WMA)	Workers' Music Association
(WPA)	Women's Political Association
(WWF)	Waterside Workers' Federation
(WWI)	World War I
(WW2)	World War 2

INTRODUCTION

In this thesis I interrogate the relationship between, and influence of, declaimed, sung, and read vernacular lyrical material composed by both workers and their allies on the development and history of the Australian labour movement. I am concerned to show how the labour movement made use of lyrical compositions and how such works can potentially communicate to a historian the passions of those involved and active in the labour movement. The labour movement has rarely been quiescent or quiet. Thus my interest also extends to the sounds of mobilisation and debate that can be found recorded in newspaper reports: the soap box oration, the aural spectrum of demonstrations and protest, the bands and slogans, the cheers of the crowds, the tunes played, the verbatim reports of meetings with their resolutions and arguments and the boos and disruption in court. Access to large digitised archives of newspapers in particular has made searching for, and discovering, relevant material a far easier task than it was for earlier researchers.

Songs and poetry provide us with archival evidence of the emotional, subjective feelings of the composer and the audience to which they are directed. Historian Roy Palmer writes of these lyrical materials providing us with "the touch of the times"¹, memorably and importantly expressing what is felt at the time of composition. Palmer's most recent anthology introduced the term "Working Songs" which I have adopted for my study. Palmer distinguishes between work songs, that is songs, often communally sung, to help the work in progress, and working songs that deal with the work itself and working life in general:²

It is paradoxical that whereas work songs overwhelmingly avoided the subject of work, working songs – sung in the public house, round the fireside at home, at a social gathering or during an outing, at a union meeting, during a demonstration or picket – dealt with little else.

¹ Roy Palmer, *A Touch on the Times: Songs of Social Change, 1770-1914*. (Harmondsworth: Penguin Education, 1974).

² Roy Palmer, *Working Songs: Industrial Ballads and Poems from Britain and Ireland, 1780s-1980s* (Todmorden: David Herron, 2010), p. 4.

Songs and poems are often collected into anthologies that are especially concerned with the perceived artistic quality of the material. This has led to collections that simply ignore anything considered overtly political or didactic. One of the concerns of this thesis is to focus on material that is often political, didactic and vernacular. There is an added perspective that much of this vernacular material's attractiveness and power lies in its performance before an audience. Reading the words of a song silently to oneself as text on a page may not do it justice, useful as it certainly is.

I have selected over 150 songs and poems, 44 of which have been discovered as a part of my research. The earliest examples are street ballads that were sold in the British and Irish towns, where the majority of the young men and women lived before they were exiled to Australia as convict labour. This lyrical material constitutes the basis of a transplanted popular culture to the new colony and provides a useful beginning to the study, along with other evidence about the culture and desires of the largely working class convicts. The most recent are songs and poems that continue a tradition of railway songs, for example, or the songs of the eight-hour day movement. To what extent we can claim a lyrical working class tradition is a central purpose of my research and argument. Beyond the scope of this thesis are many lyrical works associated with other important and related movements such as the women's movement, the environmental movement and the Aboriginal movement, although these movements are at times referred to in the course of the study.

The work of E. P. Thompson

Central to this study of working songs and poems as components of the development of the Australia labour movement is E. P. Thompson's concept of a working class that makes itself, and is made by conditions it does not control.³

Making, because it is a study in an active process, which owes as much to agency as conditioning. The working class did not rise like the sun at an appointed time. It was present at its own making.

³ E. P. Thompson, *The Making of the English Working Class* (Harmondsworth: Penguin, 1968), p. 9.

In his influential history Thompson is eager to point out that class, far from being a fixed entity, is part of an active dynamic relationship. He also writes about working class culture including song and poetry. Where Thompson famously wrote that he was “seeking to rescue the poor stockinger”⁴ and other workers from the “enormous condescension of posterity”, I am on a rescue mission too, reviewing a large number of examples of vernacular lyrical examples that speak of working conditions, exploitation, trampled rights and dashed hopes and dreams – material that is too rarely found in anthologies of Australian verse. This lyrical material presents an epistemological challenge as an archive of uncertain provenance from the past. It does however offer interesting examples of the counter-hegemony involved in working class engagement with capitalism, and, consequently, an insight into the culture and thinking involved in the building and evolution of the labour movement itself. “History from below” in Thompson’s phrase, is dependent on the traditional archives as well as encouraging the discovery and use of archives that enhance our understanding of the agency of those left out of history. In my study articles from Australian digitised newspapers are widely referred to, as an archive of opinion and argument of significant importance to Australian history.

Three revolutions at the end of the seventeenth century were in different ways connected with the colonisation of Australia, the great southern landmass at the other end of the world. The rulers of Britain were appalled and frightened by the American and French revolutions, while the Industrial revolution at home had produced for them economic wealth dependent on capital accumulation, the expansion of markets and creating the possibility of building of a world wide empire ruled from London. (In her anthology of poetry and song, Marjorie Pizer⁵ argues that the three revolutions were the Industrial, the Agrarian and the American. The Agrarian involved the wholesale appropriation of common lands, while the American revolution deprived Britain of its largest colony.) Among the voices that spoke on behalf of the small British ruling class was the Irishman Edmund Burke. Burke’s writings in response to the French revolution

⁴ E. P. Thompson, *The Making of the English Working Class*, p. 13.

⁵ Marjorie Pizer (ed.), *Freedom on the Wallaby – Poems of the Australian People*, (Sydney, The Pinchgut Press, 1952), p. 22.

included the hegemonic phrase “the swinish multitude”⁶ referring to those who were pioneering an extension of democracy that spelt an end to the feudal tradition of tightly controlled church and state monopoly of lawmaking.

The most widely read response to Burke came from Thomas Paine, a participant in both the American and French revolutions, in the form of his immensely popular pamphlet the “Rights of Man”.⁷ So fearful of the book were the British authorities that it was quickly banned, any copies discovered were burnt and in 1793 the author driven into exile.⁸ Perhaps a less well-known response is that of a London barber who painted a sign over his shop that boasted “Citizen Shaver To The Swinish Multitude”. This sign had overt and obvious references to the French revolution, especially in the use of the word citizen, and Burke’s lordly estimation of it. The barber’s irony was seen as sedition and had him hauled before the courts. His shop sign inspired popular songs on the subject that were published during this period including, in 1795, “Wholesome Advice to the Swinish Multitude”:⁹

You lower class of human race, you working part I mean,
How dare you so audacious be to read the works of Pain,¹⁰
The Rights of Man that cursed book – which such confusion brings,
You’d better learn the art of war, and fight for George our King.

Chorus:

But you must delve in politics, how dare you thus intrude,
Full well you do deserve the name of swinish multitude.

This verse makes the point that the “lower class of human race”, the working class, is reading the “Rights of Man that cursed book”.

⁶ Edmund Burke, *Reflections on the Revolution in France*. (London: J. Dodsley, 1790), p. 117.

⁷ Thomas Paine, *Rights of Man: Being an Answer to Mr. Burke's Attack on the French Revolution* (London: printed for J. S. Jordan, 1791).

⁸ Thompson, *The Making of the English Working Class*, p. 95.

⁹ Don Herzog, *Poisoning the Minds of the Lower Orders* (Princeton, N.J.: Princeton University Press, 1998), p. 526.

¹⁰ I take this spelling to be a deliberate double meaning and a reference to Tom Paine rather than a simple error.

Opposition to the lucrative capital accumulation from the slave trade, out of which industrial Britain grew, has also left a rich archive of public opinion: Poems and songs written about the slavery, have been brought together in a recent anthology by James Basker.¹¹ Basker has anthologised one hundred and fifty years of such lyrical material composed by more than one hundred and fifty authors before the British abolition of slavery; in doing so he could find only two examples that defended or condoned slavery. The abolition of slavery was not simply achieved through the work of famous individuals like William Wilberforce, it was the outcome of an unstoppable popular movement, including the resounding rebellions of the slaves themselves. Basker asks the question “given the preponderance of writing against slavery, how then did it persist so long?”¹² He also writes about poetic license, that is, the peculiar ability of poetry to deal with subjects like slavery because it “best enables us to approximate or intimate the unspeakable.”¹³ Basker makes the observation that,¹⁴

because poetry fills the interstices of our culture, from public spaces to private corners, in moments of high ceremony and in spontaneous effusions of popular culture, this material maps the emergence of collective awareness.

More recently the French economist Thomas Piketty has argued that “the distribution of wealth is too important an issue to be left to economists, sociologists, historians and philosophers” and points to critical portrayals of inequality that can be found in our culture.¹⁵

Film and literature, nineteenth century novels especially, are full of detailed information about the relative wealth and living standards of different social groups, and especially about the deep structure of inequality, the way it is justified, and its impact on individual lives.

¹¹ James G. Basker, *Amazing Grace: An Anthology of Poems About Slavery, 1660-1810* (New Haven: Yale University Press, 2002).

¹² Basker, *Amazing Grace*, p. xlvii.

¹³ *ibid*, p. xxxiv.

¹⁴ *ibid*.

¹⁵ Thomas Piketty and Arthur Goldhammer. *Capital in the Twenty-First Century*. (Cambridge Massachusetts, The Belknap Press of Harvard University Press, 2014), p. 2.

Perhaps it is not surprising that generations of cultural protest activity, expressed in literature, song and poetry may inspire and lead the way to change. Anti-hegemonic dissenting and radical movements in particular are often preceded, accompanied and encouraged by pointed lyrical composition and the role this unofficial literature plays in the emergence and development of the Australian labour movement is an important component of this thesis.

Class and Democratic Rights

The struggle for democratic rights lies at the core of the Gramscian concept of hegemony; the same dominant language is used by both the oppressed and the oppressors in an ongoing struggle of ideas. The opposing ideas, or moralities, or claims to tradition are of vital importance to the contending forces. In his prison cell between 1927 and 1938 in fascist Italy the communist leader Antonio Gramsci secretly formulated the concept of hegemony that proposes an ever-changing interplay between the oppressed and the powerful. The draconian surveillance of incarceration meant that much of his copious writing was designed to obscure his meaning from his gaolers. By writing this way Gramsci is practising what he is aiming to argue. In his argument he is not confronting the hegemony of the regime head on in a “war of manoeuvre” but is engaging that power in “a war of position”. Where power is overwhelming, surviving to fight another day is the course to adopt, it does not mean an abandonment of struggle. A component of “war of position” is the need to gather forces that can work together, and the need to find common ground since the struggle is not purely an individual matter but a social one requiring collective action. As a Sardinian Gramsci was brought up within a cultural milieu with a vital oral tradition of folklore, songs and poetry, and a section of his prison writing reflects this. He comments on the “importance and historical significance of certain great scholars of folklore,” and suggests that:¹⁶

Folklore must not be regarded as bizarre, strange or picturesque, but as something very serious and to be taken very seriously ... Work of this sort, done in depth,

¹⁶ Alistair Davidson, *Antonio Gramsci: The Man, His Ideas*. (Sydney: Australian Left Review Publications, 1968) p. 88.

would correspond on an intellectual plane with the Reformation in protestant countries.

Gramsci makes the important observation that among popular songs are those that are neither composed by the people of or for them, but have been adopted by the people:¹⁷

because they accord with their way of thinking and feeling ... what distinguishes a popular song in the context of a nation and its culture is not its artistic quality, nor its historical origin, but the way it sees the world and life, in contrast to the official society. In this and this alone can we seek the “collectivity” of the popular song and of the populace itself.

In E.P. Thompson’s “moral economy” the argument is similar:¹⁸ workers’ demands are often formulated through appropriation. If the price of bread is leading to starvation, the popular response is to intervene in or appropriate the market itself, not allowing the export of grain or flour from the region, by garnering popular support to reduce and stabilise the price. The morality here is found in community traditions where the long term needs of the community take precedence over the cold calculation of where any short term profit might lie. In the long term people must live. The traditional gleaning and foraging for food in formerly common lands lies behind the beliefs that people held regarding “poaching”, a belief that turned things upside down and came to consider the enclosure of those lands as an example of theft from the poor by the wealthy. This counter-hegemonic view can be found in the popular poaching ballads, such as ‘The Gallant Poachers’, including those that were composed in Australia for instance ‘Van Diemen’s Land.’

Historian Margaret R. Somers¹⁹ in her discussion of working class formation focuses her argument around the question of rights, among which she proposes the notion of “assumed rights.” These rights form an alternative, or dialogically related, legal system, a system of freedom outside of the official legal system often devised to counter any

¹⁷ Davidson, *Antonio Gramsci*, p. 90.

¹⁸ Thompson, *The Making of the English Working Class*.

¹⁹ Margaret R. Somers, ‘Narrativity, Narrative Identity, and Social Action: Rethinking English Working-Class Formation’, *Social Science History*, vol. 16, no. 4 (1992), pp. 591-630.

rebellion against the minority ruling class. The language expressing these rights speaks of being freeborn, of equality and justice for all. The assumed rights are regarded as having a long tradition for the people as a whole unlike the newly framed self-serving laws devised by the powerful rulers to fortify or enhance their dominance. Somers' concept of assumed rights, together with Thompson's moral economy and Gramsci's formulation of hegemony are useful in this study as each emphasises the idea of a dynamic or contesting class relationship.

The industrial revolution and the push for empire to secure raw materials and customers for products encouraged the development of official class-based legislation including a series of laws to enforce the privatisation of common lands, to deal with consequent poaching, to force impoverished men and women into separate barracks called the work-house, to transport tens of thousands to a permanent exile as forced labour in the colonies, to deny the right to form trade unions and to enforce the annexation of Ireland. These were in addition to earlier laws that encouraged capital to flow to Britain's rulers from the highly profitable cross Atlantic slave trade. Part of the popular response to this legislative onslaught is found in the street ballads of the times, collections of which now form a massive primary archive of popular opinion. In its panic the ruling class could abandon habeus corpus,²⁰ (as Pitt did in 1794) one of the laws forced upon King John by the barons in the Magna Carta. Such draconian approaches to mass democratic movements in the metropolitan centre of the British Empire explains how the formulation of democratic rights came to be called the Charter and its proponents took up the name Chartists.

Thompson famously argues that poaching extends to language itself with workers' appropriating the rulers' language as well as their game. This appropriation inevitably also extends to the law - Thompson regards laws as a paradoxical legacy "that gave rise to a vision, in the minds of some men, of an ideal aspiration towards universal values of law". Faced with changing equilibrium;²¹

²⁰ Thompson, *The Making of the English Working Class*, p. 144.

²¹ E. P. Thompson and Dorothy Thompson, *The Essential E.P. Thompson* (New York: New Press, 2001), p. 442.

the rulers of England were faced with alarming alternatives. They could either dispense with the rule of law ... countermand their own rhetoric and exercise power by force; or they could submit to their own rules and surrender their hegemony ... in the end, rather than shatter their own self-image and repudiate 150 years of constitutional legality, they surrendered to the law.

In Australia, the activities of bushrangers resulted in a particular and what might be considered draconian legal response. Legal historian Paula Byrne sums up the official response to bushrangers, in terms of a culture that showed “an interplay of popular participation and magisterial reaction”:²²

both the offence of bushranging and its policing were to create something new in the colony. An offence created partially by the magistrates and partially by the bushrangers themselves produced a particular type of policing, and particular kinds of behaviour bound up with what was considered legal or illegal. For the magistrates, this behaviour was winnowed down until it no longer rested on bushranging, but on the act of being suspicious. And this suspicion did not centre on the bushranger but on his connections.

Much of the lyrical material I am concerned with in this study comes to us from an oral tradition, a more complicated and often uncertain archive in terms of accurate dates and provenance. Oral historian and literary scholar Alessandro Portelli²³ argues that writing and speech “share the same living space,” and “refer to a common semantic universe.” Their differences, he writes, “enable either mode of language to perform tasks the other cannot: flowing in real time or resisting it; interacting in real time with an actual hearer or projecting forward to future and possible ideal or empirical readers.” Portelli argues that literature in its attempts to escape the “closure attributed to text” resorts to “terms and concepts derived from the practice and theory of orality.”²⁴ Describing his own practice of writing an oral history he writes that he uses the principle of “montage” or “sampling” or “quilting—a form of bricolage in which a new and significant whole is

²² Paula J. Byrne, *The Criminal Law and Colonial Subject* (Cambridge University Press, 1993), p. 148.

²³ Alessandro Portelli, *The Text and The Voice* (New York: Columbia University Press, 1994) p. 15.

²⁴ *Ibid*, p. 18.

created out of an array of fragments.”²⁵ I utilise Portelli’s notion of bricolage in the study in order to attempt to create a new understanding of the significance and connection of sometimes apparently disparate and fragmented creative narrative and vernacular materials produced across different historical periods.

Dialogism, Mikhail Bakhtin, Rights and Subaltern histories

Prominent in my investigative framework are the cultural and linguistic concepts formulated by Bakhtin.²⁶ Bakhtin’s concept of the dialogic nature of language revolves around a number of observations about how we communicate in everyday life and in literature. He argues that words are not fixed and that supposing we hear two words there is no way of predicting what might follow. The same word used twice in an utterance may have two very different meanings. The dialogic nature of language is envisaged as a completely open system of exchange and communication where words contain the traces of other words. Language remains strange to the users who are constantly surprised by its unpredictability; it is not reducible to a formula and its signs are not self-identical. He also argues that monologism represents an opposite form that attempts to rid language of its apparent waywardness and lack of discipline. Here we have the official language of rules, commandments and regulations designed to last forever. Monologism is a language inherently devoid of humour and consequently often becomes the target of subversive mimicry and laughter. The popular turning upside down of Burke’s insulting phrase ‘the swinish multitude’ referred to earlier, the phrase that poured such scorn on the quest for universal democracy, is an example of a keen understanding of the way that the ironic re-use or re-telling of the words of the ruler can be put to effective counter-hegemonic use. A dialogic approach brings to bear the complexity associated with communication and exchange including what is alluded to, left out, glossed over, context, time and place, misunderstandings, and parody. Dialogism focuses on vernacular story telling and genres being relational, the stories of the past constantly being re-told and re-purposed to deal with the present for new

²⁵ Alessandro Portelli, *They Say in Harlan County: An Oral History* (New York: Oxford University Press, 2011) p. 11.

²⁶ M. M. Bakhtin, *Rabelais and his world* (Bloomington: Indiana University Press, 1984).

political and social purposes in the present. Historians Ann Curthoys and John Docker write about Bakhtin's fascination with genre:²⁷

Bakhtin developed dynamic notions of genre, character and dialogue. He stressed the long history of forms and genres, and how a genre uncannily remembers its own history. He saw genres, including popular genres like ancient romance, as fascinating in the possibilities for wide-ranging social, geographical, and mythological exploration they permitted. He reveled in fantastical genres, in literary excess, in extravagant narratives, in aesthetic extremes. Genres from long ago to the present are always interacting with each other.

The differing world-views of the oppressed and the tyrant present are to be found in their narrative visions of how things should be arranged for the future and how their goals can be achieved. In the process they unavoidably poach words and phrases of others. However, as Bakhtin observes, this process poaching or expropriation is not without its problems:²⁸

Language is not a neutral medium that passes freely and easily into the private property of the speaker's intentions; it is populated—overpopulated—with the intentions of others. Expropriating it, forcing it to submit to one's own intentions and accents, is a difficult and complicated process.

Bakhtin's views about the dialogic nature of language in the market place, and other public places are particularly valuable in my study of the sounds of generations of workers and their families in the large demonstrations celebrating the eight hours campaign in Australia. There is also, of course, the labour movement's history of

²⁷ Ann Curthoys and John Docker. *Is History Fiction?* (Sydney: University of New South Wales Press, 2010). p. 195

²⁸ M. M. Bakhtin and Michael Holquist, *The dialogic imagination: four essays* (Austin: University of Texas Press, 1981) p. 294.

claiming exclusive venues and streets as well as the construction and ownership of permanent buildings and meeting halls.²⁹

Just as Thompson proposes relationships and process against rigid structure, Bakhtin proposes the dialogical nature of language itself, language which for each of us has an indeterminate history reaching back to ancient times and is always dynamic and constantly evolving. Where Thompson writes of language and ideas being poached by the oppressed, Bakhtin argues that many ideas are embedded within the language and are able to be resurrected and repurposed as the need arises. Thompson's 'moral economy' is an important component of rebellion and riot, while Bakhtin's 'carnavalesque' also turns the world upside down.³⁰

I also take note of the work of Somers which teases out notions of a culture of rights and social justice as prominent concepts that lay behind the development of ideas that drove and sustained the British labour movement from its early years:³¹

The history and projected future of this rights' culture was the theme through which events were evaluated, explained, and given meaning. They provided the guides to action, the methods for the remedies of wrongs and distress.

Like Thompson and Bakhtin, Somers writes of cherished popular ideas that evolved over centuries and certainly preceded the industrial revolution. My study of vernacular lyrical material shows how often it contains strong evidence that supports Somers' arguments about rights and how this contrasts with the hegemonic claims about rights and subaltern demands for equality.

Ancient stories, songs and poetry, translated and transposed or transmitted orally over thousands of years are part of every language. We only have to read the Diamond Sutra,

²⁹ Terry Irving and Lucy Taksa. *Places, Protests and Memorabilia: The Labour Heritage Register of New South Wales*. (Sydney, N.S.W.: University of New South Wales, Industrial Relations Research Centre, 2002).

³⁰ Bakhtin, *Rabelais and his world*, p. 241.

³¹ Somers, 'Narrativity, Narrative Identity, and Social Action', p. 612.

the Torah, the Bible, the Koran to discover verse as a vehicle for ancient ideas. Bakhtin was particularly interested in the way languages borrowed from each other. There is something decidedly Bakhtinian about the fact that our English words *song* and *singing* are a complex evolution from the Latin *cantare* that has led to words we use today including cant, descant, chanter, chant, chaunt, incantation, enchant and shanty.

James C. Scott's concept of the 'hidden transcript' also provides valuable insights into hegemonic relations in society. Scott argues that there exists a "hidden transcript" that sustains resistance and contributes to our understanding of the dynamics of the long history of the struggle against domination and appropriation:³²

Resistance, like domination, fights a war on two fronts. The hidden transcript is not just behind-the-scenes griping and grumbling; it is enacted in a host of down-to-earth, low-profile stratagems designed to minimize appropriation. In the case of slaves, for example, these stratagems have typically included theft, pilfering, feigned ignorance, shirking or careless labor, footdragging, secret trade and production for sale, sabotage of crops, livestock, and machinery, arson, flight, and so on. In the case of peasants, poaching, squatting, illegal gleanings, delivery of inferior rents in kind, clearing clandestine fields, and defaults on feudal dues have been common stratagems.

Historian Gyanendra Pandey, an important figure in the theoretical approach known as Subaltern Studies, argues that this approach to history offers the researcher:³³

a perspective, a political possibility, a position from which to analyse both the subaltern and the elite, a way of emphasising the relational, historical and contested character of all power relations and all conditions of dominance and subordination.

³² James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts*, (New Haven: Yale University Press, 1990), p. 188.

³³ Gyanendra Pandey, 'Notions of community: popular and subaltern', *Postcolonial Studies*, vol. 8, no. 4. p. 411.

Pandey suggests that it is the very invisibility of subaltern communities is what the historian should address, a concept akin to that of Thompson and the history from below movement, that the historian's task is to "investigate the history of other versions of political community, denied statist recognition, existing in incipient forms, or still struggling to be born".³⁴

The key word in play here is "relational", an emphasis that has its echoes in Thompson's thoughts about class, or Gramsci in the contest of hegemony and Bakhtin in the dialogical embedded in language itself. Social change only happens because it is an ever shifting contestation and testing of rights. What appears as holy and everlasting for one generation is often exposed as self-serving delusion by another. As Scott observes:³⁵

Inasmuch as the cultural dignity and status of ruling groups are typically established through the systematic denigration and indignities imposed on subordinate classes, it is not surprising the commoners are not likely to share these assumptions with quite the same fervor.

The often defiant lyrical material of the labour movement along with the flags, badges, banners symbols, slogans of demonstrations, meetings and resolutions fit well with ideas about a subaltern movement that has very strong views about equality, justice and fairness and about the ways things should or could be. This resistance is often hidden because although it is part and parcel of rebellion and resistance it is likely to be underestimated, not easily available to or well understood by the dominant class. It has been the work of labour historians in particular to make this concept a part of their reflections.

Sources, Archives and Collections

³⁴ Pandey, 'Notions of community: popular and subaltern' p. 418.

³⁵ Scott, *Domination and the Arts of Resistance*, p. 157.

One of the first Australian historians to investigate popular song and poetry as valuable source material is Russel Ward³⁶. His influential work “The Australian Legend” was first published in 1958 and has remained in print ever since in several editions, including an illustrated one, and scores of reprints (including an e-book). Ward has described his book not as a history of Australia, but rather a study that will:³⁷

trace the historical origins and development of the Australian legend or national *mystique*. It argues that a specifically Australian outlook grew up first and most clearly among the bush workers in the Australian pastoral industry, and that this group has had an influence, completely disproportionate to its numerical and economic strength, on the attitude of the whole Australian community.

Ward pays special tribute to “three old folk-singers, Mrs Mary Byrnes, Mr Joseph Cashmere and the late Mr John Henry Lee.” These were the first singers of bush songs that Ward met in person and it was they who made him aware of a continuing tradition of ballad singing in Australia. Lee, for example, had in his repertory “The Backblock Shearer”³⁸.

Influenced by Ward’s early interest in bush songs and those who sang them, the folklorist and collector John Meredith describes how he began collecting and recording them:³⁹

Hilda Lane, of North Sydney, first demonstrated the possibility of oral collecting when she told me she knew of an old shearer who still sang old bush songs. This was Jack ‘Hoopiron’ Lee, and as a result of meeting him hearing him sing I bought a tape-recorder and began searching out old performers.

Meredith’s recordings, and those of most other folk song collectors now reside in the Oral History and Folklore Collection of the National Library of Australia, another

³⁶ Russell Ward, *The Australian Legend* (Melbourne: Oxford University Press, 1958).

³⁷ Russel Braddock Ward, *The Australian Legend* (Melbourne: Oxford University Press, 1978) p. 7.

³⁸ John Meredith and Hugh Anderson, *Folk Songs of Australia and the Men and Women who sang them* (North Sydney, Ure Smith Pty Ltd, 1967), p. 38-39.

³⁹ John Meredith and Hugh Anderson, *Folk Songs of Australia*, p. 7.

archive that is being digitised and becoming available online. These and other recordings constitute another archive in my research for this thesis.⁴⁰

One of the pioneer oral historians in Australia is Wendy Lowenstein. In 1978 she published 'Weevils in the Flour', an oral record of the 1930s depression in Australia based on the hundreds of hours of interviews she recorded in a journey that took her across Australia.⁴¹ The book was named after Dorothy Hewett's poem about the depression years that became a famous song in the 1960s Australian folk song revival. In 1978 Lowenstein published 'Under the Hook' an oral history of the Melbourne waterside workers. This too was based on recorded interviews she made - in this case with the help of her co-author the retired waterside veteran Tom Hills.⁴² Lowenstein's books provide an archive of the voices of men and women talking about their lives and their involvement in the Australian labour movement. The original tapes still exist and Lowenstein's daughter is working on a project to make them freely available through creating an online archive.

The archival sources of lyrical material on which this research is based have in many cases been digitised making them searchable and retrievable via the internet. This has made a dramatic change for researchers and offers an access that was not available to scholars like Ward and Meredith. For example, today the researcher has instant access to the Bodleian Library Broadside Ballads in Oxford⁴³ and the Broadside Ballads at the National Library of Scotland.⁴⁴

Other important source material includes anthologies of the popular broadside ballads, Hugh Anderson's recently published collection contains one hundred and forty broadside ballads focusing on Australia and convict transportation.⁴⁵ Anderson has also

⁴⁰ <http://www.nla.gov.au/what-we-collect/oral-history-and-folklore>, (accessed 23 May 2013).

⁴¹ Wendy Lowenstein, *Weevils in the Flour: An Oral Record of the 1930s Depression in Australia* (Melbourne, Hyland House, 1978).

⁴² Wendy Lowenstein, and Tom Hills. *Under the Hook Melbourne Waterside Workers Remember Working Lives and Class War, 1900-1980* (Pahran, Vic: Melbourne Bookworkers in association with the Australian Society for the Study of Labour History), 1982.

⁴³ <http://bodley24.bodley.ox.ac.uk/cgi-bin/acwweng/maske.pl?db=ballads>, (accessed 3 October 2013).

⁴⁴ <http://digital.nls.uk/broadsides/index.html>, (accessed 3 October 2013).

⁴⁵ Hugh Anderson, *Farewell to Judges & Juries: The Broadside Ballad & Convict Transportation to Australia 1788-1868* (Melbourne, Red Rooster Press, 2000).

permitted access to his personal scrapbooks of Australian industrial songs and poems for this thesis. He is the elder statesman of Australian folklorists and his early argument about the literary origins of Australian bush songs remains an important consideration for those still wedded to early twentieth century definitions of folksong. The pioneer English folk song collector Cecil Sharp,⁴⁶ for example, defined folk song as songs unaffected by written texts and of unknown provenance regarding authorship. This definition although modified by modern folklorists long remained very influential. Anderson's argument, based on empirical research, challenges this proposition.

Another archive that has proved invaluable for this study is the National Library of Australia TROVE project.⁴⁷ This digitised archive comprises hundreds of millions of newspaper pages dating back to 1803. The archive is searchable online and the researcher is encouraged to make corrections to the digitised output. This involvement of hundreds of interested people, including scholars, provides an effective way of mopping up the inevitable errors inherent in the results produced by computer generated text recognition. The corrections made by human intervention in the system result in continuous improvements in the efficacy of searches. I have used information gleaned from searches of more than 90 Australian newspapers in my study. A wealth of lyrical material is to be found in Australian newspapers, especially in the smaller regional papers and the radical press. The "bushman's bible", the *Bulletin*, is famous for its "Red Page" and verses commissioned from poets like Henry Lawson, Marie Pitt, Bernard O'Dowd, Mary Gilmour and Banjo Paterson. The radical papers cited in this study include the *Boomerang*, the mining union *Common Cause*, the Industrial Workers of the World (IWW) *Direct Action*, the *International Socialist*, *Labor News*, the *Queenslander*, *World's News*, and the Australian Workers' Union (AWU) the *Worker*.

I have also made use of a number of transportation and convict websites, and have employed the findings in Chapter One and Chapter Two. For example, the Queensland State Library "Convict Records", facilitates online searches of the British Convict transportation register for convicts transported to Australia between 1787-1867.⁴⁸ The

⁴⁶ Sharp, Cecil J. *English Folk-Song: Some Conclusions* (London: Simpkin 1907).

⁴⁷ <http://trove.nla.gov.au/>, (accessed 3 October 2013).

⁴⁸ <http://www.slq.qld.gov.au/resources/family-history/info-guides/convicts>, accessed (9 May 2014).

Tasmanian Government has “Tasmanian Heritage”, an online archive that allows one to search the records of all convicts transported to Tasmania indexing the original records held from the beginning of transportation to Van Diemen’s Land in 1804 until 1853. Some 76,000 people are indexed.⁴⁹ Peter Mayberry’s archive “Irish Convicts to New South Wales 1788-1849” allows researchers to search over 30,000 records.⁵⁰ The table that results from a search will list the “Trade or Calling” of each convict and a column indicating whether they are known members of the “White Boys” Irish rebels, along with the usual details of names, birth date, crime committed, etc.

In Chapter Three I discuss the large number of songs and poems that have been composed about the Eureka massacre since 3 December 1854. This longitudinal element of the study explores the way Eureka has increasingly become part of the popular imagination from the gold rush days to the present. The brutality of the crushing defeat of the gold diggers, like so many defeats in history, has come to symbolize the struggle of the many against hegemonic oppression. The symbol invented at the time, the giant Eureka flag, remains potent today, particularly so for the labour movement. For anti-union governments it remains a clear reminder of the limits of the power of official symbols against the seemingly relentless power of this unofficial Australian flag.

Coming as it did so soon after Eureka, the struggle for the eight-hour day and its reflection in the traces of sounds of the annual celebratory marches from 1856 is a sonic aspect of the discussion in Chapter Four. In this chapter I note how the issue of the length of the working day continues to resonate to the present time - as songs and poems commemorating the limiting of the working day and week continue to be composed in the face of a corporate culture that increasingly proposes the traditional restrictions be ditched under the hegemonic rubric of flexibility and freedom of individual choice.

Labour movement newspapers and union journals constitute another archive particularly for labour historians. Indeed the size of this archive owes a debt to the efforts of the first

⁴⁹ <http://portal.archives.tas.gov.au/menu.aspx?search=11>, (accessed 4 October 2013).

⁵⁰ <http://members.pcug.org.au/~ppmay/cgi-bin/irish/irish.cgi>, (accessed 4 October 2013).

generation of Australian labour historians for its existence. Chapter Five draws on this archive particularly in relation to the publication of Australian railway songs and poems (1856-1985). I been aware of the rich potential of this material since my involvement in 1985 as editor and compiler of an audio tape compilation of items collected by railway worker Brian Dunnett. Dunnett had access to railway union journals and workshop magazines and discovered in them dozens of songs and poems mostly composed by railway workers. As convenor of the Combined Railway Committee in Sydney he was able to obtain Australia Council funding for producing the cassette recording under the Art in Working Life project set up by the Australian Council of Trade Unions (ACTU). The collection of railway song and poetry continued to grow and since 2009 has had an online existence as “Australian Railway Songs” a research blog.⁵¹ This archive of 229 lyrical items, two CDs and 80 newspaper articles forms the basis of my discussion in this chapter.

The phrase “Class War” looms large in the government and newspaper attacks on the anti-conscription movement in World War I. These attacks were particularly focused on members of the Industrial Workers of the World (IWW) who were fearless in challenge to the war and the attempts of the Prime Minister William Morris Hughes to introduce conscription through two failed referendums and beyond.



fig 1. ⁵²

⁵¹ <http://railwaysongs.blogspot.com.au>, (accessed 3 October 2013).

⁵² *Daily News* 21 November 1917.

The IWW was outlawed, its newspaper *Direct Action* was banned and its leaders arrested for trial on conspiracy charges in Sydney and in Perth. The war, promoted as the “war to end all wars”, was regarded by the IWW as a war on workers - a ruling class conspiracy to enlist by force workers in different nations to kill each other. A decade after the war a world wide depression put millions out of work for years. These circumstances form the context to my selection and analysis of lyrical material for Chapter Six.

Chapter Seven deals with almost the same period as in Chapter Six. However here the focus is on the songs and poems composed by three autodidact worker poets, Josiah Cocking, Ernest Antony and Jock Graham. Cocking and Graham were both militant coal miners and Antony a militant itinerant worker who followed a range of trades in a number of states. Antony published a collection of his verse in 1930.⁵³ Graham and Cocking both published in the NSW Miners Federation newspaper/magazine *Common Cause* during the depression years. Cocking kept a typewritten diary with cuttings of his published poems, a diary which has recently been digitised and is curated as an online archive by the University of Newcastle.⁵⁴ None of these collections is widely known or explored, yet I argue that their existence is a significant indicator that they were cherished by the generation of workers who continued to find effective ways of organising and defending conditions despite war and economic depression; that these works were an important part of the culture that helped the labour movement to cohere, bolstering it to survive and to fight another day. Here we can consider the creative vernacular narratives as an expression of dialogic exchange. They demonstrate a very popular view - that capital’s tendency to bouts of economic crisis and depression, forced austerity and mass unemployment should never be allowed to occur again.

⁵³ Ernest Antony, *The Hungry Mile and other poems* (Sydney: Wright & Baker, 1930).

⁵⁴ <http://libguides.newcastle.edu.au/jcocking>, accessed 24 June 2013.

CHAPTER 1. CONVICT ERA BROADSIDES AND BALLADS AND THE WORKING POOR

Sir George Arthur, late Governor of Van Diemen's Land, likened the convict to a slave, and described him "as deprived of liberty, exposed to all the caprice of the family, to whose service he may happen to be assigned, and subject to the most summary laws ... his condition in no respect differs from that of the slave, except that his master cannot apply corporal punishment by his own hands, or those of his overseer, and has a property in him for a limited period. Idleness and insolence of expression, or of looks, anything betraying the insurgent spirit, subject him to the chaingang or the triangle, or hard labour on the roads".⁵⁵

[The Molesworth Report on Transportation, 1838]

Governor Arthur's likening of the conditions of convicts to those of slaves in the Molesworth Report would lead Molesworth to recommend an end to transportation⁵⁶. It was a view that concurred with that of the convicts themselves, a view commonly asserted in many of the popular ballads about transportation at the time. In this chapter my argument is that analysis of contemporaneous songs and poems, lyrical material, associated with Australian convict life provides compelling evidence of the nature of working class thought and political consciousness in the new colony. I will interrogate this empirical evidence of, and discourse pertaining to, working class opinion in the early colonial period.

The lyrical material I have gathered for this chapter places particular emphasis on the ideas and views that appealed to workers in Britain and Ireland. It was material sold on the streets of the towns that were the former homes of the convicts and their families and friends. Like the vernacular works discussed in later chapters this selection illustrates the cultural appeal of the labour movement that attracted support and caught the attention of the wider society. It reveals that throughout its existence in Australia the labour movement was concerned with much more than bread and butter issues, important as those were. In the process of constructing itself, the movement was

⁵⁵ *Parliamentary Papers* 1837-38, Vol. 22, pp. 5-21.

⁵⁶ The first convicts landed in Australia on 20 January 1788 and the last landed on 10 January 1868.

gathering friends and allies as part of its hegemonic endeavours to bring about change; thus the preponderance in the movement of a non-exclusive, broad interest in rights, democracy, industrial organisation, institution building, banners, flags, demonstrations, badges, strikes, meetings, political parties, the peace movement, health and safety, the environment, anti slavery and opposition to forced labour in all its variety. While the movement would have long lasting effects on the colony and its development it was not without its backwardness in attitudes to race and gender and, of course, in the treatment of the original owners of Australia, the Aborigines. It was under such circumstance that the Australian labour movement became known around the world for its lack of deference towards authority from the convict decades onwards. In terms of national mythology, for example, the bushrangers, not the gaolers, are the heroes, and as such far more celebrated in balladry than any of the authorities whose statues still adorn our cities. Even statues can be subverted by popular opinion, as can be seen in the case of the monument raised in Melbourne to commemorate Sir Redmond Barry. It is popularly known as the Ned Kelly statue – ironically, Barry was the judge who condemned him to be hanged.

Much has been written by historians drawing on institutional perspectives and discourse about transportation, interrogating official documentation such as court reports and convict records. However as Hodge and Mishra argue, popular traditions, “from below” and “often in oral form” have also informed our understanding of this history.⁵⁷ Among the earliest examples of lyrical material relating to this subject are the transportation or convict ballads. These ballads, which were popular and widely available, were produced from settlement to the mid nineteenth century. They reflected the views of the working class men and women who constituted the overwhelming majority of the 165,000⁵⁸ convicts transported to Australia. Of these, 25,000 were women, a male to female ratio of 6.6 to 1. The disparity between male and female convicts in Van Diemen’s Land was even more extreme at a ratio of 9 to 1⁵⁹. In the white population of Australia convicts

⁵⁷ Bob Hodge and Vijay Mishra ‘Crimes and Punishments’, in Gregory Castle (ed), *Postcolonial Discourse. An Anthology*, (Blackwell, 2001), p. 336.

⁵⁸ http://www.sl.nsw.gov.au/discover_collections/history_nation/justice/convict/convict.html, (accessed 9 February 2013).

⁵⁹ Deborah J. Swiss, *The Tin Ticket: The Heroic Journey of Australia's Convict Women* (New York: Berkley Books, 2010), p. 122.

and ex-convicts formed a majority for the first five decades of the colony and this gender disparity was a prominent feature of those years, one that marked Australia as a very different extension of British society. Most of those who administered the colony or guarded, preached and punished the prisoners could and did return to the land of their birth, their family and friends, while the convicts rarely could or did so.

Broadside ballads were published for and sold on the streets to a largely working class audience. James Hepburn's recent study finds that twelve hundred such ballads deal with poverty in Britain, and that many of these lay the blame with the class system and raise the issues of fairness and equality.⁶⁰ The ballads, of course, were not the only creative bearers of this kind of analysis. Aruna Krishnamurthy, for example, in her discussion of eighteenth and nineteenth century literature has written of the "figure of the working class intellectual" and also evaluated the work of well-known writers such as "Robert Burns, John Thelwall, Charles Dickens, Charles Kingsley, Ann Yearsley, and even Shakespeare, in terms of their role within a working-class constituency."⁶¹

Historians and Convicts

Early Australian ballads like the 'Cyprus Brig' and 'Van Diemen's Land' explore below clearly depict the brutality of the convict system in a memorable way that ensured their transmission for generations. Historians may argue about the criminality of convicts, but they largely agree that the great majority of them were working class. As I discussed in the Introduction, class implies relationship, a relationship within a particular society. That relationship is inevitably reflected in social institutions such as the legal system. If only one class is involved in making and administering the law the prospect of its vaunted evenhandedness is remote. In their argument against a long held construct of the transported and exiled as part of a "criminal underclass", Ken Buckley and Ted Wheelwright point out that just as the majority of convicts "were from working class or

⁶⁰ James Hepburn, *Book of Scattered Leaves: Poetry of Poverty in Broadside Ballads of Nineteenth-Century England : Study and Anthology*, (Lewisburg, Pa., Bucknell University Press, 2000).

⁶¹ Aruna Krishnamurthy, *The Working-Class Intellectual in Eighteenth and Nineteenth-Century Britain* (Farnham, Surrey, England, Ashgate, 2009), p. 4.

peasant backgrounds” they also “came to form part of those same classes in the colonies”.⁶²

To portray them as a collection of sub-human beings is to adopt the warder mentality of their gaolers ... Recent research suggests that there was a remarkable variety of work skills among the convicts and that they well may have been broadly representative of the British working classes in this respect. Undoubtedly the convicts were the basis for the creation of a proletariat in Australia.

We have witnessed a considerable shift in popular perception of convicts in Australia over the last half century. Popular interest and research in genealogy and family history, as well as the institutional concerns of museums and the economic concerns of tourism, have all played a part in the modern perception of convict life. The “convict stain” that served to hide, and dampen interest in, so much convict history for so long has largely been replaced by a more dispassionate understanding of convict life. The early notion of “criminal underclass” referred to above by Buckley and Wheelwright, no longer holds sway. Historian William Lines sums up the new perception in this way⁶³

The British government, fearful of riot and revolution, found a palliative in transportation, which aimed, not at punishing individual crimes, but at banishing an enemy class from British society. Those convicted and sent to Australia did not belong to a British criminal class. As a cross-section of the English and Irish working class, they possessed the skills needed to build Australia, and were suited to the tasks of performing the hard physical labour required to conquer a new country.

Historian Alison Alexander attributes the change in popular perception in part to the publication in 1958 of Russel Ward’s *The Australian Legend*. Alexander describes Ward’s claim that convicts’ values were the basis of the Australian national character as a ‘bombshell’ at the time. She writes, “Even today many prefer not to remember that for

⁶² Ken Buckley and Ted Wheelwright, *No Paradise for Workers, Capitalism and the Common People in Australia 1788 – 1914* (Melbourne, Oxford University Press, 1988), p. 55.

⁶³ William J. Lines, *Taming the Great South Land: A History of the Conquest of Nature in Australia* (Allen & Unwin, Sydney, 1992), p. 56.

nearly the first half-century of its existence White Australia was, primarily, an extensive gaol.”⁶⁴ However, A.G.L. Shaw, writing only eight years after the publication of *The Australian Legend* remained strongly of the view that convicts were rightly considered by historians as criminals despite the popular myth, “firmly embedded in national ethos”, that

convicts were more sinned against than sinning, victims of a harsh criminal law, driven by want to some petty crimes in times of economic depression or social stress, caused by the enclosing of the commons or the ‘industrial revolution’.

Shaw describes this view as a ‘myth now firmly embedded in the national ethos’ and one expressed in an early pre transportation rhyme which he cites⁶⁵

The law locks up the man or woman
Who steals the goose from off the common,
But leaves the greater villain loose
Who steals the common from the goose.

...

but though the myth is now firmly embedded in the national ethos, where it will doubtless remain for generations, historians have come to doubt it more and more.

Today we have evidence from more recent research that what Shaw regarded as a popular myth actually presented a more accurate picture of convicts than the view commonly espoused by historians. Archaeological evidence from the Rocks area in Sydney, an area where convicts and ex-convicts lived from the very early days of settlement, offers us a picture of a thriving working class community in an area many have regarded as a slum. Urban archaeologist and historian Grace Karskens writes: ⁶⁶

⁶⁴ Alison Alexander, *Tasmania’s Convicts: How Felons Built a Free Society* (Allen & Unwin, Crows Nest, NSW, 2010), p. 231.

⁶⁵ A.G.L. Shaw, *Convicts and the Colonies: A Study of Penal Transportation from Great Britain and Ireland to Australia and Other Parts of the British Empire* (Faber & Faber, London, 1966), pp. 146-147.

⁶⁶ Grace Karskens, ‘Engaging Artefacts: Urban Archaeology, Museums And The Origins Of Sydney’, *Humanities Research*, vol. ix, no. 1 (2002), p.48.

Archaeology forces us to look more closely at the idea of strictly class-based residential patterns gleaned from the scribblings of nineteenth century outsider observers. That so-called ‘slum-dwellers’ should so clearly aspire to, and often achieve, their preferred form of gentility, made available by consumer culture, industrialisation, and by their interest in collecting, is the sort of ‘shock’ insight archaeology delivers. It challenges long-held ideas about the culture and stance of working people, about the Rocks as a ‘slum’, about the very notion of ‘slums’ itself.

Karskens’ evidence illuminates the agency and self-reliance of convicts in the first three decades of the colony. The vast southern continent claimed by the British empire was itself considered to be the prison. Convicts were not in prisons since the gaols and penal stations they were to build did not yet exist. Many convicts built their own houses in “The Rocks” (their own name for the area), away from the precincts of the ruling elite, creating an industrious community where much productive activity took place in the cottages and gardens. They were eager to equip their homes with the latest commodities exported from a rapidly industrialising Britain, just the kinds of cutlery, plates, buttons, decorations along with the tea and coffee to which workers in a similar position in Britain were also growing accustomed. Industrial society was dependent on such consumption. Karskens shows how the streets and houses grew organically as needs required and were planned not with a grid of streets, but in ways that reflected the existing topography of the area.⁶⁷ This part of Sydney was a place that convicts claimed as their own.

We cannot simply conclude that convicts “were better off here”. What is missing is an account of the convict understanding of the unfairness of the penal machinery that sent them to the other side of the world in the first place. Similarly absent is an account of the trauma of being wrenched from family, friends, community and land of birth. Karskens is describing conditions in Sydney in the first three decades of settlement, however, with the construction of the penal stations and places of secondary transport, conditions for convicts were radically altered.

⁶⁷ Grace Karskens, ‘Engaging Artifacts’, *Humanities Research*, vol. ix, no. 1 (2002), p.48.

What we learn from lyrical material associated with the convicts allows us to enter their world using methods not dissimilar to those of the archaeologist, piecing together what we can from a variety of fragments from the vernacular narratives. Among the fragments available can also be included newspaper reports of the time dating from 1803 onwards. Official reports, too, often reveal important insights into convict life and convict thinking.

Convict desperation in the penal settlements of New South Wales and Van Diemen's Land, their misery and dejection at the injustices they believed they were suffering certainly resulted in extraordinary counter-hegemonic acts. A number of convict incidences of self-harm were noted with alarm in the Molesworth Report. Sir Francis Forbes, the chief justice of Australia produced evidence to the Transportation Committee:⁶⁸

The experience furnished by these penal settlements has proved that transportation is capable of being carried to an extent of suffering such as to render death desirable, and to induce many prisoners to seek it under its most appalling aspects.

In this report Forbes also reveals:

That he had known many cases in which it appeared that convicts at Norfolk Island had committed crimes which subjected them to execution, for the purpose of being sent up to Sydney ... and that he believed they deliberately preferred death, because there was no chance of escape, and they stated that they were weary of life, and would rather go to Sydney and be hanged.

In a similar vein historian Hamish Maxwell-Stewart writes about an astonishing convict "escape" in Van Diemen's Land. On 17 October 1827 nine convicts sent to Macquarie Harbour penal settlement as a secondary punishment, carried out their plan to escape from further flogging by forcing the penal system to hang them. They believed they

⁶⁸ David Charles Douglas, *English Historical Documents* (London: Eyre & Spottiswoode, 1956), p. 523.

would go to Heaven if they confessed to murder, and they carefully planned the drowning of a ruthless constable within the sight of witnesses who they had bound and gagged.⁶⁹

By drowning Constable George Rex, by immersing him below the cold waters of Macquarie Harbour, by ensuring that there were others there to see what had passed, the nine men had arranged their own deaths. The state had obliged by supplying them with Bible, candles and clergymen from no fewer than three denominations. The ultimate sanction that [Governor George] Arthur possessed had been corrupted and used for altogether unintended purposes ... It was as though the nine men had cut out a brig from under the noses of the convict department and one and all, prisoners, public, clergy and colonial officials, had been forced to watch them sail away.

The Cyprus Brig

Convict and contemporaneous verse also reveals that the transported often took desperate steps to escape the penal settlements that had been specially chosen and designed to make their escape impossible. They certainly strongly believed that they had been “more sinned against than sinning”. Evidence that this particular attitude was abroad long before the deliberations of modern historians can be found in the Tasmanian ballad about the *Cyprus Brig*, a song that tells the story of the convict seizure of and escape via this vessel in 1829. Folklorist Edgar Waters writes⁷⁰

We have a solitary recording of a song about the 'convict times' in Tasmania: 'The Seizure of the Cyprus Brig'. There is a poem, known from a manuscript, of this title, said to have been written by the Irish convict known as Frank the Poet. The song was recorded from an old whaler named Davies in the 1960s. It makes use of bits of the text from the manuscript poem, adds an introductory verse from a

⁶⁹ Hamish Maxwell-Stewart, *Closing Hell's Gates: The Death of a Convict Station* (Allen & Unwin, Crows Nest, N.S.W., 2008), p. 219.

⁷⁰ Gwenda Davey and Graham Seal, *The Oxford Companion to Australian Folklore* (Oxford University Press, Melbourne, 1993), p. 162.

broadside ballad called 'Van Diemen's Land' and sets it to one of the tunes used for that song.

This Australian ballad, similar in form to the street ballads cited in this chapter, has been attributed to the Irish convict Francis MacNamara, whose lyrical compositions occupy a particular place as examples of Australia's earliest working class song and poetry. I explore his life and verse fully in Chapter Two, making use of my own research into evidence found in digitised Australian newspapers to add to earlier research by a number of folklorists, historians and other scholars.

In August 1829 the recently refurbished *Cyprus Brig* was conveying thirty-one prisoners to Macquarie Harbour. On 9 August 1829 the ship was forced by storms to seek refuge in Recherche Bay for a week. During its anchorage in the bay the convicts on board seized the ship and after putting the captain, soldiers, crew and a number of hesitant convicts ashore, they set sail for Japan, ultimately reaching China. The Tasmanian newspaper *Colonial Times* attempted to put a positive spin on the escape:⁷¹

We are somewhat apprehensive that this affair will be a great temptation to other prisoners to make similar attempts, while this Penal Settlement is continued. It is, however, much better for the Colony that these desperate characters have got off, even with the loss sustained, than that they should have escaped into the bush, and have become bush-rangers, for in all probability they would have then committed numerous depredations before they would be taken. There is also some consolation, that they committed no murders, nor ill-treated the women on this occasion.

The same article estimated the loss of the ship and its cargo to be “£3,350”, canvassed the need to close the reviled Macquarie Harbour penal settlement and named the escaped prisoners:

⁷¹ *Colonial Times*, 4 September 1829.

If any thing can induce the Settlement of Macquarie Harbour to be abandoned, we trust this loss will ... The following is a list of the prisoners, who captured the Cyprus:—Michael Herring, Robert McGuire, William Templeman, Matthew Pennell, William Watts, James Davis, Samuel Thacker, John Beveridge, Alexander Stevenson, Leslie Ferguson, John Lynch, James Jones, William Swallow (commonly called Walker), Charles Towers, James Cham, Thomas Bryant, John Denner, William Brown. In our next number, we propose to give some account of their crimes.

We have evidence that the story of this dramatic escape spread to London in the form of a play and was “propagated by oral tradition” through Van Diemen’s Land as a ballad performed and sung by convicts. The popularity of this celebratory rebel song among convicts is noted by John West the Tasmanian newspaper proprietor and historian who was also one of the founders of the Anti Transportation League in his two volume “History of Tasmania”, written almost twenty years after the closure of Macquarie Harbour penal settlement:⁷²

The capture of the Cyprus in Recherche Bay, on the voyage to Macquarie Harbour, was a stirring episode in the history of transportation. It excited vast interest in Great Britain, and was dramatised at a London theatre. The prisoners, who wage war with society, regarded the event with exultation; and long after, a song, composed by a sympathising poet, was propagated by oral tradition, and sung in chorus around the fires in the interior. This version of the story made the capture a triumph of the oppressed over the oppressors.

West’s language is interesting: the “prisoners who wage war on society” seems ideologically loaded, while the documenting of the currency of the ballad “propagated by oral tradition, and sung in chorus around the fires in the interior” and the almost respectful “triumph of the oppressed over the oppressors” suggest a more dispassionate understanding. West’s leadership of the anti-transportation movement with its emphasis on the “monstrous” behaviour of convicts at the time may offer an explanation for his

⁷² John West, *History of Tasmania: Volume 2*, (Launceston, Henry Dowling, 1852), p. 215.

ambivalence towards them. The inverse phrase “rulers who wage war on workers” might be an appropriate riposte from below.

‘Cyprus Brig’, like many ballads of this period, begins with the phrase “come all you”, indeed such songs have become collectively known to folklorists as ‘Come all Ye’ ballads. In this case the audience is urged to see themselves as “sons of freedom” and to join in the chorus. The narrative begins to unfold as “a song of heroes and glorious liberty”, heroes who are condemned to transportation to “Van Diemen’s shore” and wrenched perhaps forever from “country friends and parents”. These prisoners definitely see themselves as “more sinned against than sinning”:

Come all you sons of freedom, a chorus join with me,
I'll sing a song of heroes, and glorious liberty.
Some lads condemn'd from England sail'd to Van Diemen's shore.
Their country, friends and parents, perhaps never to see more.

The next verse contains the phrase “trifling offences”, offences perhaps “of looks, anything betraying the insurgent spirit” as Governor Arthur enlightens the Molesworth committee in London a decade after the song’s heroes had made their famous escape.

When landed in this Colony to different masters went,
For trifling offences, to Hobart Town Gaol were sent,
A second sentence being incurr'd we were order'd for to be
Sent to Macquarie Harbour, that place of tyranny.

Historian Maxwell-Stewart writes that this ballad was “considered so subversive that it was said to have been suppressed.” We know that the song has not been found in any of the newspapers or other printed matter at the time, and, instead, survived underground for the next one hundred and thirty years in Tasmanian oral tradition. Maxwell-Stewart

describes the extreme geographic nature of Macquarie Harbour; “that place of tyranny” as the song has it.⁷³

At the farthest corner of an island, at the very end of the world, lies a windswept shore that was once home to one of history’s most isolated outcasts. Cut off by mountain ranges it served as a place of exile within a land of exile, a prison within a prison. Some of those who were sent there talked as though they had slipped below the crust of the earth to dwell in some terrible netherworld. They called this place ‘Pluto’s Land’.

Following is a selection of the lines of the ballad that historian Geoffrey Ingleton attributes to “Frank the Poet”:⁷⁴

Confined within a dismal hole, we soon contrived a plan,
To capture now the “Cyprus”, or perish every man.
But thirteen turned fainthearted and begged to go ashore,
So eighteen boys rushed daring, and took the brig and store.

We first addressed the soldiers, “For liberty we crave,
Give up your arms this instant, or the sea will be your grave;
By tyranny we’ve been oppressed, by your colonial laws,
But we’ll bid adieu to slavery, or die in freedom’s cause.”

Here in verse is the equivalent of the cry “Liberty or Death”, common to Irish and British convicts alike in their refusal to reconcile themselves to oppression. There is also evidence of a negotiated surrender of the armed crew and soldiers charged with the journey to the remote convict station Macquarie Harbour on the north-west coast of Van Diemen’s Land, a remote and unforgiving place renamed by convict’s as ‘Hell’s Gates’ or ‘Pluto’.

⁷³ Hamish Maxwell-Stewart, *Closing Hell’s Gates: The Death of a Convict Station* (Allen & Unwin, Crows Nest, N.S.W., 2008), p. 1.

⁷⁴ Geoffrey Ingleton, *True Patriots All*, p. 129.

The morn broke bright the wind was fair, we headed for the sea,
With one cheer more for those onshore, and glorious liberty.
For navigating smartly Bill Swallow was the man,
Who laid a course out neatly, to take us to Japan.

Then sound your golden trumpets, play on your tuneful notes,
The Cyprus Brig is sailing, how proudly now she floats.
May fortune help the noble lads, and keep them ever free,
From Gags, and Cats and Chains and traps and cruel tyranny.

It is hard not to imagine the delight with which prisoners would have responded when ballads like this was recited or sung, no doubt some distance from their watchful guards. Each of the ‘Cyprus Brig’ verses closely fit the course of events as later described by West:⁷⁵

It related their flight from torture to the woods, and drew but a dreary picture of the life of an outlaw. It passed through the details of conviction and embarkation, and then described the dashing seamanship of the pirates.

Hodge and Mishra argue that “Frank the Poet”, to whom this version was attributed, drew together and shaped⁷⁶

an alternative mythology, an alternative version of history which was not, however, his own individual creation and which was transmitted and recreated much more actively by his community than would have been the case with written texts in the dominant culture.

Like the rapid spread of rumor and gossip, such a song could spread underground. In this case the song resurfaced generations later because in 1961, armed with a tape recorder, the Tasmanian historian Lloyd Robson collected a version in an old people’s home in Hobart. It remains the only field recording of the song and was sung by retired

⁷⁵ John West, *History of Tasmania* (Launceston, Henry Dowling, 1852), p. 215.

⁷⁶ Hodge and Mishra, ‘Crimes and Punishments’, pp. 337-338

sea captain Jack Davies, who, when asked by Robson what the song was about replied:⁷⁷

Well what they used to do, the farmers in those days apply, to get two or three or whatever they wanted onto their farm, and then when they had a bit of a cheque to come, they'd rig up some crime against them and send them into Hobart. Give them a letter to bring in - to walk in perhaps ... the old boss was far away when they got to the gaol it was a letter to get a flogging.

The singer's understanding of the historical background to the song and the way the assignment system would be manipulated to cheat convicts out of wages owed for their work, illustrates again the popular perception of the one-sided power relationship and unfairness built into the convict and assignment system. This understanding is part of a meta-narrative, as background information, not part of the song itself but understood by the singers and their audiences as important for a fuller comprehension of it. One of the reasons folklorists query performers about their songs is to gather such contextual information. In this example Robson's enquiry and the response it elicited remains preserved on the tape. Often such material has been lost for reasons of economy or because the expensive tapes were wiped and reused after a transcript of the song and notation of the tune has been made.

In Davies' recorded version of the 'Cyprus Brig', the first two verses are:⁷⁸

Poor Tom Brown from Nottingham Jack Williams and poor Joe
They were three gallant poacher boys their country all does know
And by the laws of our Game Act that you may understand
Were fourteen years transported boys all to Van Diemen's Land

When we landed in this colony to different masters sent
For little trifling offences boys to Hobart Town gaol were sent
Now the second sentence we received and ordered for to be

⁷⁷ Transcribed by the author from a National Library of Australia sound recording.

⁷⁸ <http://www.frankthepoet.com/2011/01/cyprus-brig.html>, (accessed 4 October 2011).

Sent to Macquarie Harbour that place of tyranny

Here the beginning of a stanza from older ballad 'Van Diemen's Land' has been recast through oral transmission to suit the locally situated convict story of the seizure of a ship for the purposes of escape. The mention of the "Game Act" in this orally transmitted song does not appear either in the broadside ballad 'Van Diemen's Land' or in the poem 'Seizure of the "Cyprus Brig" in Recherche Bay' composed in the 1840s and attributed to "Frank the Poet".

In his remarks about the song Edgar Waters comments "The phrase which the transcriber has found incomprehensible, and rendered as A-val-gay-mack is no doubt a corruption of the words ending in 'Game Act'."⁷⁹ Because the original recording has been preserved in the National Library of Australia we can still listen closely to the singer's intonation of the words and the phrase becomes quite clearly decipherable as "our Game Act" as suggested by Waters and rendered in my recent transcription above. Portelli⁸⁰ has argued the recording of songs and their preservation in a recorded form is of great importance to research, and that transcription is very much a second rate rendering of the richness of the performance. In the case of Davies the recording provides a wealth of information that would otherwise be unavailable.

The escape by sea on board the *Cyprus Brig* was seemingly re-enacted in Tasmania just as Macquarie Harbour was being closed down. In fact the closure was held up for a time so that the *Frederick* brig being built there could be completed. Maxwell-Stewart tells the story: "When the vessel was eventually launched hardly anybody remained save a military detachment and a small band of convict mechanics and seamen." The convict James Porter, famous for his performance in the penal settlement choir, now sang his heart out to distract the guard, singing a transplanted song popular in Britain.⁸¹

The song that Porter sang to the unsuspecting soldiers was a lament to the impoverished conditions that had accompanied the end of the Napoleonic Wars:

⁷⁹ Australian Tradition, vol 2, no 2, (1965), p. 8.

⁸⁰ Alessandro Portelli, *The Death of Luigi Trastulli, and other stories: form and meaning in oral history*, (Albani, 1991).

⁸¹ Maxwell Stewart, *Closing Hell's Gates*, pp. 264-265.

The money is with-drawn and out trade is diminishing,
For mechanics are wandering without shoes or hose;
Come stir up the wars and our trade will be flourishing,
This grand conversation was under the rose.

While he was still in full voice the signal was hammered out on the deck for the convicts to rise up and seize the vessel. Porter and nine others sailed her away to the coast of South America in a repeat of the *Cyprus* affair.

The novel use of ballad singing to “distract the guard” is evidence of the boredom of the guard and their attraction to a musical break. The choice of this particular ballad to entertain soldiers is not surprising, while the urge “to stir up the wars” in order to help impoverished mechanics back to work shows an interesting insight into popular thinking about the political economy of the time. Maxwell-Stewart explains the ironic relevance of the flower in the song.⁸²

The phrase ‘under the rose’ meant something said or plotted in secret, the rose being sacred to Harpocrates, the Greek god of silence. For this reason the rooms of taverns were sometimes decorated with roses to indicate that what was said in their confines should not be made public.

...

The plan to take the *Frederick* remained, like so much that had been plotted at Macquarie Harbour ‘under the rose’.

Transportation and the law

Among the prisoners transported to Australia were Scottish rebels, trade unionists, Luddites, poachers, Irish rebels, and Chartists. In varying ways it might be said they did not believe that the laws and judicial processes that sentenced them to transportation were fair. Perhaps they had in their minds reasonable and fair laws that did not yet exist.

⁸² Maxwell Stewart, *Closing Hell's Gates*, p. 265.

Popular culture, stories and religious traditions were replete with tales where right prevails over might and where the poor are blessed as they “shall inherit the Earth.” These are the assumed or imagined rights and social norms that became embedded as components of their preferred and chosen narrative as opposed to the narrative devised and broadcast by rulers in accordance with their reverence of exclusive class position and property ownership - ultimately a reflection of their own self-interest.

The enclosure of land, the Combination Acts, the Masters and Servants Acts, the Unlawful Oaths Act, the Game laws, the Machine Breaking laws, the laws of sedition and conspiracy, the Poor Laws, the Felony Treason laws and the laws legitimating the conquest of Ireland constituted a broad variety of contestable law in the questioning minds of the nascent working class in what Thompson describes as a “process of self-discovery and self-definition”⁸³. Many of these laws are specifically named in the broadside ballads and songs collected in later years as in the ‘Cyprus Brig’ above and additional examples examined in this thesis. Taken together they provide evidence of a continuing working class narrative of assumed rights, rights specifically threatened by hostile laws, framed in a political climate where there was a growing popular concern about lack of democratic representation. The famous slogan of the American Revolution “No Taxation Without Representation” could equally be formulated as “No Legislation Without Representation” in a period where the demand for universal suffrage was gaining unprecedented popular support. The five percent of the population of Britain who could vote or stand for parliament, saw themselves as the guardians of freedom ... free that is to rule the “swinish multitude” on whose labour they depended. A number of the laws they framed were, as the poet Byron famously declared in his maiden speech in the House of Lords in 1812, designed to frame and hang the recalcitrant working poor.⁸⁴

Is there not blood enough upon your penal code! That more must be poured forth
to ascend to heaven and testify against you? ... Can you commit a whole country

⁸³ E.P. Thompson, *The Making of The English Working Class*, (London, Penguin Books, 1968), p. 939.

⁸⁴ Robert Charles Dallas, and Alexander R. C. Dallas, *Recollections of the Life of Lord Byron, from the Year 1808 to the End of 1814; Exhibiting His Early Character and Opinions, Detailing the Progress of His Literary Career, and Including Various Unpublished Passages of His Works. Taken from Authentic Documents, in the Possession of the Author*, (London: C. Knight, 1824), p. 215.

to their own prisons? Will you erect a gibbet in every field, and hang up men like scarescrows?

Assumed rights, as Somers argues, were important to people's lives, contributing to the culture of a community where the "narrative theme was that working people had inviolable rights to a particular political and legal relationship ... [T]his conception of rights defined independence and autonomy".⁸⁵

This ideological perspective stands in contrast to British imperial aspiration, which can also be considered an ideological point of view as the historian Alan Atkinson has argued. Discussing how the empire's system of transportation "received a new lease of life with the establishment of settlement in New South Wales" he writes that:⁸⁶

this was partly because the moral dimensions of empire were now made to overlap with those of criminal punishment, each being shaped from Whitehall. Among the new visions of empire can be found one whose rigid order slightly resembles that of a great panopticon.

Atkinson concludes that the requirements of empire encouraged the formulation of laws that would undermine:⁸⁷

the power of neighborhoods and national communities to make up their own minds about rights and duties, whether in general or in particular cases. This might lead to explosions of resentment, such as the American Revolution. But otherwise the new rigidity greatly strengthened the imperial state.

As the rulers of the imperial state strengthened their position at home and abroad, so did the moral concepts of those whose rights were adversely affected by this rigidity come to play an important role in their resistance. Thompson points to persistent popular

⁸⁵ Margaret R. Somers, 'Narrativity, Narrative Identity, and Social Action: Rethinking English Working-Class Formation', *Social Science History*, Vol. 16, No. 4 (1992), p. 612.

⁸⁶ Alan Atkinson, 'The Free-Born Englishman Transported: Convict Rights as a Measure of Eighteenth-Century Empire', *Past & Present*, No. 144 (1994), p. 113.

⁸⁷ Atkinson, 'The Free-Born Englishman Transported', p. 115.

attitudes towards crime in the traditions affecting the early English working class “amounting at times to an unwritten code, quite distinct from the laws of the land.”⁸⁸ Folklorists and folksong collectors of the early twentieth century thought much the same about the songs and especially the tunes they sought, that their informants were carriers of a culture quite distinct from that of schooled musicians.

British transportation laws were based on the notion that by breaking the law the offenders had attacked the person of the monarch, who in return could have had them executed for such treason but chose instead to send them into exile as a calculated show of leniency. The victims of the laws were, as we have seen, overwhelmingly working class. Michel Foucault discusses this kind of situation in which prisoners find themselves accused of symbolic crimes against sovereignty, crimes that are deemed an affront to sovereignty itself as an institution as such a crime: “requires that the king take revenge for an affront to his very person. The right to punish, therefore, is an aspect of the sovereign’s right to make war on his enemies”.⁸⁹

In discussing convict poetry and song it is necessary to understand how they may be interpreted as cultural constructs that embody the individuals and communities they come from. Italian historian Portelli, analysing a song written by Sante Carboni a worker in the industrial town of Terni in Italy in the 1950s, has theorised the relationship between songs, their creators and those who continue to sing them as follows:⁹⁰

When a song is born, it reflects the moment of its birth, but also much of the history of its creators. It then continues to live and react to history. The geological layers of forms inside Carboni’s ballad teach us about history because the song is not merely a description of a historical event, but a summary of the identity of those who were involved in and reacted to it. The song is a synthesis of the event’s meaning for those who lived on to sing the tale.

⁸⁸ Thompson, *The Making of The English Working Class*, p. 64.

⁸⁹ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, (New York, Pantheon Books, 1977), p. 48.

⁹⁰ Portelli, *The Death of Luigi Trastulli*, p. 192.

Following Portelli we can also discern in the case of the convict ballad ‘Cyprus Brig’ “geological layers and forms” of the song and discover a “summary of the identity of those who were involved in and reacted to it”. The song presents us with “a synthesis of the event’s meaning” to those who sang it in the 1840s and can, in its assertion of rights in the face of tyranny, serve in a similar way for those who choose to learn and sing it a century and a half later.

Transplanted Songs of the Street

The street ballads in the Anderson collection, selected for their relationship to transportation and Australia, were collated over many years and from many different sources, from “perhaps 100,000 broadsides in libraries and repositories throughout the English-speaking world.”⁹¹ Fifty-eight such institutions are listed in the preface including archives in the United States, Scotland, Ireland, Wales, England and Australia. The broadsides cover many aspects of convict life: the convict trials and the farewells to friends and family, the voyage and arrival in Australia, conditions in the penal settlements and the bush, escapes and shipwrecks, radicals and political prisoners, bushrangers and martyrs, repentance and defiance. Alongside the ballads in Anderson’s anthology, there are letters, reports and extracts from books, mostly written by convicts themselves. Some of this prose material including letters was also published and distributed as broadsides.

As newspapers and journals began to rival street ballads the major British Chartist newspaper, the *Northern Star*, offers an interesting example of a popular weekly which was designed to be widely sold, and was written in a way that encouraged reading out loud for an audience. British historian Malcolm Chase argues in a recent ABC radio documentary, a program which was based on my research into Australian newspaper reports of the black London Chartist William Cuffay, who was transported to Van Diemen’s Land in 1849.⁹²

⁹¹ Anderson, *Farewell to Judges & Juries*, p. ix.

⁹² ABC Radio National Hindsight ‘Isle of Denial, William Cuffay in Van Diemen’s Land’, broadcast 31/07/2011

The most famous of the Chartist papers, the *Northern Star*, which at its peak is outselling the great *Times* newspaper, so it is, by definition, the biggest selling newspaper in world history at that point. These newspapers are read out in the workplace, in pubs, at meetings. The whole print of the *Northern Star* newspaper is kind of set out to encourage you to read it aloud. Long sections in block capitals, lots of exclamation marks and italics. And so it's an extremely dramatic document. Just to understand how much this is an oral culture, and the great achievement of the Chartist press is it brings together print and oral culture into one dynamic product.

In the same radio documentary,⁹³ historian Keith Flett speaks about the Chartist interest in poetry:

Poetry was an absolute obsession of Chartists. If you look at the *Northern Star* you'll find the editor saying "Don't send any more poems. I've got more than enough thank you very much."

Anderson describes broadsides as "an ephemeral literature that has survived by chance produced for a mass audience." Arguing that their essence lies "in the inside view they give of the world of the working class." He draws on earlier historians' research into convict life in Australia including George Arnold Wood. Wood, writing in 1922, radically at the time, proposed the convicts as the creators of Australian democracy, and victims of the "true villains" who "remained behind in England." Wood's innovative approach was taken up in 1938 by the communist historian J.N. Rawling who, writing about convicts in the *Workers Weekly*, claimed that the real convict-stain lay with "the British ruling class which manufactured criminals and sent them into exile 12,000 miles from home."

Anderson argues:⁹⁴

⁹³ My research into William Cuffay was first published in the Tasmanian Historical Research Association "Papers and Proceedings" in 2011. The radio documentary found a large audience and was shortlisted for the 2012 NSW Premier's Multimedia History Prize.

Most of the historians draw upon the observations of middle-class observers who sometimes sensationalised their writings by dwelling on flagellation, sodomy, bestiality and incest amongst the convicted poor, perhaps because they saw high wages in the 1820s, the relative independence and social mobility of the working class in Australia as a threat to their authority. Their social, political and religious affiliations may be said to largely determine their viewpoint.

As we have seen, recent works by Tasmanian historians offer fresh scholarly reflection on the significance of convict contribution to the construction of the colony. James Boyce, for example, asserts that there continues to be a focus on settlers as those who designed and shaped the nation and a corresponding lack of understanding of the ways in which convicts contributed:⁹⁵

Elements of the old public amnesia remain in the reluctance to acknowledge the convicts as the true founders of the nation ... convicts are still usually seen through the lens of the penal apparatus, while a much smaller group of free settlers is given credit for shaping the land and conceiving of the new society ... Too often they are assumed to be without culture or enterprise – that was something only possessed by those with authority over them.

As I have argued above convict song and poetry provide valuable evidence of the culture and agency of the convicts. There is evidence that convicts composed their own songs too, as we have seen with the bushranger ballads. In the Cuffay radio documentary cited above Maxwell-Stewart discusses the singing culture of Tasmanian convicts:⁹⁶

They sang at work. I like to think that convict road gangs would have sung just exactly as sailors would have sung. Many of their songs had political messages

⁹⁴ Anderson, *Farewell to Judges & Juries*, p. xxvii.

⁹⁵ James Boyce, *Van Diemen's Land* (Black Inc., Melbourne, 2010), p. 253.

⁹⁶ ABC Radio National Hindsight 'Isle of Denial, William Cuffay in Van Diemen's Land'.

and we also know that there were subversive convict songs that were circulated. One of things that we know about colonial society is that it tried to actually stop and suppress singing in public houses, that there were attempts in Hobart to try and break up those kind of meetings where former convicts make music and perform satirical anti-government kind of little vignettes.

The often subversive points of view, political perspectives and emotional power of the ballads and written reports in Anderson's collection and elsewhere broadens the scope for the historian. These sources can be said to be close to the viewpoint and beliefs of the working class, to be the voice of the convicts themselves. The beliefs in justice espoused have a history that predates many of the current laws, laws that were commonly perceived as unfair and unjust. In this alternative culture, the bearers suppose themselves to be free and in so doing I would argue they attempt to 'unshackle' themselves from (rather than internalising) the cultural values that produced the plethora of relatively new laws created to control their lives.

The very popular poaching ballads, also part of the transplanted street culture, demonstrate the contentious nature of the law at the time and the almost inevitable clash between two sets of rights: the assumed rights of the poacher and the recently enhanced rights of the landowner. George Rudé suggests that a 'poacher might be asserting his right as a free-born Englishman to fish in the river and hunt in the forest and to hell with the landlords' property rights and the gamekeepers who got in his way'.⁹⁷ Thompson argues that: "Game Laws with their paraphernalia of gamekeepers, spring-guns, mantraps and (after 1816) sentences for transportation: all served, directly or indirectly, to tighten the screw upon the labourer."⁹⁸

One of the later poaching ballads has the title 'Farewell Address' and documents the Summer Assizes for the year 1842. The following verses demonstrate the poacher's

⁹⁷ George Rudé, *Protest and Punishment: The Story of the Social and Political Protesters Transported to Australia, 1788-1868* (Oxford, Clarendon Press, 1978) p. 6.

⁹⁸ Thompson, *The Making of The English Working Class*, p. 245.

sentiments about transportation, feudal relations, weighing the injustice built into the law, and affirming the desire for liberty.⁹⁹

The assizes they are over now, the Judge is gone away,
But many aching hearts are left in this town today
Tho' crime is bad, yet poverty's made many one to be
A transport from his native land, and cross the raging sea.

Oh! 'tis a cruel sentence for a man to leave his wife,
His children, and his dearest friends, all dearer than his life;
To leave the land that gave him birth, to see it p'rhaps no more,
And drag a wretched life in chains, upon a distant shore.

The forced banishment for the working class poor meant a cruel punishment of the family and friends who the convict was unlikely to meet again. This is aptly compared to the voyages of the rich, perhaps to settle but more likely to return to their family friends and their native land:

The rich have no temptations, they have all things at command,
And 'tis for pleasure or for health, they leave their native land;
But a starving wife and family, makes a poor man's heart to break,
And makes him do what brings the blush of shame upon his cheek.

Oh think a sentence for one's life, for fifteen years or less,
What tears they cost a family—what anguish and distress;
What heart but mourns the transport's fate, what eye but shed a tear,
For tho' we hate the crime we hold man's liberty more dear

Oh would our rulers make a law for man to earn his bread,
And make sufficient wages to keep his wife and children fed,
The Judges would have less to do, and half their pay might be

⁹⁹ James Hepburn, *Book of Scattered Leaves: Poetry of Poverty in Broadside Ballads of Nineteenth-Century England : Study and Anthology* (Lewisburg, Pa., Bucknell University Press, 2000), pp. 357-358.

Devoted to the public good, and bless society.

The prisons would be empty soon, the transport ships would then
Bring o'er the seas a load of corn, and not a load of men;
Act after act our rulers make, but one they will not do,
To do to others as they would themselves to be done unto.

Would they but pass an act for man to work and earn his bread,
Crime would soon dwindle from the land and transportation fled;
Would providence direct their hearts to make such laws and then
Instead of outlawed slaves—we might have free and honest men.

The sentiments and cogent argument evident in the ballad above construct a narrative explicating that crime - in this case poaching - is a consequence of poverty, that the greater crime is the lop sided distribution of social wealth, that more just and equitable laws could lead to better outcomes for society. This moral economy is evident in the ballad in its calls for less draconian lawmaking and more biblical thinking to 'do unto others as you would be done by'. There is an element of a "world turned upside down" too in the assertion that less work and pay for judges would mean savings that could be more usefully devoted to the public good, so that instead of "outlawed slaves we might have free and honest men." Again we find that transportation and the forced labour of convicts are being viewed as slavery, just as Governor Arthur had suggested to the Molesworth Committee.

The most famous poacher / transportation broadside is undoubtedly 'Van Diemen's Land'. The first two stanzas of one version of the ballad skillfully describe both the conditions and penalties of poaching:¹⁰⁰

Come all you gallant poachers, that ramble void of care
That walk out on moonlight night with your dog, gun and snare,
The lofty hare and pheasants you have at your command,

¹⁰⁰ Anderson, *Farewell to Judges & Juries*, p. 173.

Not thinking of your last career upon Van Diemen's land.

Poor Tom Brown of Nottingham, Jack Williams and poor Joe,
We are three daring poachers, the country well does know,
At night we were trepan'd by the keepers hid in sand,
Who for 14 years transported us unto Van Diemen's land.

Addressed to an audience of poachers or their supporters, phrases employed in the ballad like "gallant poachers", "void of care", "daring poachers" suggest a culture that condones poaching regardless of the laws designed to prevent the long traditional use of land that was once common but had been privatised by the rich (who also made the laws that vastly extended their sole ownership and wealth). In the Van Diemen's Land context "your dog, gun and snare" would have had a special resonance as many of the early escaped convicts lived in the bush with their dogs and guns necessary to hunt, enabling them to live on kangaroo meat and clothe themselves in kangaroo hide and live successfully independently of the penal system. As James Boyce describes it:¹⁰¹

Both those who clung to their small holdings and the growing class of landless poor were dependent on the unallocated "common" land, with the result that frontier culture permeated far beyond frontier regions. Whether hunters, shepherds or farmers, Van Diemonians relied on the bush.

There is a strong and long connection between the lyrical material depicting the lives and concerns of Australian convicts and the street balladry sung and sold on the streets of the towns and communities from which they were forcibly removed. Little of the flimsy paper on which this cultural material was printed may have travelled with the convicts but there is evidence many of the ballads were transplanted as part of the cultural baggage in the heads of convicts, material over which the gaolers had little control. To gain some idea of this intangible culture it is important for the historian to explore the archives that store the originals and discover the cultural wars that were engaged in so long ago. James Hepburn's two volume anthology, "A Book of Scattered

¹⁰¹ Boyce, *Van Diemen's Land*, p. 109.

Leaves”, presents the historian with one hundred and twenty broadside ballad’s that focus on poverty in Britain.¹⁰² Hepburn writes that the exclusion from his anthology “of ballads about riot and rebellion, Chartism, and the trade union movement is much regretted, for poverty was their great cause.”¹⁰³ He also explores the some of the rival street balladry produced by Hannah More:¹⁰⁴

In the 1790s she was a well-known figure: prolific author, moralist, pioneer of the Sunday School movement. She was alarmed by the threat of revolution and irreligion in England, especially as represented by sixpenny and other cheap editions of the Rights of Man and The Age of Reason. In a letter in 1796 she wrote, "Vulgar and indecent penny books were always common, but speculative infidelity, brought down to the pockets and capacities of the poor, forms a new era in our history."

More’s broadside ballads were funded by her wealthy supporters and written to emulate and counter popular street literature. These “Cheap Repository Tracts” were designed to flood the streets undercutting other broadsides on sale. They were also aimed at boarding and “home Sunday schools.”¹⁰⁵

They bore splendid titles: "The True Rights of Men; or the Contented Spitalfields Weaver," "The Riot: or, Half a Loaf is Better Than No Bread" and "The Gin-Shop; or a Peep into Prison", "Turn the Carpet; or the Two Weavers" ... is by More. The tracts were produced in millions of copies, and one or another writer on popular literature has seemed to suggest that they did indeed help to avert Revolution in England.

More’s extraordinary efforts lasted for about three years but say much about the panic of the wealthy rulers of Britain and their horror of revolutions such as they had witnessed in their colony that broke away to become the United States and the one

¹⁰² James Hepburn, *Book of Scattered Leaves: Poetry of Poverty in Broadside Ballads of Nineteenth-Century England : Study and Anthology* (Lewisburg, Pa., Bucknell University Press, 2000).

¹⁰³ Hepburn, *Book of Scattered Leaves*, p. 28.

¹⁰⁴ Hepburn, *Book of Scattered Leaves*, p. 58.

¹⁰⁵ Hepburn, *Book of Scattered Leaves*, p.58.

twenty-one miles across 'La Manche' in France. More's attempt to emulate the form of the popular street ballads and create a subsidised vernacular literature more favourable to the rulers of the day presents us with a clear example of concern about the uncertain state of hegemonic relationship at the time. It also demonstrates the strength and ideological impact of the street literature More and her supporters were attempting to counter and displace.

Britain had been shoring up its position in opposition to French trading entities in India and Dutch trading posts in Cape Town, with the colonisation of Australia as an added safety measure aimed at consolidating its ability to continue to "rule the waves" so that "Britons never never never shall be slaves" as a popular song of the empire has it. Rapid industrialisation at home created cheap goods that needed to be exported, as the home consumption was severely restricted by home made poverty. As hand looms and traditional home weaving village enterprises gave way to industrial towns with their factories and machinery, poverty increased. The post-Napoleonic Wars ballad the "Hand-loom Weaver's Lament" strikingly documents the stress and distress of the changing times. It was composed by John Grimshaw to the tune 'A Hunting We Will Go':¹⁰⁶

You gentlemen and tradesmen that ride about at will
Look down on these poor people. It's enough to make you crill
Look down on these poor people, as you ride up and down
I think there is a God above will bring your pride quite down

Chorus

You tyrants of England! Your race may soon be run
You may be brought unto account for what you've sorely done

You pull down our wages, shamefully to tell
You go into the markets and say you cannot sell
And when that we do ask you when these bad times will mend

¹⁰⁶ John Harland, *Ballads & Songs of Lancashire, Ancient and Modern* (London: G. Routledge, 1875), p. 193.

You quickly give an answer, "When the wars are at an end"

When we look on our poor children, it grieves our hearts full sore
Their clothing it is worn to rags, while we can get no more
With little in their bellies, they to work must go
Whilst yours do dress as manky as monkeys in a show

...

You say that Bonyparty he's been the spoil of all
And that we have got reason to pray for his downfall
Well, Bonyparty's dead and gone, and it is plainly shown
That we have bigger tyrants in Boneys of our own

And now, my lads, for to conclude, it's time to make an end
Let's see if we can form a plan that these bad times may mend
Then give us our old prices, as we have had before
And we can live in happiness and rub off the old score

The song argues that lower wages for weavers and increased wealth for the proud factory owners are no accident; the excuse trotted out by the tyrants that Bonaparte "has been the spoil of all" does not wash with the victims of the system, indeed they have come to the conclusion that they are faced with "bigger tyrants in Boneys of our own." This dialogic ballad is reinforced with its powerful chorus "You tyrants of England! Your race may soon be run / You may be brought unto account for what you've sorely done" It is in this economic and political setting that Hepburn's anthology has a special connection to Australia. The culture of protest against poverty, as Hepburn points out, was a special cause of the working poor and their organisations. It was the kind of lyrical material that was likely to be transplanted to Australia in the brains of the transported.

'How the Poor Live' details growing poverty "in the land of the free" and explores poverty amidst great wealth as a detective ruminates on a puzzling case:¹⁰⁷

¹⁰⁷ Hepburn, *Book of Scattered Leaves*, p. 117.

You'll own this is true, if you just pay attention,
And listen awhile to these lines I have penned,
'Tis how the poor live, is the subject I'll mention,
A subject I'm sure that will never offend;
I've seen many things as daily I've travelled,
Poor folks die of want in the land of the free,
'Tis a secret I'm sure that will ne'er be unravelled
For how the poor live is a mystery to me.

Chorus

Then God help the poor, and their dear little children,
No one but themselves know the trouble they see,
In want they oft linger, till death soon relieves them,
For how the poor live is a mystery to me.

When poverty once gets you into its clutches,
And want and the workhouse stares you in the face,
Your friends they will leave you, and tho' it may grieve you,
'Tis reckoned a crime, but its not a disgrace.

The working poor cannot escape the grip of poverty as these lines invoking the sweated work of the seamstress in the richest city in the world point out:

Now look down the courts of our great London city,
The rich cannot tell how the poor they exist,
You must own its the truth, when I say its a pity,
That those who have plenty, don't go to assist.

There sits the poor seamstress, all hours she is toiling,
In trying to keep the wolf from the door,
She sinks perhaps at last through want and exhaustion,
And dies then a pauper, because she is poor.

The squalor and indignity of the workhouse was seen by the working and unemployed poor as the height of hypocrisy and against all the most basic requirements and vaunted claims of a civilised society. These ‘Bastilles’ as they were called separated “husbands and wives, parents and children”. The persistent moralisers were shown to have no morality, having surrendered to the great attraction of profit above all else. The Whig “reformers” in power were lampooned during the passing of the 1834 *Poor Law Amendment Act*.¹⁰⁸

Reform! 'the Bill, the Whole Bill, and Nothing But the Bill'

I hear it's to work us more wonders some day,
Than Harlequin's wand ever did in a play.
It's to make Kings and Queens out of Jack and of Jill;
Will it ever do this? –why I don't think it will.

It's to make us new clothes, as I've heard people tell;
A shirt for myself and a bonnet for Nell;
A bonnet with ribbons, a shirt with a frill;
Will it come to be true? –I'll be hanged if it will.

It's to light us a fire, and lay us a bed;
It's to pave Holborn Hill with the best wheaten bread;
It's to bring down fine Hollands to nothing a gill;
Believe if you like—I'll be whipped if I will!

More trenchant and documentary song was composed by Edward Lamborn a labourer from Uffington who entered the nearby Farringdon Poor Union with his wife and daughter in 1846.¹⁰⁹

The New Poor Law and the Farmer's Glory
Written by Edwd. Lamborn, of Uffington

¹⁰⁸ Hepburn, *Book of Scattered Leaves*, p. 112.

¹⁰⁹ Hepburn, *Book of Scattered Leaves*, pp. 163-165.

I was forced as a stranger to wander from home,
And all through the poor laws to Faringdon to come;
There to have my head shaved, which filled me with woe,
And many a poor creature they have served also.
Home, home, sweet home,
There is no place like home.

At six in the morning the bell it doth ring,
When every man's allowance of ocom doth bring;
And if we do not pick it just as the keeper please,
He will be sure to stint you of your small bread and cheese.
Home, sweet home, &c.

...

And many more things which I know to be true,
Such as parting man and wife and children also;
O! what heathens and what brutes are in our civil land,
For breaking the good laws which were made by God and man.
Home. home, &c.

...

For those who made the poor laws they are the spawn of hell
And of those that do uphold them the truth to you I'll tell;
For the devil is their master, who put it in their heads,
And this they will prove all on their dying beds.
Home, home, &c.

So now I will conclude, and finish my sad tale.
I've given you all warning before you are in hell;
And if you won't believe me you will find it is true,
For God has declar'd it to oppressors as this is their due.
Home, home, &c.

This unforgiving and unrelenting cry from a 65 year old worker curses his class enemies to a hell even worse than the living one in the work house where he and his family have been condemned to dwell, to labour, to submit to an endless regime of ringing bells and petty rules, to eat inferior food and slowly starve. In deliberate irony the song is set to a popular tune, 'Home Sweet Home'.

'Working Poor of Old England'¹¹⁰ is a ballad that addresses life-threatening poverty in the midst of obscene wealth and the self-satisfied complacency of the rulers and their flag waving jingoism. The song mentions a number of trades including tailors, miners, postmen, ploughmen and railway workers. It speaks of taxes on the working poor, the oppression by coal owners, mill owners, farmers and squires in a collusion of the rich against the poor the "landowners ... leagued in a band". Poachers face transportation, while the great landowners who have commandeered the common lands look down on "the starving rabble". The song ends with a warning that the working poor will not long tamely endure this situation. Embedded in this song is a well considered oppositional philosophy based on assumed rights and an urgent call for radical change. One of the key phrases is the emphatic "I've something to say".

Let them brag, until in the face they are black
Over ocean we hold the sway;
Of the flag of old England—the Union Jack,
But about it I've something to say.

I grant that it floats o'er the free, but it waves
Over thousands of toiling ill-paid British slaves;
And driven to pauper and suicide graves,
Are the starving poor of old England.

...

Our slaves of the needle, and slaves of the mines,
Our postmen and sons of the plough;
And hard worked servants on the railway line,

¹¹⁰ Hepburn, *Book of Scattered Leaves*, pp. 228-230.

Get little by the sweat of the brow.

'Tis said that the labourer's worthy of his hire,
But where does he get it I beg to enquire,
Not of coal, or mill-owner, farmer or squire,
For they grind down the poor of old England.

The great landholders are leagued in a band,
And who will deny it is so?
For game preserves to monopolize the land,
That food for the people should grow.

Cries my lord—"for the starving rabble who cares,
We'll transport poachers who dare to set snares,
For we think far more of our pheasants and hares,
Than we do for the starving poor of old England."

...

'Tis dear to the rich, but too dear for the poor
Who must fight hard to keep the wolf from the door,
But not long such thralldom will tamely endure
The starving poor of old England.

Just as the first convicts were settling down to begin to build Sydney into a permanent town, Britain saw the birth of the first specifically anti trade union laws, the Combination Acts. Although these laws were repealed in 1825, there was plenty of opportunity for corrupt judges and juries to convict and transport those involved in union activity. The swell of workers' rights activity that led to legal unions was connected to the mass movement known as Chartism, the movement for civil and democratic rights that began in 1839. Many early unions in Britain elected and sent delegates in support of the demands of the Chartists, as we have seen with the black tailor Cuffay referred, to earlier who was elected by the tailors' union as its London Chartist delegate. For generations the broadside ballad had been part of the culture of working men and women in Britain. As I have argued above there is evidence that it

was part of the culture they brought with them to Australia as convicts. Not surprisingly the themes of injustice and unfairness are common to a number of broadsides and some of them deal specifically with cases where membership of trade unions results in a sentence of transportation. A good example is 'The Cotton Spinners Farewell'. The cotton spinners trial began in the Edinburgh High Court of Judiciary in the winter of 1837. As reported in the broadside, the trial began with the charges of criminal libel which were "of immense length, and occupied nearly an hour in the reading." One of the charges was "illegal conspiracy to keep up or raise the Cotton Spinners' wages." Let the ballad take up the story:¹¹¹

When first we were arrested, and lodged in Glasgow gaol,
They stripp'd us of our clothing, left us naked in our cell;
No sympathy they shewed us, no not the least awa',
Because we were united men in Caledonia.

Our trial they postponed for time after time,
Indictment on indictment, and crime upon crime,
Which turned out all humbug, for this was their claw,
Because we were united men in Caledonia.

...

Whigs and Tories are united, we see that very plain,
To crush the poor labourer, it is their daily aim,
The proverb now is verified, and that is you all know,
In the case of those poor spinners in Caledonia.

The brutal treatment of the spinners who were kept naked in a freezing goal and then exiled is documented here. Even though the Combination Acts may have been repealed, the anti trade union Judges and hand-picked or like-minded Juries could still find ways to transport workers. These legal machinations of the prosecution are portrayed in the ballad as persecution as is the legal practice of piling on "crime upon crime" - both means 'to crush the poor labourer' as organised workers. They were prosecuted and

¹¹¹ Anderson, *Farewell to Judges & Juries*, pp. 246-247.

persecuted precisely because they “were united men in Caledonia”. The Scottish cotton spinners harkened back to a time when they imagined their forebears were free under their own laws in Caledonia (the Latinised name the Romans gave to Scotland, the country that the emperor Hadrian had walled off from the conquered territory of Britannia). Again the harkening back demonstrates a selection of part of the cultural arsenal available to the labourers in their resistance to a powerful and vengeful ruling class. In the ballad above the Scottish spinners see the one sided nature of their trial, which was postponed “time after time” and the complexity and opacity of their legal case appears to them as “humbug”. They are deliberately kept in the dark about seemingly endless details in their trial. The all gentry jury was not chosen for its impartiality nor could it be seen as composed of the spinners’ peers. Foucault points out that this kind of power relationship is one where for the defendant the trial takes “place without him, or at least without his having any knowledge of the charges or of the evidence. In the order of criminal justice, knowledge was the absolute privilege of the prosecution.”¹¹²

Tolpuddle Martyrs

Three years earlier a much better known trial in 1834 had resulted in the transportation to Australia of the Tolpuddle Martyrs, the farm labourers from Dorset who had dared to pursue a living wage by forming a union, the *Friendly Society of Agricultural Labourers*. The prosecution, unable to arrest for union membership since laws making trade unions illegal had recently been rescinded, used instead a law brought in to punish sailors involved in naval mutinies in 1797¹¹³, the “Unlawful Oaths Act”. This legal maneuvering facilitated the rapid arrest, trial, sentence to death and subsequent commutation of the death penalty to transportation. Many workers viewed the whole case as an attempt by the state to roll back the recently won freedom to join a union. After huge public demonstrations and petitions resulted in the pardon of the martyrs in 1836 and the government paying for their passage home. In effect this proved what the demonstrators were convinced of all along, that the conspiracy and criminality lay with the courts and politicians not with those who were tried.

¹¹² Foucault, *Discipline and Punish*, p. 35.

¹¹³ The Spithead and Nore mutinies, which began in the form of a peaceful stop work for better pay.

Reporting the unveiling of a memorial in England to Tolpuddle Martyrs seventy-six years after the trial the *Sydney Morning Herald* published the following:¹¹⁴

The trial was held on March 18; before the end of the month the unfortunate prisoners were in the convict hulks, and a fortnight later they had sailed for Botany Bay. As soon as the sentences were passed, George Loveless got a piece of paper and wrote the following lines:-

God is our guide, no swords we draw;
We kindle not war's battle fires.
By reason, union, justice, law,
We claim the birthright of our sires;
We raise the watchword, Liberty;
We will be free, we will be free.

As the prisoners were being led forth he tossed the paper to some of his friends, but the guard snapped it up; it was carried back to the Judge, whose comment implied that Loveless was guilty of at least high treason. So the poor fellow was treated with special vindictiveness.

The first verse of the song, as it is still sung today reads:¹¹⁵

God is our guide! from field, from wave,
From plough, from anvil, and from loom;
We come, our country's rights to save,
And speak a tyrant faction's doom:
We raise the watch-word liberty;
We will, we will, we will be free!

¹¹⁴ Sydney Morning Herald, 30 May 1912, p. 8.

¹¹⁵ Tony Moore, *Death or Liberty: Rebels and radicals transported to Australia 1788 -1868*, (Sydney: Pier 9, 2010), p. 150.

The historian Tony Moore asks “What had happened in England to make the propertied classes so afraid of ordinary farm workers?” and writes in response:¹¹⁶

Britain, reeling from the tempo of economic transformation and the merciless cycle of boom and bust, entered a period of social instability in which middle-class radicalism was joined by a new threat of protest from below.

The words in Loveless’ song “We come, our country’s rights to save” strongly resonate with Somers’ argument about assumed rights in the face of oppression and a popular conception of injustice within the law. “Our country’s rights to save” can be seen as a belief that the legal machinations of the “tyrant faction” is simply an attempt to destroy those rights, and that a time will come when that will itself come to be seen as the real criminal act. Hegemony is never static, but the locus of constant contest. The cultural horizon expressed here is not limited to what might be considered the narrow interest of the farm labourers on trial, but a broad class vision that embraces all workers, those on land following the plough and the seaman ploughing the waves, the village blacksmith and the cottage weaver, a cultural horizon that is broad enough to imagine a world free from empire and exploitation. Embedded in this short verse are the imagined rights, rights that need to be preserved, that give courage to fight for rights and liberty and describing a powerful will to continue the struggle to ensure that ‘we will be free’. That the history of the song includes its confiscation by a prison guard and the Judge’s comments on seeing the verses shows how anxious the authorities were to nip the growing trade union movement in the bud.

The insistence of workers regarding their supposition of pre-existing rights, the strategies they used for preserving them, or for extending them, have been at the heart of discussion among labour historians. The historian Eric Hobsbawm, in “an enquiry into the contributions of specific national histories to the character of labour movements”, a paper first published in 1964, points out that selecting from the

¹¹⁶ Tony Moore, *Death or Liberty*, p. 151.

resources of the past and adapting for new purposes is quite normal within European labour movements:¹¹⁷

The labour movement, whether politically or industrially considered, is, of course, a novel phenomenon in history ... However, historically speaking, the process of building new institutions, new ideas, new theories and tactics rarely starts as a deliberate job of social engineering. Men live surrounded by a vast accumulation of past devices, and it is normal to pick the most suitable of these, and to adapt them for their own (and novel) purposes.

Remnants of this use of past devices can be seen in the names that workers found for their trade unions. The print workers of Fleet Street had their “chapels” while the coal miners chose to call their branches “lodges”. Songs and poems as mnemonic narrative forms that depend on oral transmission for survival show a similar kind of selection and adaptation to novel circumstances that Hobsbawm is referring to, providing templates that can be modified to repurpose the content bringing it up to date and making it more relevant for performer and audience. We can discern a tradition of creation of new compositions as a characteristic of printed broadside ballads for sale on the streets. There we find constant refurbishment and recycling of earlier works to present seemingly fresh new ballads to deal with new events and designed to attract the seemingly insatiable appetite of the working poor.

The Chartists Transported

Just as the rights to organise and bargain collectively in relation to work were met in the moment of their inception by attempts to nullify them, so too were the efforts by mass movements such as the Chartists to extend the franchise and democratise British government constantly frustrated by the ruling elite. After the Newport riots in Wales in November 1839 the leaders of the Chartists were arrested and charged with high treason. In 1840 John Frost, Zephaniah Williams and George Jones, were sentenced to be hanged, drawn and quartered at their trial, making them among the last to face that

¹¹⁷ E. J. Hobsbawm. *Uncommon People: Resistance, Rebellion and Jazz*, (London, Abacus 1999), pp. 59-60.

kind of barbarism, although the punishment remained on the statute till 1880. As with the Tolpuddle Martyrs, the public outcry was so widespread that the government intervened and commuted the sentences to transportation. All three were hailed in broadsides of the time, the former magistrate John Frost receiving the most attention. ‘The Sorrowful Lamentation of John Frost’, published in Bath, has these verses:¹¹⁸

Judge my fellow countrymen what must my feelings be,
To think that from my native home how I was cast away,
Doom’d as a convict to drag out my few remaining days,
Parted from my family, far, far across the waves.

A victim now am I of England’s boasted laws,
Removed from a bed of down unto a bed of straws,
That all my thoughts are fixed on those I love most dear,
And will unto my latest days let me go here or there.

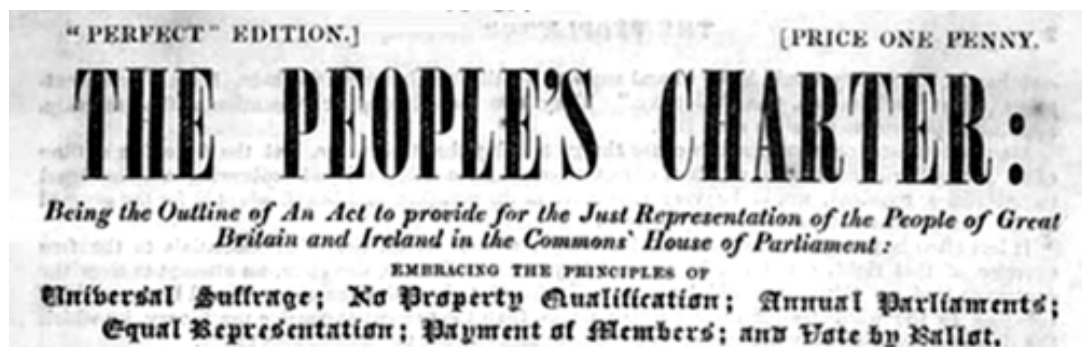


fig. 2.¹¹⁹

Where Frank MacNamara, in convict Australia, casts himself as a victim of “England’s hostile crown” in ‘Labouring with the Hoe’, this broadside casts Frost, in irony, a victim of “England’s boasted laws”. Broadside consisted of mainly ballads but also occasionally of letters and prose. This was how Frost’s letter to local Newport workers was published, explaining the reasoning behind the People’s Charter, the founding

¹¹⁸ Anderson, *Farewell to Judges & Juries*, p. 243.

¹¹⁹ <http://www.bl.uk/onlinegallery/takingliberties/staritems/159peoplescharterpic.html> (accessed 31 May 2014).

document of democracy which originated with the London Working Men's Association.¹²⁰

To the Tradesmen of Newport
Townsmen,

... Does any man expect that members put into the House of Commons by bribery, perjury, violence, drunkenness, will make laws favourable to the people? A bad system cannot produce good men, and the powerful Associations formed, and forming all over the kingdom intend to change the system. They do not look for Figs from Thistles ... The time is fast approaching when there must be no neutrals; the question will be, who is for good and cheap Government, and who is against it. I respectfully, cordially invite the Tradesmen of Newport to support the principles contained in the People's Charter, or to shew that they were wrong.

The "bribery, perjury, violence, drunkenness" that Frost mentions reflects the common contemporary depictions of the nature of the corrupt voting system in British elections at a time when only a tiny fraction of the population could play any meaningful part. Frost was finally pardoned in 1856, returned to Britain, and continued his advocacy for civil rights and lived to the ripe old age of ninety-three.

Another broadside, 'Frost, Williams and Jones's Farewell to England', printed in Birmingham, has the chorus:¹²¹

Across the sea, Frost, Jones and Williams,
Through tempests and dreadful gales,
We leave our native land behind us,
To end our days in New South Wales.
At Monmouth we were tried for treason,
And we were condemned to die,
Great and small throughout the nation,

¹²⁰ Anderson, *Farewell to Judges & Juries*, p. 245.

¹²¹ Anderson, *Farewell to Judges & Juries*, p. 244.

For to save our lives did try,
England, Ireland, Wales and Scotland,
Manifold for us did strive,
And through a deal of perseverance,
Government did spare our lives.

Such ballads seen in the political context of the formidable Chartist organisation, the first working class mass movement in the world, tell us much about views of the time. The voice of the working class is clear enough, as is the tyranny and corruption of the British Empire rulers of the day. This culture of songs and poems, suggests a unity of radicals from the four nations “England, Ireland, Wales and Scotland” with the common campaign for the six points of the Charter, the right to vote, secret ballots, right to stand for election, equal electorates, payment for MPs and annual parliaments. The Chartists famously saw their charter as an extension of the Magna Carta and even more ancient rights that they believed had been taken away under the “Norman Yoke” imposed by feudalism that accompanied the invasion lead by William the Conqueror in 1066. Chartists were anti-slavery and anti-transportation, anti-empire in a period when Britain’s rulers were rapidly building the largest empire in world history.

The one broadside that deals explicitly with Chartism is a lampoon, ‘The Chartists are Coming’. Like many lampoons it still has much to tell us of the political atmosphere of the time, the fears of the ruling class. Printed in Spitalfields, in London’s East End, it has the chorus:¹²²

Hurrah for old England and liberty sweet,
The land that we live in and plenty to eat;
We shall ever remember this wonderful day,
The Chartists are coming, get out of the way.

And although it is undated, the final verses suggest ‘the year of revolution’ 1848, by its reference to Kennington since Kennington Common, south of the *Thames* in London,

¹²² Anderson, *Farewell to Judges & Juries*, p. 250.

was the site chosen for the last of the mass Chartist ‘monster meetings’. There 150,000 rallied on 10 April 1848 to accompany their petition for the Charter to the House of Commons across the *Thames*. The revolutions in Europe unnerved Britain’s rulers who organised a massive assortment of armed troops and special constables to block the Chartist’s path to Parliament. Feargus O’Connor was one of the Chartist leaders who spoke at the meeting. Discovering that all the bridges were blocked by armed troops, he negotiated for the petition to be delivered to Parliament by just a few individuals rather than a procession of the whole rally as originally planned:

To Kennington come in droves they repair,
‘Cause Smith O’Brien and Feargus are there,
A-telling the story would reach, sir, indeed,
From the Land’s End of England to Berwick on Tweed.
The Charter, the Charter, or England shall quake,
I wish they may get it, and no make mistake,
The Feargus shall be a prime minister keen,
And Smith O’Brien a page to the Queen.

Such constables there is in London, now mark,
There’s tailors and shoemakers, labourers and clerks,
Gaslightmen, pickpockets, and firemen too,
Greengrocers and hatters, pork butchers and Jews,
Lollypop merchants and masons a lot,
And a covey that hollers ‘Baked taters all hot’.
They’re sworn to protect us and keep well the peace,
To frighten the Chartists and help the police.

The ballad also describes the kind of soundscape a Chartist demonstration might produce:

The bakers and grocers, look how they do laugh,
With dustmen and coalhavers, armed with a staff;
Five thousand old women, oh, how they do sing,

With frying pans, fenders, and big rolling pins.

‘Smith O’Brien and Feargus’ in the ballad refers to Feargus O’Brien the Chartist leader and MP. William Smith O’Brien who was House of Commons MP for Limerick in Ireland from 1838, until he was tried for treason in July 1848. Smith O’Brien was transported to Van Diemen’s Land after his death sentence was commuted because of public protest and petitions in Ireland and England. A month later the ‘Orange Tree Conspiracy’, infiltrated with spies and agent provocateurs, saw the arrest and trial of other Chartist leaders, including the black leader of the London Chartists William Cuffay, and the Irish rebel and portrait painter William Paul Dowling who drew a portrait of Cuffay in his cell in Newgate Gaol.¹²³ These Chartists were tried under a law specially rushed through parliament to try the leader of the Young Irishmen, John Mitchel. Cuffay alludes to this law in his speech at his trial:¹²⁴

This new act of Parliament is disgraceful, and I am proud to be the first victim of it after the glorious Mitchel. Every good act was set aside in Parliament – everything that was likely to do any good to the working classes was either thrown out or set aside, but a measure to restrain their liberties could be passed in a few hours. I have nothing more to say.

In Anderson’s anthology “Farewell to Judges and Juries” there are seven broadside ballads about Mitchel; one of them titled ‘Lamentation for Mitchell’ has verses that clearly connect the struggle for independence in Ireland with the British working class Chartist’s battle for the right to vote:¹²⁵

Oh! weep Erin's sons for thy patriot so tender,
No more for awhile shall thou hear his sweet voice,
From his own native soil to foreign lands a stranger,
Whilst in liberty he reigned he was thy bright choice;

¹²³ <http://www.npgprints.com/image.php?imgref=63331>, (accessed 21 February, 2013).

¹²⁴ *Times*, 21 August 1848.

¹²⁵ Anderson, *Farewell to Judges & Juries*, p. 367.

But alas! he is gone, where no band can relieve him,
A convict he's bound in sorrow and woe,
Like poor Frost and Jones he a captive was taken,
A banished exile was forced to go.

Frost and Jones, the Welsh Chartists, are represented in broadsides as we have seen above and this lamentation also brings up the transportation of the Dorchester labourers, the Tolpuddle Martyrs:

Oh! England, fair England, consider thy children,
Where is there a nation ought more to be free,
Pray think of the danger that perhaps may attend them,
Like the Dorchester labourers in exile may be;
Be firmly united, and stand true together,
Strive hard for the Charter, and we shall be free,
To shrink at thy burden, don't think at, oh! never,
Sweet liberty's call then we soon shall see.

As daily at each meeting we do assemble,
Poor Mitchell again we will try to restore,
Again to his friends who would kindly receive him,
Who is sent far away to some wide distant shore,
Kind Providence aid us, and keep us from danger,
The rights of each country let's nobly defend
Then health, peace, and plenty, like a welcome stranger,
And no more banished exiles to foreign lands send.

In their 2009 paper 'Songs for the millions: Chartist music and popular aural tradition', Kate Bowen and Paul Pickering discuss the importance and uses of music at Chartist demonstrations and outdoor rallies:¹²⁶

¹²⁶ Kate Bowen and PA Pickering, 'Songs for the millions: Chartist music and popular aural tradition', *Labour History Review*, vol. 74, no. 1, (2009), p. 50.

The number of banners and bands provided a complementary visual and sounding index to the importance of the occasion. In the open air the band, drawing upon the much older tropes of fanfare and ritual, provided not only a ceremonial function – a sense of pomp and circumstance – at the head of the procession, it also delineated the different districts and institutions a Pied Piper-like role: ‘perambulating the city’ in large numbers summoning the Chartists to their posts.

The fact that Irish independence activists and rebels are also well represented in broadside and other balladry, suggests perhaps a broader support for their cause among British workers than is commonly assumed. Rebellions from the United Irishmen of 1798 to the famous 1876 escape of six Fenians during the Perth Regatta Day celebrations via an American whaler, the *Catalpa*, are well represented in song. The English language broadside ballad tradition arguably provides the template for much of the narrative poetry and song expressing working class political outlook and aspiration right up to the present day. If not an unbroken tradition it is one that is constantly revived and revisited. It is certainly clear that some of Frank MacNamara’s compositions discussed in the next chapter fit the tradition of the broadside ballad as well as that of Irish rebel song tradition, ‘treason songs’ as the authorities sometimes labeled them.

A list of the most widely known ballads dealing with Australian convict transportation and life might include ‘Van Diemen’s Land’, ‘The Convict Maid’, ‘The Wild Colonial Boy’, ‘Bold Jack Donohue’, ‘The Black Velvet Band’ and ‘Botany Bay’. These are among the thirty-six songs cited by Ward to illuminate aspects of Australian workers’ outlook and ethos.¹²⁷ These ballads each exist in a number of versions and also remained long enough in oral tradition in Australia to have been collected and recorded by folklorists in the 1960s. As well known as they are, they comprise only a fraction of convict balladry, a relatively neglected corpus of historical material. Anderson’s “Farewell To Judges & Juries” goes a long way to address this neglect. As the most

¹²⁷ Russel Ward, *The Australian Legend*, (Melbourne, Oxford University Press, 1978), p. 333.

comprehensive collection of Australian convict ballads, it offers one hundred and forty examples dating from 1788 to 1868. In the preface Anderson remarks:¹²⁸

The convict system and transportation from England, Ireland, Scotland and Wales has been a central concern of most Australian historians for a long time, a few in Britain and more in Ireland, but none of them has given any detailed attention to the broadsides and songs printed from the 1790s to the 1860s.

Ballads Transplanted and Poached in Australia

My investigation of the online archives of Australian newspapers has revealed four of the verses of the ballad 'Van Diemen's Land' that were published in Launceston, Van Diemen's Land in 1839. This discovery shows that the flimsy popular song sheets aimed at the poor in the streets of London could find their way into print in far flung colonies, no doubt to the interest and pleasure of the convicts and their families in Van Diemen's Land. In this case the ballad appears in a *Launceston Advertiser* review of the English "Fraser's Magazine" edition of April 1839:¹²⁹

They chain us two by two, and whip and lash along,
They cut off our provisions if we do the least thing wrong,
They march us in the burning sun, until our feet are sore,
So hard's our lot now we are got upon Van Diemen's shore.

We labour hard from morn to night, until our bones do ache.
Then every one, they must obey, their mouldy beds must make ;
We often wish, when we lay down, we ne'er may rise no more.
To meet our savage governors upon Van Diemen's shore.

Every night when I lay down, I wash my straw with tears,

¹²⁸ Hugh Anderson, *Farewell to Judges & Juries: The Broadside Ballad & Convict Transportation to Australia 1788-1868*, (Melbourne, Red Rooster Press 2000), p. ix.

¹²⁹ *Launceston Advertiser*, 21 November 1839.

While wind upon that horrid shore do whistle in our ears
Those dreadful beasts upon that land around our cots do roar ;
Most dismal is our doom upon Van Diemen's shore.

Come all young men and maidens, do bad company forsake,
If tongue can tell our overthrow, it would make your heart to ache ;
You girls, I pray, be ruled by me, your wicked ways give o'er,
For fear, like us, you spend your days upon Van Diemen's shore.

We know that 'Van Diemen's Land' was published as a broadside to sell on the streets of Britain and Ireland and the earliest version appears to date back to 1826 when "The Night Poaching Act came into full force".¹³⁰ The version above shares three of its verses with the broadside versions but the last verse, the warning verse, differs in a striking way in being explicitly addressed to both "young men and maidens". As we saw above some verses from the ballad found their way into the local song the 'Cyprus Brig'.

A popular broadside published over a number of years and in different places was 'The Convict Maid'. The version below was published and set in London,¹³¹ while an otherwise identical ballad was set in Scotland and begins "Ye Glasgow maids attend to me".¹³²

Ye London maids attend to me,
While I relate my misery;
Thro' London Streets I oft times stray'd,
But now I am a convict maid.

In innocence I once did live,
In all the joys that peace can give;
But sin my youthful heart betray'd,
And now I am a convict maid.

¹³⁰ Anderson, *Farewell to Judges and Juries*, p. 566.

¹³¹ Anderson, p. 144.

¹³² <http://bodley24.bodley.ox.ac.uk/cgi-bin/acwwweng/regsrch.pl>, (accessed 23 November 2013).

To wed my lover, I did try
To take my master's property,
So all my guilt was soon display'd,
And I became a convict maid.

Then I was soon to prison sent,
To wait, in fear, my punishment,
When at the bar, I stood dismay'd;
Since doom'd to be a convict maid.

The verses, while all repentant, contain a vivid litany of fate that living conditions in the overcrowded and impoverished cities of the metropolitan centre of the empire forced onto its young workers. Transportation provided the same empire with a source of forced and unpaid labour for its most remote colony. Read, or, better still, listened to, with attention the repentance apparent in the song becomes a matter of secondary importance:

At length the judge did me address,
Which fill'd with pain, my aching breast,
To Botany Bay you will be convey'd,
For seven years a convict maid.

For seven years! oh, how I sighed;
While my poor mother loudly cried;
My lover wept, and thus he said,
May God be with my convict maid.

To you that hear my mournful tale,
I cannot half my grief reveal;
No sorrow yet has been portray'd,
Like that of the poor convict maid.

Far from friends and home, so dear.
My punishment is most severe;
My woe is great, and I'm afraid
That I shall die a convict maid.

I toil each day in grief and pain,
In sleepless thought the night remain;
My constant toils are unrepaid,
And wretched is the convict maid.

The final lines are a cry for freedom from punishing unpaid toil and a dream that “some honest trade” might prove to be an escape from the nightmare destroying the life of the young convict:

Oh, could I but once more be free,
I'd ne'er again a captive be,
But I would seek some honest trade,
And never become a convict maid.

The tune to which these words are set is a variant of ‘The Croppy Boy’ one of the songs of the 1788 Irish Rebellion. A copy of this ballad is preserved in the Mitchell Library in Sydney.

The tradition of ballad writing is evident in the kinds of verse published in colonial newspapers. One striking example tackles the consequences of the forced appropriation of the Aboriginal hunting grounds in Van Diemen's Land. Its forthcoming publication was announced in the *Colonial Times*:¹³³ “To Correspondents. Limited as is our space, we have seldom opportunity to oblige our poetical friends. But "THE NATIVE'S LAMENT" commands insertion and will appear in our next.”

¹³³ *Colonial Times*, 28 April 1826.

The weekly newspaper published this poem, composed from the point of view of the local Aborigines, and although the author is not named the likelihood is that it was written by a settler known to the editor rather than an indigenous native:

Oh! where are the wilds I once sported among,
When as free as my clime through its forests I sprung;
When no track but the few which our fires had made,
Had tarnished the carpet that nature had laid;
When the lone waters dashed down the darksome ravine,
O'erhung by the shade of the Huon's dark green;
When the broad morning sun o'er our mountains could roam,
And see not a slave in our bright Island home.

The sense of outrage at the empire's settlement, despoliation and plunder of country is evident from the introductory verses. This ballad presents a potent dialogic comment on the triumphant official views at the time:

When our trees were unscath'd, nor our echoes awoke,
To the hum of the stranger, or woodman's wild stroke;
When our rocks proudly rose 'gainst the dash of the main,
And saw not a bark on the wide azure plain ;
When the moon through the heaven's roll'd onward, and smil'd,
As she lighted the home of the free and the wild.

Oh! my country, the stranger has found thy fair clime,
And he comes with the sons of misfortune and crime;
He brings the rude refuse of countries laid waste,
To tread thy fair wilds, and thy waters to taste;
He usurps the best lands of thy native domains,
And thy children must fly, or submit to his chains.

The benefits of the civilisation provided to Van Diemen's Land that brought forced labour with it, "the sons of misfortune and crime" is not evident to those who had live

in, and tended the country for tens of thousand of years. The description of convicts as “the rude refuse of countries laid waste” evokes the common belief in a “criminal class”, while acknowledging the despoliation of the metropolitan centre and its uncontrolled industrialisation:

He builds his dark home, and he tricks it about,
With trinkets and trifles within and without;
When the bright sun of nature sinks into the main;
He lights little suns to make day-light again;
And he calls a crowd round him, to see him preside,
And our tyrant himself is the slave of his pride!

The dialectic relationship of tyrant and slave so often explored in convict and bushranger verse, and in Irish verse too, is compared to the freedom of the original inhabitants and their love of country:

Oh! dearer to us, is our rude hollow-tree,
Where heart joins to heart with a pulse warm and free;
Or our dew-covered sod, with no canopy o'er it,
But the star-spangl'd sky,—we can lay and adore it!
Or if worn with fatigue, when the bright sun forsakes us,
We lay down and sleep, till he rises and wakes us!

Our wants are but few, and our feelings are warm,
We fear not the sun, and we fear not the storm;
We are fierce to our foes, to our loves we are fond,
Let us live and be free—life has nothing beyond.

Oh! I would not exchange the wild nature I bear,
For life with the tame sons of culture and care,
Nor give one free moment as proudly I stand,
For all that their arts and their toils can command.
Away to the mountains, and leave them the plains,

To pursue their dull toils, and to forge their dark chains.
April 22, 1826.

The ballad offers a rare contemporaneous commentary that goes against the Van Diemen's Land clearances known as the Black Wars. As historian Alison Alexander writes:¹³⁴ "While European settlements were small, Aborigines co-existed reasonably happily with the newcomers." This changed when more settlers took over the best hunting grounds in the midlands:

When the Aborigines retaliated the Europeans attacked them ... and trouble escalated. By the late 1820s it was all-out war, with many Europeans determined to exterminate the Aborigines ... when the remaining Aborigines were removed to Flinders Island in the early 1830s there were only a few hundred left of the 5000 – or perhaps more – of 30 years earlier.

The atmosphere regarding the original inhabitants in Van Diemen's Land can be deduced from the *Colonial Times* editorial of 1826:¹³⁵

We deeply deplore the situation of the Settlers. With no remunerating price for their produce, they have just emerged from the perils of the bush-rangers, which affected their property, and they are now exposed to the attack of these natives, who aim at their lives. We make no pompous display of Philanthropy — we say unequivocally, SELF DEFENCE IS THE FIRST LAW OF NATURE. THE GOVERNMENT MUST REMOVE THE NATIVES — IF NOT, THEY WILL BE HUNTED DOWN LIKE WILD BEASTS, AND DESTROYED!

Bushranger Ballads

As we can see convicts, bushrangers and original inhabitants somehow get lumped together in the imperial mindset. The anti-worker laws of the British Empire were shipped to Australia along with convicts settlers, soldiers, wardens and lawyers. Some

¹³⁴ Alison Alexander, *Tasmania's Convicts*, p. 263.

¹³⁵ *Colonial Times*, 1 December 1826.

new laws framed along the same lines were designed to deal with rebellion in the new colony. The most famous perhaps was the creation by Governor Darling of the new offence of Bushranging. Bushrangers, of course, were likely to be convicts or ex-convicts and Australia's most celebrated bushranger, Ned Kelly, was the son of a convict. Historian Paula Byrne teases out the operation and politics of this law, and how it entangled ordinary people.¹³⁶

For the magistrates, this behaviour was winnowed down until it no longer rested on bushranging, but on the act of being suspicious. And this suspicion did not centre on the bushranger but on his connections. The whole sweep of the countryside inhabited by the freed population was thought to be bristling with the exchange of stolen goods, the feeding of these bushrangers and the wanton rejection of authority.

The law established rewards for information and allowed for unrestricted day and night searches of the dwellings of settlers and freed convicts alike, again these were laws framed outside of any democratic representation:

This was intensive policing of a group which through ticket-of-leave or emancipation existed outside servitude. As we shall see, magistrates and constables had difficulty in regarding these people as other than convict, so it is not surprising that suspicion fell on them.

The existence of numerous Australian bushranger ballads exposes the gap between the lawmakers and popular opinion, making the famous bushrangers more sung about than any of the ruling elite of the time. Again bushranger balladry often hides in the relative safety of oral tradition long before it finds its way into print. In their form the songs themselves can also be considered home grown compositions many of which closely resemble the "Come All Ye" examples under discussion.

¹³⁶ Paula J. Byrne, *The Criminal Law and Colonial Subject* (Cambridge University Press, 1993). p. 148.

One bushranger ballad that Australian folklorists and collectors have found in a variety of oral forms is the ballad ‘Jack Donohoe’ about the Irish convict who escaped to the bush and was killed by the police in 1830. The *Sydney Gazette* carries this report:¹³⁷

DEATH OF DONOHOE.

This daring marauder has at length been met by that untimely fate which he so long contrived to avoid. On Wednesday evening, at dusk, as a party of the Mounted Police were riding through the bush at Reiby, near Campbell Town, they came up with three bushrangers, one of whom was Donahoe; on being called upon to stand, they threw away their hats and shoes, and ran off, when the Police fired, and killed Donahoe on the spot, one ball entering his neck and another his forehead. Favoured by the dusk, the others made their escape, and in defiance of the dreadful fate of their comrade, that very night broke into a hut and carried off what they wanted. The body of Donahoe was removed to Liverpool, and will be brought to Sydney this morning. Thus is the Colony rid of one of the most dangerous spirits that ever infested it, and happy would it be were those of a like disposition to take warning by his awful fate.

In perfect counterpoint to the newspaper story Donohoe is quickly raised to the status of hero in a profusion of ballads and stories praising his bravery and his refusal to “work one day for the government” that is, proclaiming “liberty or death!”

Conclusion

In this chapter I have demonstrated that much can be learned about convict thinking, their world-view and attitudes to institutional authority from an analysis of what is a very large corpus of songs and poetry including colonial broadsides and ballads. It can be misleading to read this material silently since most of it was composed to be sung or read out loud, that is to be performed. Sometimes we have the written evidence of the performance without the title of the song being named let alone its tune, important

¹³⁷ *Sydney Gazette*, 4 September 1830.

evidence nevertheless as we are concerned here with lyrical material and its audience. Songs and poems were committed to memory in a more orally based society, and there are special problems of provenance where known authorship might pose problems in a community that is under regimented control of and is systematically spied upon.

Recent research into convict records reveals that more of the convict audience for such material could read than is usually taken into account, and that there was no shame attached to seeking the help of those who could, indeed there seems to have been quite a tradition of good readers and writers amongst the prison cohort being employed as scribes for letters home or petitions to authority.



Fig 3. ¹³⁸

I have argued that archives of broadside ballads and the lyrical material that was transported in the memories of convicts, provide the historian with an underused “window into the convict cultural legacy in Australia” as Bob Hodge and Vijay Mishra suggest.¹³⁹ This counter cultural legacy stands in contention with the imperial project that drove the “soldiers, warders and governors” who relied entirely on the forced labour of the men and women they shipped to Australia. This lyrical material makes it clear that the raft of laws that underpinned this forced exile of humanity was viewed

¹³⁸ Phillippe de Vigors : Convicts writing at Cockatoo Island, [1 March 1849] Courtesy State Library NSW.

¹³⁹ Hodge and Mishra ‘Crimes and Punishments’ p. 337.

very differently by the transported who assumed other rights as their heritage in “the land of the free” as the popular song has it.¹⁴⁰

The workers who demanded better safety and work conditions at home organised mass demonstrations for civil rights that shook the empire in its metropolitan base. More draconian laws were mixed with tentative reforms and the right to form trade unions, the latter a right that was almost immediately subverted in the notorious legal conspiracy to crush the Tolpuddle Martyrs as I have discussed above. The looming famine in Ireland and the feeble attempts by the imperial power to alleviate the disaster demonstrated how far removed the imperial project was from any consideration of the most basic human needs. In the following chapter I demonstrate how the lyrical compositions of a notorious Irish convict poet, Francis MacNamara, provide a compelling portrayal of convict conditions and convict thinking. All the evidence suggests that MacNamara was both highly literate and as an extempore performance poet remained part of a thriving oral culture.

¹⁴⁰ Hepburn, *Book of Scattered Leaves*. p. 117.

CHAPTER 2. FRANCIS MACNAMARA: A CONVICT POET IN AUSTRALIA

To understand Australian culture, special attention needs to be paid to those who were transported against their will and overwhelmingly made Australia their home, they built Australia whilst the soldiers, warders and governors who made sure they got here and worked to make the country what it is, largely made their way back to the imperial motherland. The convicts stayed in Australia. The story of Francis MacNamara and his blossoming into Frank the Poet provides a rare window into the convict cultural legacy in Australia at a time when the traces of a thriving oral tradition was being replaced and silenced by a literary one.¹⁴¹

In this chapter I examine the works and life of the Irish convict poet Francis MacNamara who, aged 21, was transported to Botany Bay arriving in 1842. The poet died aged fifty in Mudgee NSW in 1861, by which time he was widely known throughout the colony as “Frank the Poet”. Although his life as a convict in Australia is well recorded and preserved in official documents, his legacy of song, poetry and epigrams is harder to discern.

From Kilkenny to Botany Bay

The earliest published report of MacNamara details his conduct at his trial in the Irish newspaper the *Kilkenny Journal* of 18 January 1832. In the account of his cross-examination MacNamara’s “peculiar accent, cutting remarks, and mode of delivery” are commented on and described as “both quaint and forcible”. Also reported that his evidence “afforded much amusement to the court” and ends with a glimpse of both his eccentricity and his extempore verse.¹⁴²

On a verdict of guilty being returned, sentence was immediately passed, and he was ordered from the dock. Prior to his leaving it he flourished his hand, and with a cheerful and animated countenance, and in a loud voice said,

¹⁴¹ Hodge and Mishra ‘Crimes and Punishments’ p. 337.

¹⁴² *Kilkenny Journal*, 18 January 1832.

I dread not the dangers by land or by sea,
That I'll meet on my voyage to Bottany [sic] Bay;
My labours are over, my vocation is past,
And 'tis there I'll rest easy and happy at last.

Historian Bob Reece discovered this report of the Quarter Sessions that took place in Kilkenny on 14 January 1832. It presents us with an evocative account of MacNamara's character at age twenty-one. It spares a few words on the other prisoners at the session but is completely focused on MacNamara and ends with the earliest example we have of his verse – the extempore epigram above. Reece's archival research shows that MacNamara received his first flogging on board the prison ship *Eliza 2*, 12 lashes "for bad conduct." James Gordon the ship's officer who ordered the flogging wrote admiringly in his journal about MacNamara and his poetry:¹⁴³

He has considerable abilities, has written some very palpable lines on his trial and sentence since he came on board and has a very extensive knowledge of the Scriptures. He it appears was tried for a very slight offence but his conduct on his trial was so bad that he was transported for 7 years. He recited a mock heroic poem of his own composing in which he ridiculed judge jury and other officers of the Court that had tried him. This of course enhanced his offence and added to his punishment.

Gordon's report also refers to MacNamaras's court appearance and suggests that his "mock heroic poem" may have been longer than the four lines published in the newspaper and perhaps that his transportation sentence was related to the extempore poem he performed in court. MacNamara's non-deferential attitude to authority was certainly made very clear from his behaviour in the court in Ireland. The *Kilkenny Journal* report of the trial provides the earliest example we have of his view of the world and institutional authority. The twenty-one year old MacNamara's cross-examination of the policeman witness is recorded in the report and offers insight into his world view:

¹⁴³ Bob Reece, *Exiles from Erin: Convict Lives in Ireland and Australia* (Dublin: Gill and Macmillan, 1991), p. 157.

Please *your* Wordship, as to Mr. Prince the constable, his oath should not be thought much against me. He may know the weight of that book in penny weights, but of the awful meaning and substance he knows nothing, often as he may have kissed it. He should have the eye of a hawk, and the vigilance of a cat, to see me do what he swears.

Both the policeman and shop keeper witnesses are asked if they had got “directions from any persons as to what you were to swear against me.” Both answer that they did not. In apparent triumph MacNamara turns to the Judge and argues:

Now your Wordship, I must prove them both perjurers: did not that decent looking gentleman sitting under your Wordship, in a loud and distinct manner, that no body could mistake, direct them to swear the truth, the whole truth, and nothing but the truth.

MacNamara’s apparent lack of awe of the court or his sentence, the way he addresses the judge as “your Wordship”, the manner of his cross-examination of the policeman and the shop man and his farewell verse from the dock all paint a picture of a confident, articulate young man.

After his arrival in Sydney on 8 September 1832 MacNamara was assigned to John Jones. This first assignment was short lived and January 1833 saw him serving six months shackled as a member of an ironed-gang on Goat Island in Sydney Harbour. Until his next assignment to the Australian Agricultural Company (AACo) as a shepherd in 1838 he was a prisoner in Hyde Park Barracks, Sydney Gaol, Newcastle Gaol. Later he was a prisoner at Parramatta Gaol on the Phoenix Hulk and transported to the gaol in Port Arthur, Van Diemen’s Land. He was subjected to nine floggings and two terms on the treadmill, to twelve months in irons and periods of solitary confinement. His list of transgressions includes absence from duty, absconding,

insubordination, obscene language, insolence, refusing to work, refusing to mount the treadmill, threatening language, mutinous conduct and being found drunk.¹⁴⁴

In 1842 the arrest of Francis MacNamara was reported, this time as an alleged bushranger.¹⁴⁵

The Sydney Gazette 2 June 1842:

The police found in their possession the carbines which they took from the constables at the time of escape. They are now safely lodged in the gaol at Campbelltown. Their names are – Francis McNamara, per Elisa; John Jones, per Lady Macnaughton ; Edward Allen, per Asia ; William Thomson, per do ; William Eastwood, per Patriot.

The report of the subsequent trial “At the Sydney Quarter Sessions in July 1842” is cited by Meredith and Whalan in the first published study of Francis MacNamara.¹⁴⁶

the five men were found guilty and each sentenced “To be Transported to a Penal Settlement for the term of his natural life” [...] the prisoners were sent to Cockatoo Island to await their ship to Van Diemen’s Land.”

Port Arthur 1842

MacNamara arrived in Hobart on 29 October 1842 on the *Waterlily* ten years after his arrival in Sydney, and compared to his gruelling punishments and floggings in New South Wales he appears to have avoided anything as harsh in Van Diemen's Land apart from 7 days solitary confinement in September 1843 for disobedience of orders. His convict record shows that he was granted his certificate of freedom in 1849.

MacNamara’s convict experience and his compositions suggest he was very much in ‘confrontation with authority involving or implying, some assertion of general

¹⁴⁴ Archives Office of Tasmania, digitised record Item: CON31-1-32

¹⁴⁵ *Sydney Gazette*, 2 June 1842.

¹⁴⁶ John Meredith and Rex Whalan, *Frank the Poet: The Life and Works of Francis MacNamara* (Melbourne: Red Rooster, 1979), p. 17.

principle' as outlined by Alan Atkinson in his 1979 paper 'Four Patterns of Convict Protest'.¹⁴⁷ Over a period of ten years in NSW his confrontation with authority certainly fell into all four of Atkinson's categories of attack - (physical and verbal), appeal to authority with his lyrical petitions, withdrawal of labour and compensatory punishment. His convict record shows that he was punished a number of times for his verbal attacks on authority or "insulting behavior". He seems to have been a master of witty repartee and pranks that often got him into trouble.

MacNamara's verse appears purpose-built for convict protest and provides a forerunner for a range of working class poetry and song or industrial lyrical material that continues to be composed in Australia to the present. His poetical inheritance includes the Irish rebel song and the Irish bardic tradition of the poet as spokesperson for society. One thing that is clear from a study of MacNamara's verse, is that most of it comes to us from oral sources. The sporadic publication of his verse and the stories about him that appear in a number of newspapers reveal a continuum of public interest in the poet and his work long after he died. To his fellow prisoners MacNamara described himself as the 'tyrant's foe' and it was they who admired his work enough to commit so much of it to memory spreading his name and fame as 'Frank the Poet'.

In his parting farewell to the Kilkenny court in 1832 he seems to relish his life-to-be in Botany Bay, "My labours are over, my vocation is past / And 'tis there I'll rest easy and happy at last." The reality of his convict life proved to be quite the opposite of his apparent expectation and reads much more like the warnings provided by the many broadsides of convict ballads sold on the streets of London and Dublin at the time.

The ballads and poems MacNamara composed differ from the broadsides, both in their depiction of convict experience and in the absence of any hint of self-blame or contrition that was a common feature in the published broadside ballad. One of the reasons that much of the work attributed to him was in the form of orally communicated verse may be that compositions of unknown authorship were less susceptible to censorship and punishment than anything that was printed. Although he could read and

¹⁴⁷ Alan Atkinson, 'Four Patterns of Convict Protest', *Labour History*, no. 37 (1979), pp. 28-51.

write he was already targeted and punished enough for his intransigence without having to bear responsibility for his own compositions. The report of James Gordon, cited earlier, on the transport ship *Eliza 2* demonstrates how his extempore compositions could add to his punishment. I will show later that verse, composed by a prisoner could also be used by prison authorities to extend the period of punishment. While orally transmitted verse might be banned, it was more problematic to use hearsay as evidence than written or published verse in the convict legal system.

MacNamara's work stands out for its condemnation of those responsible for the convict system rather than its victims. In his work there is ample evidence that he followed his own anti-hegemonic code, positing the lawmakers and gaolers as the criminals while upholding the rights of their victims, yet at the same time detailing and documenting the extreme punishment they suffered. This makes his work a special corpus that requires close attention and analysis.

Extempore Discourse On Freedom 1835

One of the most remarkable discoveries from my archival newspaper research is a letter that refers to "Frank the Poet" in court in Sydney in 1835 and published in the South Australian paper the *Bunyip* in October 1865.¹⁴⁸

ON FREEDOM. TO THE EDITOR OF THE BUNYIP.

Sir.— In the year 1835 an individual, whose name I will not mention, but who was designated as "Frank, the Poet," appeared at the Police Court in Sydney; and being a most incorrigible offender—having, by various sentences, accumulated enough punishment to last the lives of three men—he was thus addressed by the presiding magistrate:—

MAGISTRATE—When do you think you will obtain your freedom? You are constantly appearing here and receiving additional sentences.

FRANK—That I can easily answer, your Worship.

¹⁴⁸ *Bunyip*, 7 October 1865.

MAGISTRATE—I rather think it will be a most difficult matter for you to do, as it is almost beyond calculation.

FRANK—Not so, your Worship; for if you will allow me I will tell you.

MAGISTRATE—Well, when ?

Frank's statement was as follows, and only now sees the light for the first time:—

The letter writer, who signs off as C. L., brings to the reader the following verses, the only published instance of this composition. The verse itself is very much in the style of the verse petitions in the Trimingham manuscript, which I discuss later in this chapter:

When Sydney town, of high renown.
Goes to the Windsor races;
When the Surrey hills, and Barker's mills,
Do visibly change places.
When New South Wales is blessed by God—
Which I think will never be—
And branches new grace Aaron's rod,
That day I will be free.

When Rossi-Bowman, and such men,
Show to poor convicts justice;
And when the world is taxed again
By Caesar, famed Augustus;
When David's bear and Balaam's ass
Dine with King Solomon's bee;
And when Lord Farnham goes to mass—
That day I will be free.

The 'Lord Farnham' referred to by MacNamara is the Reverend Henry Maxwell, 6th Baron Farnham (1774 – 19 October 1838)¹⁴⁹ an Irish peer and a clergyman of the Protestant Church of Ireland. The notion of Farnham going to a Catholic mass is as

¹⁴⁹ <http://www.thepeerage.com/p4881.htm#i48809>, (accessed 2 December 2013).

unlikely as any of the other impossible but entertaining and imaginative occurrences in the poem.

When horses all wear Hessian boots,
And mountains are brought low;
When bullocks play on German flutes,
And lilies cease to blow.
When geese like Presbyterians preach,
And truth is proved a libel;
When heaven is within our reach,
And Deists love the Bible.

When Britain's isle goes to the Nile,
Or visits Londonderry;
And the Hill of Howth goes to the South,
Or to the County Kerry;
When Dublin town, of good renown,
Pays a visit to the Dee;
And when millstones on the ocean float—
That day will see me free.

Magistrate—That is about the time. Take him away for another twelve months.

Corroboration of MacNamara's twelve month sentence handed down in a court case in Sydney in April 1835 comes from Meredith and Whalan in their documentation of poet's many grueling punishments. By March 1835 these amounted to a total of 285 lashes.¹⁵⁰

For Assaulting a constable on April 16th, the young Irishman was awarded 12 months work in irons, but this did little to quell his spirit, for exactly a month later

¹⁵⁰ Meredith and Whalen, *Frank the Poet*, p. 6.

he was flogged again. On this occasion it was 36 lashes for "refusing to work and insolence".

If this poem was composed spontaneously in court in 1835 as the letter claims, it predates a very similar petition/poem in the Trimingham manuscript, "For the Company Underground", by four years, a work I discuss fully later in this chapter. The closeness of the two compositions is remarkable and the fact that this, as the letter states, "only now sees the light for the first time", thirty years after it was composed on the spot and four years after MacNamara's death, reinforces the view that his verse quickly spread orally rather than in print. The letter writer situates the Police Court in Sydney and the statement that Frank's response "only now sees the light for the first time", may suggest a story that only recently came to the letter writer, or perhaps more likely, that it was written down at the trial and kept until it was safer to release the information in a regional newspaper in another colony. A search of the Sydney papers at the time of the trial finds no evidence that the case was actually reported. What is clear is that interest in the poet was strong enough in 1865 for regional newspapers in particular to publish these stories of him. It is remarkable that as late as 2014 we can still find a previously undiscovered poem and story to add to the MacNamara oeuvre. Like many of MacNamara's works it is both witty and uncompromising in its attitude to authority.

The Sydney magistrate's irritated response to the poet's spontaneous answer to his question, was to cut his declamation short with - "That is about the time. Take him away for another twelve months." What the poet offers the reader, however, is a vivid insider's description of the operation of the convict system in which policemen, courts and magistrates are all characters. In the lines "When Rossi-Bowman, and such men, / Show to poor convicts justice" he names names. Francis Nicholas Rossi, after a number of years in the British army and then superintendent of the convict department of Mauritius was appointed in 1824 to be superintendent of police in New South Wales. Rossi was also a police magistrate.¹⁵¹ Interestingly both Rossi and Bowman appear in MacNamara's famous epic "A Convict's Tour to Hell"

¹⁵¹ <http://adb.anu.edu.au/biography/rossi-francis-nicholas-2610/text3595>, (accessed 28 March 2013).

Traces and fragments of evidence of resistance by convict and Aboriginal alike encourages a more complex dialogic approach. History is not only the story told by those in power, and attention to any record of dissenting voice can help to build a picture of why change can occur. The civilising nature of dissent counters and undermines the claims of the oppressor to be a civilising force. As Ward observed national character can be forged from below,¹⁵² particularly by those who stayed rather than those who sailed back to Britain, and especially by those concerned with human rights.

Botany Bay Hibernian Dialogue Published in 1840

Apart from the Kilkenny court epigram discussed earlier, the only poem to be published under MacNamara's name in his lifetime (1811-1861) appears in the *Sydney Gazette*.¹⁵³ It is titled 'A Dialogue between two Hibernians in Botany Bay' and in ninety-six lines covers in detail topics like Irish rebellion, the curse of transportation, "Daniel O'Connell the great Agitator", the "seven muskets and an old pike" of rebellion hidden in the cottage thatch, the whales and sharks encountered on the voyage and the debilitating tithes that Irish Catholics were forced to pay to build the conquerors' Protestant churches in Ireland.

Tell the boys to desist from killing peelers and arson,
But cheerfully pay the tithe proctor and parson;
Why should they, Darby, be left in the lurch,
You know they're the heads of the Protestant Church.
To protect them, faith I'd spill my blood every drop.
And not only the tenth, but the half of my crop,
I'd freely give them without hesitation.

In this poem of two dozen verses, MacNamara's reputation for fast and complicated repartee, wit and irony are very obvious. The "dialogue" may well have been designed to outwit the censors at the time by appearing to curse rebellion in Ireland. Given that it

¹⁵² Russel Ward, *The Australian Legend*, (Melbourne, Oxford University Press), 1966.

¹⁵³ *Sydney Gazette*, 8 February 1840.

is hard to believe that the *Sydney Gazette* in 1840 would publish a poem extolling Irish independence or rebellion, it is reasonable to assume it was written in a way that on the surface at least appeared to be in favour of the status quo.

Tell the boys to beware the great instigator,
Daniel O'Connell, the great agitator.
The poor Paddys can't comprehend what he's doing,
Damn him forever, 'twas he brought my ruin.

Daniel O'Connell's notoriety was widespread in the colonies and in the United States, where he was involved in the anti-slavery movement. He was for many years the only Catholic in the British parliament and was known for his legal expertise as well as his political speeches. Referring to O'Connell, Maxwell-Stewart writes: "The Irish politician who had championed Catholic emancipation, O'Connell was commonly known as 'the Liberator' and was a noted critic of Australian penal stations." Maxwell-Stewart reveals that "the plaster walls of the Macquarie Harbour gaol in Van Diemen's Land "had been covered in graffiti. There among the numerous images of hanged men and other sundry 'drop-scenes' could be found the words—'Daniel O'Connell, the man of the people'." ¹⁵⁴ The *Sydney Gazette* would undoubtedly have approved of MacNamara's description of him. In an equally political vein the poet dreams of what he'll say to family and friends when he returns to Ireland:

I'll tell the Mahers, McNamaras and McCarty's
All about iron gangs and road parties,
How famous the hulk is for chaining and gagging,
How the penal men are used, when doing their lagging;
I'll tell them about delegates, cooks, mates and victuallers,
And give them a letter on Dungaree settlers.

¹⁵⁴ Maxwell-Stewart, *Hell's Gates*, p. 267.

“Dungaree settlers” is a term used to describe the poorest small farmers in NSW, particularly those trying to make a living along the *Hawkesbury River*.¹⁵⁵ MacNamara’s use of the term demonstrates how quickly he absorbed and put to use the vernacular of the colony. In the next verse he passes on his regards to those at home in Ireland:

Give my loving respects to my young brother Jack
And pay the same tribute to Shamus my brother,
The same give to my affectionate mother.
And dont forget to tell my dear daddy,
That I’m still his dutiful darling son Paddy,
And likewise Darby, tell my sister Onagh
That I saw the big fish that swallowed up Jonah.

Is this a description of the relatives from whom the poet was torn? And his promise to Mary, the girl he left behind?

Forget it not Darby, a fool can think of it,
Says you, it is the same beast, wolfed the poor prophet.
Give my love to my sweetheart, Mary,
The star of Hibernia, the pride of Tipperary
Tell her that tho' twixt us there is a great barrier,
I may yet see the day that Pauddeen can marry her

This is followed by a description of the weapons of rebellion and the way to dispose of them:

And when all the hugging and kissing is over,
Stroll down to Maushe Counel, that lives in the moor,
And planted in the thatch, just over his door,
You’ll find seven muskets and an old pike,
Deliver them yerself to ould Father Mike.

¹⁵⁵ *Australian*, 20 January 1827, p. 4.

To the right owners let his reverence return them,
If he refuses to do so, my honest friend, burn them,
Only for the muskets, well may I remark,
Poor Paddy to-day wouldn't be in Hyde Park.

Hyde Park refers to the Sydney convict barracks designed by another convict the architect Francis Greenway. The poem ends with a suggestion that religious belief might have been among the reasons for the convict's transportation.

To free me from Botany and vile transportation.
I'd forsake the chapel, and ould Father Mike,
The caravats, shillelagh and Ribbonman's pike;
I'd make peace with my God, live in charity with men,
Musha Darby, Botany Bay wouldn't catch Pat again.

In terms of complexity of story and of writing to enhance the potential for story this poem, and its inclusion in the normally non-adventurous and semi-official *Sydney Gazette*, presents a challenge to the reader that remains to this day.

MacNamara's poem also highlights the dual possibilities inherent in the use of dialect. First, dialect presumably appeals more to those whose vernacular language is similar and can more readily make sense of it; at the same time his use of dialect increases the potential of evading censorship (the poem was deemed acceptable for publication in the *Sydney Gazette*) by its seeming quaintness and quirkiness. The poet Les Murray describes this poem as a "glorious gallimaufry of Irish stereotypes."¹⁵⁶

Patrick Joyce, in his analysis of dialect poetry from the 1850s composed by the autodidact English poet Edwin Waugh, writes that Waugh's work conveys the idea "that the poor have an equal access with everyone else to the joys and tribulations of the

¹⁵⁶ Les Murray (ed), *Hell and After: Four early English-language poets of Australia*, (Manchester, Carcanet, 2005), p. 2.

heart”. Joyce expands on this claiming that Waugh’s poems about domestic life “embody this democracy of the heart’s truth rather than declaiming it”.¹⁵⁷

It was these poems, therefore, that had the biggest impact on his contemporaries, for they were proof that the poor could be written about in ways that dignified them as sharing in the human condition with all the others ... Waugh did this, and what is more did it in a way that employed dialect, the mode of language most directly present to the intimate, daily life of his poorer readers.

Dialect offers a number of possibilities for writers, one of which is to obscure easy understanding among those who are unfamiliar with the dialect words and phrases used. Meredith and Whalan write of the poem above:¹⁵⁸

Closer study revealed that the apparently superficial verse might be a cleverly coded message intended for associates in the colony or back at home. Publication in the official Government organ of the colony would make circulation of the message an easy matter.

Trimingham Manuscript: the Tour to Hell and Lyrical Petitions

In 1958 Mrs. Trimingham presented a gift to the Mitchell Library a carefully preserved family treasure, a miniature manuscript.¹⁵⁹ The manuscript provides the earliest evidence, evidence hidden for one hundred and nineteen years, that Francis MacNamara and ‘Frank the Poet’ were one and the same. Consisting of fifteen tiny hand-written pages and dated “Oct. the 23rd day Anno 1839” the booklet contains four poems. It is written on government issue paper watermarked 1838, and the hand sewn booklet is bound in part of an 1857 *Sydney Morning Herald*. The finely crafted calligraphy seems almost impossibly small in jet black ink, with no corrections and quite a number of

¹⁵⁷ Patrick Joyce, *Democratic Subjects: The Self and the Social in Nineteenth-Century England*, (Cambridge, Cambridge University Press, 1994), p. 68.

¹⁵⁸ Meredith and Whalan, *Frank the Poet*, p. 53.

¹⁵⁹ <http://acms.sl.nsw.gov.au/album/albumView.aspx?acmsID=431049&itemID=824146> (accessed 4 June 2011).

decorative devices including lines that are curved in an arc. On some later pages the writing style appears more rushed as if there was a state of urgency involved. The first poem in the manuscript 'A Convict's Tour to Hell', on which I deliberate later in this chapter, mentions the name 'Frank the Poet' three times. The second poem is 'A Petition from The Chain Gang at New Castle' under the name 'Francis Macnamara'. The third is introduced as 'Francis MacNamara of New Castle to J Crosdale Esq greeting' and has become known as 'For the Company Underground' because of its refrain "MacNamara shall work that day / For the Company Underground". The fourth poem is 'A petition from the A A Co flocks at Peels River in behalf of the Irish Bard'. "Daniel O'Connell, the great agitator" features in 'For the Company Underground', in these lines:

When Christmas falls on the 1st of May
And O'Connell's King of England crown'd,
MacNamara shall work that day
For the Company underground.

MacNamara composed this petition poem as a list of the most improbable and impossible events he could imagine that would see him working for the Australian Agricultural Company (AACo) in their notoriously dangerous Newcastle coal mine. As I have argued earlier in this chapter this trope of "the impossibles" makes the petition poem very similar to the Sydney court poem published in the *Bunyip*. 'For the Company Underground' remained unpublished until Meredith and Whalan included it in their book "Frank the Poet" one hundred and forty years later.

When the man in the moon to Moreton Bay,
Is sent in shackles bound
MacNamara shall work that day
For the Company underground.

When the Cape of Good Hope to Twofold Bay
Comes for the change of a pound.
MacNamara shall work that day

For the Company underground.

The poet offers no reason for his refusal to dig coal for the AACo but suggests instead a set of impossible events that might change his mind. The absurdist humour in the work makes this a memorable petition against forced labour. It was a petition that might be shared with fellow prisoners but would never be accepted by the authorities. On recitation in public it must have created the “carnavalesque” effect that Bakhtin has analysed so thoroughly:

When cows in lieu of milk yield tea,
And all lost treasures are found,
MacNamara shall work that day
For the Company underground.

When the Australian Co's heaviest dray
Is drawn 80 miles by a hound,
MacNamara shall work that day
For the Company underground.

When a frog, a caterpillar and a flea
Shall travel the globe all round,
MacNamara shall work that day
For the Company underground.

When turkeycocks on Jews harps play
And mountains dance at the sound,
MacNamara shall work that day
For the Company underground.

When thieves ever robbing on the highway
For their sanctity are renowned,
MacNamara shall work that day
For the Company underground.

When the quick and the dead shall stand in array
Cited at the trumpet's sound,
Even then, damn me if I'd work a day
For the Company underground.

Convict records show that MacNamara was no stranger to coal mining. According to information available in Peter Mayberry's online database 'Irish Convicts to New South Wales 1788-1849'¹⁶⁰, he was the only prisoner on the transport ship the *Eliza 2* that was sailing from Cork to Sydney in 1832 whose "trade or calling" is designated as "Miner". There is also evidence discussed below that he returned to mining during the gold rush of the 1850s and for the last eight years of his life may have become quite prosperous from the success of his searches for gold.

My Australian newspaper research into Francis MacNamara reveals that there are more than forty references to "Frank the Poet" to be found in newspapers from 1840 to the beginning of the twentieth century. These citations, discovered through searches of digitised Australian newspapers, quite often take the form of fragments of verse, and variations of some of his better known work. Variation lies at the heart of folklorists' concept of oral tradition and in the case of Frank the Poet, his popularity appears to have resulted in some of this orally transmitted material ending up in print, all of it after his death.

As far as is known, MacNamara was the only convict to present petitions in verse form, if he did present them in writing. The petition/poems have all the marks of performance pieces and are likely to have been performed for prisoners' entertainment, which is presumably how a number came to be memorised. 'A Petition from the Chain Gang at New Castle' is also noteworthy because petitions were officially supposed to come from an individual not a group. Here again we see that the poet is pushing the boundaries of the system. In the Trimingham manuscript each of the eleven verses is numbered. The

¹⁶⁰ <http://members.pcug.org.au/~ppmay/cgi-bin/irish/irish.cgi>, (accessed 3/12/2011).

last verse also appears to be in a different hand. Another interesting aspect is that the poem is proposing a hunger strike by prisoners in Newcastle Gaol, the subtitle being:

To Captain Furlong
The superintendent praying Him to Dismiss a Scourger Named
Duffy from the Cookhouse and appoint a Man in his Room

Duffy, like many of the flagellators and scourgers at the time, was a convict, possibly a convict who had been trained in the British army where flogging was rife. He was obviously despised and hated by fellow prisoners and in this petition they strongly object to him being appointed by Furlong to even touch their food let alone cook their meals.

1st
With reverence and submission due,
Kind sir these words are sent to you,
And with them a good wish too.
Long may you reign,
And like Wellington at Waterloo
Fresh laurels gain.

2nd
Your petitioners are under thy care,
In mercy therefore hear our prayer,
Nor let us wallow in despair,
But soothe each pang,
But allow no flogger to prepare
Food for your gang.

...

5th
Our jaws now daily will grow thinner.
And stomachs weak, as I'm a sinner,
For Duffy is a human skinner,

Most barbarous wretch.
Each day I'd rather have my dinner
Cooked by Jack Ketch.

6th

It matters not whether salt or fresh,
Even his touch would spoil each dish
His cooking we never can relish -
We'd rather starve.
For be assured tis human flesh
He best can carve.

The depiction of Duffy as “a human skinner” and the line “’tis human flesh he best can carve” illustrate the attention MacNamara can command in his use of language.

9th

But did he even touch our meat.
A furnace our coppers wouldn't heat,
And every knife, fork, spoon and plate
Would cry out Shame,
And in the midst of our debate
Would curse thy name.

10th

Or if Saints Matthew, Mark, John and Luke,
With Moses who wrote the Pentateuch
Consented to make this flogger our cook.
I'd say 'tis foul;
If I wouldn't swear it on the Book,
Hell seize my soul.

The Pentateuch, referred to in the petition, is the first five chapters of the Bible, also known as the Five Books of Moses, essentially the Jewish Torah as described by

Christians. Here is a good example of MacNamara's knowledge of religious matters. What Captain Furlong made of the petition we can only guess, but whoever collected it and wrote it down added this remark beneath it - "Tis Needless To Say The Prayer was granted", which itself has a certain Irish ring about it, and may be from the poet himself. The phrase "with reverence and submission due" was part of the officially prescribed form that a petition had to take as it made its way up the chain of authority.¹⁶¹ The petition ends as it begins: in supplication and evoking the prescribed protocol for petitions in the convict system.

11th

Now sir, your petitioners great and small
On bended knees before you fall;
Nor let us in vain for redress call,
Drive Duffy away,
And as in duty bound we all
Will ever pray.

The other verses are resolute about the hunger strike should this flogging cook remain in his position. There is the threat that the entire chain-gang with a "knife, fork, spoon and plate" are prepared to rebel against the superintendent in "curse thy name", unless the hated Duffy goes.

Attributed Verse and Fragments

As well as the Trimingham manuscript some other items connected to the poet have been donated to the Mitchell Library, including the Calf family letter of 1928¹⁶² presenting pen and ink work of MacNamara executed in Mudgee in 1861. There is also the Thomas Whitely¹⁶³ 1891 transcription including two poems and a hand written copy

¹⁶¹ Hamish Maxwell-Stewart, *Closing Hell's Gates: The Death of a Convict Station* (Crows Nest, N.S.W., Allen & Unwin, 2008)

¹⁶² <http://www.acmssearch.sl.nsw.gov.au/search/itemDetailPaged.cgi?itemID=902240>, (accessed 02/12/2013).

¹⁶³ <http://acms.sl.nsw.gov.au/album/albumView.aspx?acmsID=430619&itemID=877137>, (accessed 02/12/2013).

of the poem 'Labouring with the Hoe' donated by Donall in 1932¹⁶⁴ attributed to "Francis MacNamara, otherwise known as Frank the Poet". Another important item in the Mitchell is the journal of Jeremiah Shea which is hand written and titled 'History of Notable People in Australia, Commenced from 1818'. Shea makes a number of references to MacNamara including - "Francis Macnamara—commonly called Frank the Poet".¹⁶⁵

Oral collection before audio recording entailed not only piecing together a work from a number of sources but often some editing or tinkering with the work. That said, what we have that has been attributed to 'Frank the Poet' constitutes a remarkable body of material. In addition to the poetry and songs there is the description of MacNamara that has most recently appeared in print in *The Uncensored Story of Martin Cash*. This volume is a revisiting of the notes taken by the Tasmanian journalist (and former convict) James Lester Burke for his 1870 book *The Adventures of Martin Cash*.¹⁶⁶ Below is an excerpt of Burke's transcript taken down from Cash describing his memory of the Christmas Day celebration in 1842 at the Port Arthur penal station:¹⁶⁷

A stage having been erected in the centre of the yard, we had comic and sentimental singing and also Portugee Joe in the character of Darkey, and the famed Frank the Poet thew [sic] off a few extempore verses for the amusement of the company, at the same time giving us a coat of arms, viz.: 'My name is Francis MacNamara, a native of Cashell in the county Tipperary, Sworn tyranny's foe and while I've life I'll crow. When brought before Captain Murray, a particular friend of the past who the latter afterwards described (in his voyage to Hell or a visit paid to the W--- C---), Frank, after receiving a sentence of fourteen days, was asked what he had to say to that. He replied, "Captain Murray, if you please, make it hours instead of days. You know it becomes an Irish Man to drown the

¹⁶⁴ <http://www.acmssearch.sl.nsw.gov.au/search/itemDetailPaged.cgi?itemID=919129>, (accessed 02/12/2013).

¹⁶⁵ Meredith and Whalan, *Frank the Poet* p. 34.

¹⁶⁶ Martin Cash, and James Lester Burke, *The Adventures of Martin Cash* (Hobart Town: "Mercury" Steam Press Office, 1870).

¹⁶⁷ Martin Cash, James Lester Burke, Joan Emberg, and Buck Emberg. *The Uncensored Story of Martin Cash: Australian Bushranger* (Launceston: Regal Publications, 1991) p. 111.

shamrock when he can.” I believe his requests were complied with: however the day passed off verry [sic] pleasantly.

The epigram petition, cited in Cash’s description above, that the poet recited to Captain David Murray while incarcerated on the Phoenix Hulk in Sydney Harbour illustrates another feature of how his verse might sound given his Irish accent, so that words spelled as “please” and “days” would perfectly rhyme. The variations typical of oral tradition can be found in this verbatim record. What in one version is “Sworn to be the tyrant’s foe and while I live I’ll crow” is here in its first published form “Sworn tyranny’s foe and while I’ve life I’ll crow”. The poet’s epic verse “A Convict’s Tour to Hell” is here referred to as his “voyage to Hell” and suggests that it was in oral circulation in Tasmania, as early as 1842, the year of the Christmas party above and the year MacNamara was transported to Van Diemen’s Land.

Researching reports of the poet in online digitised newspapers has revealed many important fragments about him. These fragments point to his popularity or notoriety and provide more evidence of an oral history for verses attributed to him. This information also adds confidence to the connection between the almost mythical ‘Frank the Poet’ and the Irish convict Francis (or Frank) MacNamara. As Bob Hodge observed in the 2012 radio documentary about the poet:¹⁶⁸ (See and listen - Appendix A and B)

Constructing himself as Frank the Poet was a life project for Francis MacNamara. And he did it, he succeeded in it, he was recognised as that, there was no other Frank the Poet. I know some people have suggested that maybe there were many other Francis MacNamara’s who all called themselves Frank the Poet. I think the onus would be on people who claim that to prove it.

Like many convicts much important information about MacNamara is available in official records. His Van Diemen’s Land convict record provides a detailed record of

¹⁶⁸ Bob Hodge. Interview with Mark Gregory. Frank the Poet: A Convict’s Tour to Hell. ABC Radio Hindsight, 5 August 2012.

the numerous punishments the poet received together with his offences which include disobedience, insubordination and mutinous conduct:¹⁶⁹

Extracts from Sydney Records Arrived 8 Sept 1832 was tried at Kilkenny 15 February 1832 for Stealing Sentd. 7 Years 24 June 1833 50 Lashes absconding from duty 1 July 1833 1 month TreadWheels disgraceful conduct August 1833 12 months Irons absconding 2 times 1 February 1834 23 Lashes for having stolen shirt 3 March 1834 75 Lashes Insubordinate Conduct January 26 1835 3 days of Cells absent from duty 18 February 1835 25 Lashes disobedience of orders 9 March 1835 100 Lashes obscene Language 15 April 1835 12 Months Irons assaulting a Constable May 16 1835 36 Lashes refusing to work & insolence 8 March 1835 50 Lashes Threatening language 8 August 1835 70 Lashes destroying Govt property 31 Oct 1835 36 Lashes destroying a Govt Cart 14 Dec 1835 50 Lashes refusing to work 26 March 1837 25 Lashes neglect of work 15 August 1836 10 days Cells found drunk 4 January 1840 50 Lashes Mutinous Conduct was again tried at the Assizes of Sydney on the 8 July 1842 for being at large with fire arms on his person and sentenced to be transported for Life Single Roman Catholic 25 Sept 1843 pwl Disobedce of Orders 7 days solitary confinement

Handwritten with carefully ruled under-linings, this relentless list of floggings reveals that MacNamara was subjected to this brutal punishment nearly every year that he was a prisoner in NSW. The number of floggings he was subjected to places the poet among the top one percent of all convicts who were so punished. MacNamara was originally transported for seven years for stealing a piece of plaid, ten years later he was transported for life to Van Diemen's Land. This second sentence was commuted to ten years then to seven culminating in his free pardon in 1849, 17 years after he landed in Sydney. He left Launceston for Portland in Victoria in 1852.

The former bushranger Jack Bradshaw refers to the poet in connection with the ballad 'Moreton Bay' in "The Quirindi Bank Robbery"¹⁷⁰ and there is corroboration of this

¹⁶⁹ http://search.archives.tas.gov.au/ImageViewer/image_viewer.htm?CON31-1-32,250,174,L,54
accessed and transcribed by author 4/06/2011.

connection in a number of newspaper reports. Folklorist Edgar Waters writes that this ballad was one from the early colonial period in Australia.¹⁷¹

There is a song about the hardships of convicts at the penal settlement on Moreton Bay and the spearing to death of its commandant, Captain Patrick Logan, in 1830. The bushranger Ned Kelly seems to have been quoting it in part of his rambling 'Jerilderie letter', written in 1879. It purports to be the testimony of an Irish convict, and it has been attributed to Frank the Poet: text and tune both seem to be decidedly Irish in character. The only complete version recorded from oral tradition came from a fine singer, Simon McDonald, recorded by members of the Folk Lore Society of Victoria.

The Morton Bay penal settlement on the Brisbane River was considered the worst of all the penal stations, a view that is reflected in a ballad attributed to MacNamara and probably composed while he was in Van Diemen's Land. That ballad, 'A Convicts Lamentation on the Death of Captain Logan', tells the story of the killing in November 1830 of Captain Patrick Logan the commandant of the penal settlement in Brisbane Town, then part of NSW. Logan was surveying the Upper Brisbane River when he was killed, apparently by Aborigines. The ballad, usually known as 'Moreton Bay' provides us with a prisoners' league table of the worst penal stations - which were all at the time part of NSW. As Waters mentions above the only complete version of the ballad to be recorded in the field is from Simon McDonald in 1960. It is also the only version that has a chorus, an evocative one which tells us what convicts thought of the most northern penal settlement:¹⁷²

Moreton Bay you'll find no equal
Norfolk Island and Emu Plains
At Castle Hill and cursed Toongabie
And all time-places in New South Wales

¹⁷⁰ Jack Bradshaw, *The Quirindi Bank Robbery: Life and Travels Leading Up to the Robbery* (Maitland, NSW, 1899)

¹⁷¹ Gwenda Davey and Graham Seal, *The Oxford Companion to Australian Folklore* (Melbourne: Oxford University Press, 1993) p. 162.

¹⁷² Meredith and Whalan, *Frank the Poet*, p. 38.

The ballad exists in a number of variants and was first published in 1899, by Bradshaw, thirty-one years after the poet's death¹⁷³. A tally of Logan's notorious punishment regime was noted in the diary of a prison clerk, who records that from February to October in 1828 Logan ordered 200 floggings with over 11,000 lashes. When Logan's body was brought back to the penal station, the same clerk writes in his diary that the convicts "manifested insane joy at the news of his murder, and sang and hoorayed all night, in defiance of the warders."¹⁷⁴

In McDonald's sung version of 'Moreton Bay' the third verse begins:

When I arrived 'twas in Port Jackson,
And I thought my days would happy be,
But I found out I was greatly mistaken
I was taken prisoner to Moreton Bay.

Bradshaw's version of the verse tells much the same story but in different words:¹⁷⁵

I then joined banquet in congratulation
On my safe arrival from the briny sea;
But alas! alas! I was Mistaken—
Twelve years transported to Moreton Bay.

The differences again suggest an oral journey of the song. However despite the differences, both versions tell a similar story of hopes dashed by secondary transportation to Moreton Bay. The hopeful lines closely echo MacNamara's Kilkenny court response: "My labours are over, my vocation is past / And 'tis there I'll rest easy, and happy at last". The differences between the first printed version of the ballad and the sung version, recorded in the field, illustrate both the effects of oral transmission and the retention of meaning in the process. All versions of the ballad have a verse that

¹⁷³ Meredith and Whalan, *Frank the Poet*, pp. 31-38.

¹⁷⁴ Geoffrey Ingleton, *True Patriots All* (Sydney, Angus & Robertson) p. 121.

¹⁷⁵ Meredith and Whalan, *Frank the Poet*. pp. 31.

describes the floggings and the leg-irons, punishments that MacNamara had suffered himself. In McDonald's sung version we learn:

For three long years I was beastly treated,
And heavy irons on my legs I wore:
My back from floggings was lacerated
And oft time painted with crimson gore.

The final verses of the ballad deal with Logan's demise and the convict celebration when they heard the news:

Like the Egyptians and ancient Hebrews
We were oppressed by Logan's yoke,
But a Native Black there lay in ambush,
Did give this tyrant a mortal stroke.

Now fellow prisoners be exhilarated,
That all such monsters such death may find,
And when from bondage we are liberated
Then our former sufferings shall fade from mind.

The controlled anger and emotion we can read in the ballad probably ensured its survival in oral tradition for over a century and certainly encouraged its prominence in the genre of convict ballad performed by singers today. The invocation of the Biblical story of Exodus was perhaps as much a source of solace and hope to the convicts in Australia as it had been to Black slaves in North America, and is quite typical of the imagery MacNamara uses in a number of his compositions. In the ballad there is a subtle suggestion of an alliance between convicts and Aboriginal Australians against their oppressors, which is as intriguing today as it must have been when the ballad was written. Meredith and Whalen write that the reason for Logan's death "was never discovered; but the rumour was that some of the convicts has persuaded the blacks to

avenge their wrongs.”¹⁷⁶ It is also the case that Logan had a number of disputes with the local Aborigines, and that he ignored their demands that he and his party should not trespass on their territory, and that a number of Aborigines were incarcerated in Logan’s Moreton Bay penal settlement. Perhaps it was his arrogance that led to his downfall and the convicts’ exhilaration described in the ballad.

The ballad cleverly juxtaposes the ancient biblical story of exiled Hebrew slaves with the plight of the Moreton Bay convicts, all “natives” permanently exiled from Britain and Ireland. This contrasts with the fate of a tyrant like Logan, a native of Scotland whose presence in the colony was like most of its rulers and soldiers likely to be temporary. We do not need to be told why Logan’s death at the hands of “a Native Black” created such exhilaration and a night of celebration among the prisoners. These lines create a memorable historical montage dealing with oppression in the new colony, and it is just such lines that undoubtedly helped ensure the survival of the ballad for so long. This oppression, of course, includes the devastating seizure of a whole continent from its original inhabitants - the Native Blacks. Irish convicts, in particular, would have been only too aware of imperial colonisation. It is not surprising that such a “rebel song” was suppressed by the colonial authorities, and was for a century effectively hidden and transmitted in an oral parallel life rather than in a published – and therefore punishable - form. That maybe the reason that the song was first published by an ex-bushranger, Bradshaw, in 1899.

While there are a number of reports eulogising Logan in newspapers of the time, the *Sydney Monitor* of 14 August 1830, three months before Logan’s death, provides a very damning report of the Moreton Bay Commandant in a multi-column 5,000 word letter from a correspondent who signed himself ‘A Free Colonist’. The editor introduced the letter commenting:¹⁷⁷

We return him thanks in the name of the wretches at Moreton Bay, whose sufferings he may rest assured will be ordered by the British Government to be mitigated, the moment these exposures come to their knowledge. Such deeds

¹⁷⁶ Meredith and Whalan, *Frank the Poet*, p. 33.

¹⁷⁷ *Sydney Monitor*, 14 August 1830.

require only to be brought to the light, to be condemned, and the policy which caused their existence, to be censured and changed.

The letter exposes in great detail the tyrannical behavior of Logan as Commandant of Moreton Bay, confirming the descriptions we find in the ballad; the heavy irons even on the treadmill, the endless floggings and the starvation diet.¹⁷⁸

There is scarcely any condition of misery in which a multitude is involved, but the propensities of man will break out, however opposed in nature to the wide wasting terror which makes all tremble in turn. Thus the humour of some of the prisoners at Moreton Bay caused them to designate those days when the commandant set apart for punishing the men, "Logan's field days;" and the place of punishment "the convincing ground."

On one of those days, twelve men were selected from one gang, and fourteen from other gangs, for this new method of convincing. The punishment commenced at 9 o'clock on the [smudge] of April, and finished at sun-down About 3300 lashes were given on that day. Three or four floggers were usually in requisition on those days; with cats equal to a man-o'-war's cat, and their orders are, to strike firmly but slowly. This is the reason that 3300 lashes take up so much time administering at Moreton-bay. The charge laid against these men, was the old hacknied fault of "neglect of work."

When the punishment was going on, several of the soldiers fainted. The convicts believed they fell down from sickness at heart, in seeing the flesh torn in minute pieces from the backs of the culprits, and the blood trickling down into their trowsers.

As Waters has noted above, the chorus of 'Moreton Bay' and its listing of the worst penal stations turns up in Ned Kelly's famous Jerilderi Letter of 1879. Kelly dictated this letter to his brother Dan who wrote it down on fifty-six pages. Meredith and Whalan raise the possibility that Kelly's father, the Irish convict John Kelly,¹⁷⁹ met "Frank the Poet" in Port Arthur and learnt the song there, passing it onto his son when

¹⁷⁸ *Sydney Monitor*, 14 August 1830.

¹⁷⁹ <http://adb.anu.edu.au/biography/kelly-edward-ned-3933/text6187>, (accessed 2 December 2013).

he was freed. John Kelly arrived in Hobart on the convict ship Prince Regent in January 1842 and had served out his sentence in 1848¹⁸⁰, which means he was in Van Diemen's Land for six years that coincided with MacNamara's term. As we know the song was in oral circulation in Victoria perhaps it is just as likely that Kelly heard it that way. Below is an extract (replete with unconventional spelling) from page forty-six of the *Jerilderi Letter*.¹⁸¹

And every torture imaginable more was transported to Van Diemand's Land to
pine their young lives away in starvation and misery among tyrants worse than the
promised hell itself All of true blood bone and beauty, that was not murdered on
their own soil, or had fled to America or other countries to bloom again another
day. Were doomed to Port Mcquarie Toweringabbie And Norfolk island and Emu
plains And in those places of tyranny and condemnation many a blooming Irishman
rather than subdue to the Saxon yoke, Were flogged to death And bravely died in
servile chains but true to the shamrock and a credit to Paddys land.

There was certainly no need for MacNamara to exaggerate any of the stories he heard from his fellow prisoners. Indeed he worked them into memorable verse, a creative process that would make it more likely they would long outlast their immediate currency. The closeness of the ballad in all its variants to the situation reported in the *Sydney Monitor* encourages our confidence that this kind of song is a valuable historical source. The fact that all the versions come from oral sources over a long period of time shows how persistent such lyrical material can be. That so much of his verse reflects a deeply help convict point of view and survived unpublished for so long after his death and, indeed, after the end of transportation is what makes it so significant. So much accessible verse from a convict bard, verse that has stood the test of time, guarantees the fame of Frank the Poet for years to come.

MacNamara was no stranger to Logan and his reputation among convicts. Indeed in his poetic 'tour to hell' the second person the poet sees in hell is "Captain Logan of

¹⁸⁰ *Launceston Examiner*, 29/01/1848.

¹⁸¹ <http://www2.slv.vic.gov.au/collections/treasures/jerilderieletter/jerilderie46l.html>, (accessed 23 March 2011).

Moreton Bay”, the first being the *Phoenix Hulk* commandant Captain Murray. We have seen that in the Trimmingham manuscript the poem is dated October 1839. It is certainly conceivable if not provable that the words of ‘Moreton Bay’ published by Bradshaw were composed in Van Diemen’s Land where MacNamara spent most of the 1840s. When an oral version was recorded by folklorists in 1960, they were informed by the singer, McDonald, that he had learned the song from his uncle who had worked as a ganger on the early Victorian railways.¹⁸² This provenance suggests that the song was in oral circulation in Victoria in the latter half of the nineteenth century, well before Bradshaw published his version of it.

In his compositions MacNamara tellingly and memorably reflects on the convict system in which he was enmeshed and the theme of injustice to both himself and his fellow prisoners is writ large. He begins his poem ‘Labouring with the Hoe’, which may allude to his experience of being assigned to John Jones on arrival in 1832, by setting down details of the injustice he perceives in his own transportation and forcefully proclaims the nature of his punishment in chains as akin to slavery.¹⁸³

I was convicted by the laws
Of England's hostile crown
Conveyed across those swelling seas
In slavery's fetters bound
Forever banished from that shore
Where love and friendship grow
That loss of freedom to deplore
And work the labouring hoe

Exile, “forever banished”, was exactly what awaited most convicts, MacNamara included. MacNamara was an Irishman and this poem’s assessment of transportation includes the belief that the convicting laws were unjust because they were not Irish laws but rather the laws of “England's hostile crown”. The concept of ‘hostile crown’ can be found in other resistance literature where the term ‘yoke’ is used. Just as English

¹⁸² Victorian Railways celebrated 150 years in 2004.

¹⁸³ Meredith and Whalan, *Frank the Poet*, p. 39.

Chartists (and before them the revolutionary seventeenth century English “Diggers”) would speak of the ‘Norman Yoke’ in relation to the Norman Conquest of Britain in 1066, Irish rebels often used the phrase ‘Saxon Yoke’ in relation to the British conquest of Ireland. In the song ‘Moreton Bay’, MacNamara writes of ‘Logan’s Yoke’, “like the Egyptians and ancient Hebrews we were oppressed under Logan’s yoke”. Phrases that in songs like these that might at first appear a backward looking sentiment are actually an important component of cultural resistance in their appeal to a commonly held belief in an extended history of rights embedded in the culture; thus they are highly resistant to any new legislation designed to abolish or curtail them.

There is a striking degree of similarity between the sentiments of “Labouring with the Hoe” and the description by an earlier convict poet John Grant, of the punitive use of the hoe by the convict system. In his notebooks Grant writes, "Men are sent forcibly to the hoe under pain of flagellation" and "I had a plough made as it is against my principles to hire men to use the hoe." Grant, having been rescued on a ticket-of-leave from further convict punishments, was remarkably scrupulous about refusing to accept forced labour to help with his farm work. Instead he was determined to hire labour:¹⁸⁴

I have need for assistance in order to cultivate the farm, divided into two parts: one having fifty acres, and the other sixty. Mr. Williamson, one day, actually sent rations from the government store on the Governor's order; and the Rev. Marsden sent me a convict labourer. I thanked them. But I returned the rations and the man. They will have to wait a long time before I accept these humiliations. I am incredibly happy that I refused these offers. If I had accepted them, I would have had no right to be called a friend of Liberty again.

It is worth remembering in relation to Australia’s cultural development, that the colonial authorities were not in the colony for the long term. Unlike the convicts, the military and administrators of the system largely returned to their “native land”. This marks an important difference that requires attention when considering the cultural and material contributions to the early development of the colony. It also suggests perhaps the need

¹⁸⁴ William Scott Hill-Reid and John Grant, *John Grant's Journey. A Convict's Story, 1803-1811* (London, Heinemann, 1957), p. 62.

to redress the balance where sources of information are concerned. So many of the early archives of the colony were written and then left behind by those who would soon depart. In contrast, MacNamara's fragmentary body of verse was composed by someone who remained in exile for the rest of his life. Since the first study of the poet by Meredith and Whalan, published in 1979, the standing and appeal of the poet has continued to grow, and we can find evidence of this in recent work by historians, poets and other scholars. Historian James Boyce in "Van Diemen's Land" discusses the universality of home made song among the convicts there, highlighting the popularity and importance of MacNamara:¹⁸⁵

The best-remembered ballad-maker of Van Diemen's Land was Francis McNamara, or Frank the Poet, well known to fellow convicts in the 1830s and 1840s. As with the slaves of North America, songs sustained the spirit and gave voice to sentiments of resistance. At the Launceston women's factory, 'singing, telling stories and dancing took up much of the women's time,' while the man in charge of the Hobart factory, John Price (later the infamous commandant of Norfolk Island and the inspiration for the character of Maurice Frere in *For the Term of his Natural Life*), confirmed that the female inmates spent much of their time composing songs ridiculing the authorities.

Boyce's description of convict song above resonates with the situation in NSW as described in great detail in 1848 by J.C. Byrne in his book about the economics and geography of the new colony. Byrne appears fascinated by the singing culture of the colony. He found it strange that anywhere in Sydney or close to town, he could hear convicts singing; "the subject of which is the sufferings, hardships, and hair-breadth escapes of the singer."¹⁸⁶

These songs are constantly heard all over the colony, in second-rate places of entertainment; they are drawled out in a peculiar tone, with little attempt at air or variation, and still less at poetical ability. They are mere recitatives of the

¹⁸⁵ James Boyce, *Van Diemen's Land* (Melbourne, Black Inc., 2010), p. 135.

¹⁸⁶ J.C. Byrne, *Twelve Years' Wanderings in the British Colonies: From 1835 to 1847* (London, Bentley, 1848), p. 187.

adventures, crimes, and punishments of the relators, when undergoing punishment in the coal mines, in a road-gang, or penal settlements. The appearance of a convict of the lower class, or one that has been such, is unmistakeable. A peculiarity of visage, different from all other men, is recognizable; whilst their countenances are of a dark brown hue, parched and dried up, muscles and all, as if they had been baked in one mass. In no one's hearing are these beings ashamed to indulge in their songs; it is not conceived any disgrace, and little do they care, if their masters hear details, that at times freeze the blood with horror, and shock the listener.

This paragraph describing the potency of the singing culture is very different from the main focus of Byrne's writing that deals with the economic potential of the places he visits garnished with figures relating to the number of sheep and other tradable items. Byrne's contemporaneous report of Sydney convicts singing songs of their own composition provides many valuable details of the singers and the songs. He clearly distinguishes convict singers from other singers by the lack of deference they pay to any listener, indeed "little do they care, if their masters hear". Byrne's observation provides a rare contemporaneous account of the details of how convicts sang as well as what they sang about, including their attitudes to those in their audience.

With our present day understanding of Australian convict ballads and bush ballads and the traditional singing style associated with them, we can recognise the convict singer and his delivery. The numerous field recordings of Australian folk songs that were collected over a hundred years later may be cited to demonstrate this. Singers like Sally Sloane, recorded in her kitchen in Lithgow in 1959 or Simon McDonald, recorded in his bark hut in Creswick in 1961, or in the local pub, provide us with more recent examples of the traditional singing styles of such potent songs. These singers learned their songs and their singing style from parents and grandparents and usually sang them without resort to the emotional or theatrical flourishes encouraged and admired in other vernacular styles. To admirers of this traditional style of ballad singing, even today, it is the intimacy of the story telling that heightens the emotional impact of the songs. Byrne's account attests to the effectiveness of this traditional style and its popularity.

The unembarrassed and non-deferential singing convict, and the songs he sings with Byrne attentively listening, fits rather well with what we know of MacNamara and the verse attributed to him. We know that MacNamara introduced himself to his audience proudly and fearlessly with these lines:¹⁸⁷

My name is Frank MacNamara
A native of Cashell, County Tipperary
Sworn to be a tyrant's foe
And while I've life I'll crow

MacNamara's work is notable for its wit and heightened sense of play. Refusing to work in the Newcastle mine he writes a petition/poem to the "AACo." from his flock of sheep "in behalf of the Irish Bard". Its whimsical rebellion and the supreme irony of presenting a petition from a flock of sheep, marks it out as his work as does the rhyming of "retreat" with "fate" a rhyme that makes more sense when recited in an Irish accent.

We, the prime of the Company's stock
Fat wethers, rams and ewes
None excepted, all the flock
Peel for the Poet's woes.

He ever proved our constant friend
'Tis plain from our contrition
In his behalf therefore we send
The following petition.

MacNamara worked as a shepherd on the Peel river near Tamworth and made use of his knowledge of the work entailed in the lonely job looking after a flock and to make his flock's lyrical plea on his behalf.

¹⁸⁷ Ingleton, *True Patriots All*, p. 269.

Our tender lambs with him would play
And in his bosom lie
To Hawks they's often fall a prey
But for his watchful eye.

He reared them with a father's care
And fed the sickly ewes
Whilst other shepherds gambling were
On cards and dominoes.

The King of Thessaly's numerous flocks
Once Telemachus kept
And from coverts and caverns in the rocks
Bears, lions and tigers crept.

The poet often indulged in classical allusion in his verse as we can see here.

To hear the music of his lute
But our Bard's plaintive songs
Not only charmed the senseless brute
But gathered the birds in throngs.

Far from the Peel's evergreen plains
In some wild lone retreat
In bitter and heartrending strains
We'll mourn our patron's fate

Our cries from the hills shall resound
To the extremes of the Poles
If our friend goes underground
At Newcastle to wheel coals

This poem is a celebration peculiar to MacNamara. Who else indeed would present a petition purporting to be from a flock of sheep? This eccentric humour would have entertained his convict companions and maybe some of their guards, but it could just as easily have had him charged with insolence and more lashes as punishment. As is clear from the official record of MacNamara's punishments cited earlier in this chapter, his 'insolence often' brought him a flogging. MacNamara's convict life and his compositions provide evidence of his determination to refuse to submit to the convict system and to defy it in as many creative ways as he could. His estimation of himself as an individual explicitly embraces the rights narrative as his "sworn to be the Tyrant's foe" epigram demonstrates.

Some Scholarly Appraisals

We can read in MacNamara's poetry a witty description of penal conditions, an argument against them and an implicit call to resist. Labour historians Rowan Cahill and Terry Irving argue that the popularity of MacNamara's poetry is directly related to the attempts to break his spirit:¹⁸⁸

Some of Francis MacNamara's troubles were due to his poetic abilities, and the popularity of his compositions among the oppressed and dispossessed both within and outside the penal system. Hence the extraordinary lengths the brutal penal system went to in its determination to break his spirit. Within the penal system MacNamara gained a reputation as Frank the Poet, composer of cheeky and satiric ballads and reciter of verses he improvised at will.

Poet Les Murray similarly observes that MacNamara's "witty rebellious" nature and his determination to follow his own rights code increased his sentence and punishment. He makes the important point that MacNamara's voice is unique in that he is "the only poet whose work comes down to us from within the convict system" and he argues that "its quality ranges far beyond the merely documentary." Murray also writes that:¹⁸⁹

¹⁸⁸ Terry Irving and Rowan Cahill, *Radical Sydney: Places, Portraits and Unruly Episodes* (Sydney, UNSW Press, 2010), p. 25.

¹⁸⁹ Murray, *Hell and After*, p. 2.

His witty rebellious attitudes also brought him spells in solitary, three months on the treadmill and repeated bouts of hard labour on the gangs made to work in leg irons. It is a near miracle that his turning-the-tables poem 'A Convict's Tour to Hell' is so lightly done, free from sadism or rage.

In terms of the importance of MacNamara, Murray describes his verse as being "often credited as the foundation of Australian bush balladry, which is still practised and loved in the bush" and that his time in Van Diemen's Land "didn't stop him making further rebel ballads for his mates to memorise and sing". Murray seems particularly taken with the four poems in the 1839 Trimingham manuscript described earlier. He writes that they "are fresher, more varied and more adventurous, than the Irish ballads he created before and afterwards"¹⁹⁰.

Post-colonialist scholars Bob Hodge and Vijay Mishra in their discussion MacNamara's life and work also acknowledge his importance as a poet documenting convict life.¹⁹¹

Frank's poems include commemoration of heroes and great victories: his version (or versions) of the lives of the bushrangers Jack Donohoe and Martin Cash contributed to the construction of the bushranger myth. His celebration of the mutiny that led to the capture of the Cyprus helped to establish this as a symbolic triumph, an Antipodean Battleship Potemkin.

Resonating with Somers' concept of assumed rights discussed earlier, the authors argue that MacNamara's "role was almost official" and that he chose events to celebrate in a way that created "an alternative mythology, an alternative version of history". Since this history was broader than his own they argue that it was carried into the wider community and was:

transmitted and recreated much more actively by his community than would have been the case with written texts in the dominant culture. The scale of their

¹⁹⁰ Murray, *Hell and After*, p. 1.

¹⁹¹ Hodge and Mishra, 'Crimes and Punishments', pp. 337-338.

influence is now impossible to determine with any precision, but it clearly had an important role in constructing the images of the convict and the bushranger as potent organising principles for the Irish community.

The crucial point being made here is the powerful effect such lyrical material can have once it is accepted and owned by a community. As is suggested, MacNamara's contribution to myths and his construction of "the images of the convict and bushranger" carry the story from below of the "alternative version of events" into the Australian community, both at that time and into the future. Colleen Burke and Vincent Wood, in their anthology "The Turning Wave", suggest that the significance of MacNamara's work and its influence renders him "an enduring poet-witness."¹⁹²

MacNamara's voice is unmistakably Irish, making use of traditional poetic forms such as the aisling or dream poem. The fluency of his rhyme is matched by his easy use of classical allusions, transforming the hellish landscapes of convict prisons and work camps but never diminishing their brutal realities ... he is one of the founding voices of Australian literature - forging from the extremes of adversity a poetry of protest, wit and lasting significance.

Burke and Wood give MacNamara's work a special place amongst other Irish voices in Australia because of the way he has transformed the hell of the penal camps into a "poetry of protest". Perhaps the transformative power is more obvious in the setting of the panopticon, the supposedly all-seeing design of the prison for surveillance, where prisoners invented their own cant to hide their plans from the spying apparatus. Language invented by prisoners in gaol soon escapes, however, and invades the language of the community outside, an unstoppable migration from below. How especially the case this must have been, where such a large proportion of the white population were convicts or ex-convicts, indicating again how likely was the oral spread of the prison-made verse protesting against incarceration itself.

¹⁹² Colleen Burke and Vincent Wood, *The Turning Wave: Poems and Songs of Irish Australia* (Armidale, NSW, Kooroorair Press, 2001) pp. 3-4.

MacNamara's most famous work is the epic poem 'A Convict's Tour To Hell'. Historian Rowan Cahill read the poem at the Mint as part of the 2011 Sydney Writers' Festival. Just opposite the Mint stands the old convict prison the Hyde Park Barracks where the poet was interned in the 1830s. An audience of some two hundred could not hold back its laughter and amazement at the boldness of the poem¹⁹³. It is always a problem when judging a narrative verse or song intended for public performance to attempt to assess its value from the text on the page. Such compositions really only come alive in performance. Other 2011 'Frank the Poet' bicentennial celebrations in Sydney, Wollongong and Canberra suggest that Cahill's experience was not an isolated one. Modern audiences are excited by what they discover in MacNamara's works when they are performed.

Epic Poetry - A Convict's Tour to Hell

As mentioned above the poet Les Murray has included MacNamara poems in two of his recent anthologies. For "Hell and After", he selected verse for their home-grown vernacular character. He discusses 'A Convict's Tour To Hell' in his introduction where he observes that MacNamara's use of the descriptor 'convict' rather than the preferred 'prisoner' suggests that "he meant his work to go beyond the penal barracks and reach the general public, which only knew the official term." The poem, which has no title in the original manuscript, begins:¹⁹⁴

You prisoners of New South Wales,
Who frequent watchhouses and gaols
A story to you I will tell
Tis of a convict's tour to hell.

The poem offers a thorough critique of the convict system and the extent of its bureaucracy. The convict dies and "downwards he bends his course" and comes to the *River Styx*. Startled by the ferryman Charon who asks him where he is from and what is his name, he responds

¹⁹³ Interview with author, 20 May 2011.

¹⁹⁴ Murray, *Hell and After*, p. xii.

Kind sir I come from Sydney gaol
My name I don't mean to conceal
And since you seem anxious to know it
On earth I was called Frank the Poet.
Are you that person? Charon cried,
I'll carry you to the other side

The ferryman of Greek mythology usually charges for this service but in this case is very happy to row the famous poet across the river free of charge. The poet continues his journey and meets Pope Pius the Seventh who refuses him permission to stay in Purgatory or Limbo, saying "vain are your hopes", explaining that "This place was made for Priests and Popes / Tis a world of our own invention". Arriving finally at the gates of Hell and seeking entry, Frank is firmly refused. Satan explains "For I detest and hate the poor / And none shall in my kingdom stand / Except the grandees of the land" The Devil suggests that he should go instead to Heaven and join his fellow prisoners there since "Convicts never come this way / But soar to Heaven in droves and legions / A place so called in the upper regions." Frank is curious however to know who actually is in Hell. What follows is a roll call of colonial officials, starting with Captain Murray who had, as discussed above, ordered the poet to a sentence of solitary confinement for being drunk. Presumably MacNamara's convict audience experienced the same delight as the author obviously did in finding their persecutors in hell.

As I'm at present in no hurry
Have you one here called Captain Murray?
Yes Murray is within this place
Would you like to see his face?
May God forbid that I should view him
For on the Phoenix Hulk I knew him
Who is that Sir in yonder blaze
Who on fire and brimstone seems to graze?
'Tis Captain Logan of Moreton Bay
And Williams who was killed the other day

He was overseer at Gross farm
And done poor convicts no little harm
Cook who discovered New South Wales
And he that first invented gaols

In this cosmos of Bakhtinian carnivalesque, or “world turned upside down”, the entire paraphernalia of the convict system resides in Hell suffering the kinds of punishments it had devised for its victims on Earth.

Hark do you hear this dreadful yelling
It issues from Doctor Wardell's dwelling
And that all those fiery seats and chairs
Are fitted up for Duke and Mayors
And nobles of Judicial orders
Barristers Lawyers and Recorders
Here I beheld legions of traitors
Hangmen gaolers and flagellators
Commandants, Constables and Spies
Informers and Overseers likewise

Again, it requires little imagination to conjure up the original prisoner audience response to verse such as this. Were they amazed at the outrageous blasphemy of it? Did they join in with uncontrollable joy? Or perhaps request that parts be repeated for their further rumination? Or suggest some of their own additions to the list of their tormenters and enemies? What we do know is that this epic comes to us from oral sources, and there are newspaper reports of it being recited until the twentieth century.

Needless to say in spite of his initial uncertainty the poet does get to Heaven where certificates are as prevalent as in the document-bound convict system on Earth, although “who you know” still counts. In this case, while the likes of Captain Cook, Governor Darling and Patrick Logan are suffering in Hell, knowing the names of a bushranger like Jack Donohue, Johnny Troy or John Jenkins is a requirement for entry to Heaven.

The “Jack Ketch” referred to below was King Charles II’s favorite executioner, notorious for his bungling handling of the axe:

And rapping loudly at the picket
Cried Peter, where’s your certificate
Or if you have not one to show
Pray who in Heaven do you know?

Well I know Brave Donohue
Young Troy and Jenkins too
And many others whom floggers mangled
And lastly were by Jack Ketch strangled

Peter, says Jesus, let Frank in
For he is thoroughly purged of sin
And although in convict’s habit dressed
Here he shall be a welcome guest.

There is a great party, a fatted calf is killed and “with the poet all joined hands”. In the poet’s account Jesus intervenes in heaven’s bureaucracy to hasten Frank’s entry as a welcome guest:

Thro' Heaven's Concave their rejoicings range
And hymns of praise to God they sang
And as they praised his glorious name
I woke and found 'twas but a dream

Again the rhyming of “dream” with “name” points to a transcription of a performance and the poet’s Irish accent. The dream ending has a long tradition in vernacular verse and is still in use in songs composed today. Among old bush ballads using this narrative

device are 'The Shearer's Dream', composed by Henry Lawson in 1901,¹⁹⁵ and 'The Drover's Dream' published in 1926,¹⁹⁶ which became models for the 1963 'Basic Wage Dream' written for a union campaign by Don Henderson, the first song transmitted by satellite in Australia.¹⁹⁷

We can find much of MacNamara's rebellious spirit in his epic poem. The inversion of the convicts welcomed into Heaven in droves while their gaolers are given exclusive entry into Hell attests to the power of the "more sinned against than sinning" myth explored in Chapter One. 'A Convicts Tour to Hell' seems to have enjoyed a purely oral circulation until it was published by the antiquarian collector Thomas Whitley and attributed to "Frank the Poet" in 1885 in a two-poem booklet 'The Song of Ninian Melville' named after the poem composed by Henry Kendall. Eight years later a fragment of it appears in a Victorian newspaper.¹⁹⁸

In the poem a particularly startling contrast of bushranger in heaven and grandee in hell occurs with names "Jenkins" and "Doctor Wardell". In October and November 1834 the bushranger John Jenkins was tried for the murder of Dr. Robert Wardell on his grand estate in what is now the Sydney suburb of Petersham. From horseback, on 7 September, Wardell had ridden to where trespassers, Jenkins and his two companions were camped. He demanded that they should follow him back to the police station. Jenkins produced a stolen musket and aimed it at Wardell as this extract from the Sydney Gazette describes:¹⁹⁹

As soon as the gentleman saw the fowling-piece in Jenkins's hands, he said "don't do that young man, for God's sake!" to which the other replied "By God, I will !" and immediately elevating the piece, which was close to the horse's breast, discharged it at the gentleman, who exclaiming "Oh! dear, I'm killed," rode off at

¹⁹⁵ Chris Kempster (ed), *The Songs of Henry Lawson: With Music*, (Ringwood, Vic: Viking O'Neil, 2007), p. 158.

¹⁹⁶ *Townsville Daily Bulletin*, 15 January 1926.

¹⁹⁷ Sally Henderson (ed), *A Quiet Century: 100 Songs and Poems*, (Nambour, Qld: Sally Henderson and the Queensland Folk Federation, 1994), p. 20.

¹⁹⁸ *Caulfield and Elsternwick Leader*, 28 January 1893.

¹⁹⁹ *Sydney Gazette*, 13 October 1834.

gallop leaning over the horse's neck, and was soon out of their sight, leaving his hat on the ground where he was shot.

Wardell's fame as a Sydney barrister and newspaper editor²⁰⁰ ensured that the trials were reported by Australian newspapers in great detail, and as the report above shows, they attracted an unusually large audience.²⁰¹

We never recollect to have seen a greater appearance of Magistrates upon the bench than upon this occasion, and the continued influx there of the Civil Officers, and persons of the highest respectability was so rapid and successive, that in a short time after the examination began, there was scarcely standing room left for the Magistrates themselves.

The *Sydney Gazette* on 8 November 1834 provides this description of Jenkins after sentence.²⁰²

The jury after a few minutes deliberation, returned with a verdict of guilty against both the prisoners. The Solicitor General having prayed the judgment of the Court against the prisoners, Jenkins addressed the Court and jury with the most blasphemous curses, protested he had an unfair trial by the Judge; that the jury had come into Court pre-determined to convict him; and that the counsel officially assigned him, was a b-y old woman ; and concluded by vowing if he had his will he would shoot every b-r of them.

If the trial is a sensation in Sydney the hanging is even more so. The record size of the crowd watching the proceedings is described:²⁰³

The extraordinary and reckless conduct of the culprit Jenkins on his trial made, such an impression on the minds of the Public, that, on Monday morning last the

²⁰⁰ Dr. Wardell and W.C. Wentworth had a joint legal practice in Sydney and were founders of the *Australian* newspaper in 1824.

²⁰¹ *Sydney Gazette*, 13 October 1834.

²⁰² *Sydney Gazette*, 8 November 1834.

²⁰³ *Sydney Herald*, 13 November 1834.

time appointed for his execution, the neighbourhood of the goal was crowded to a degree never before observed on any similar occasion, to witness the last scene of one of the most depraved of the human species.

The report ends with some unrepentant and inflammatory advice that Jenkins proffered to his fellow prisoners from the gallows:

Jenkins addressed the felons in the yard to the following effect, “Well, good bye my lads, I have not time to say much to you; I acknowledge I shot the Doctor, but it was not for gain, it was for the sake of my fellow prisoners because he was a tyrant, and I have one thing to recommend you as a friend, if any of you take the bush, shoot every tyrant you come across, and there are several now in the yard who ought to be served so.”

That the unknown convict murderer Jenkins is in heaven and the celebrity lawyer Dr. Wardell is in hell, makes it quite understandable that “A Convict’s Tour to Hell” survived in a carefully kept manuscript and in an oral tradition, and only much later surfaces, as if tentatively celebrating less censorious public attitudes, in full in print. The poet’s attitude is matched perfectly by the lines attributed to Swift and placed above the epic poem in the Trimmingham manuscript; “Nor can the foremost of the sons of men / Escape my ribald and licentious pen”. Wardell lives on in a handsome marble plaque on the South wall of Sydney’s St. James’ Church, convict built and designed. The poem, however, ensures that the bushranger Jenkins lives on too, complemented by newspaper reports and a court-room sketch of him drawn by John Gardner Austin.²⁰⁴

Perhaps the poet undertook the same journey that so many Tasmanian ex-convicts and even more new immigrants took in the early 1850s, travelling through the bush in the rush for gold. For biographers Meredith and Whalen his trail went cold following his certificate of freedom and departure from Tasmania, until they found evidence of his presence in Mudgee in 1861. However, my recent discovery of a newspaper report tells us that the poet was back in NSW as early as 1853 placing him in the Hill End

²⁰⁴ <http://nla.gov.au/nla.pic-an5600121>, (accessed 6 July 2013).

goldfields. The article headed 'Tambaroora' in the *Sydney Morning Herald* 8 September 1853 informs us:²⁰⁵

Bush and Newman's party, formerly of Dirt Hole Creek, where they netted 70 and 30 ozs. of gold a short time ago, in two consecutive weeks, and a party of Germans, who have commenced sluicing with very fair success, the former being supplied with 300 yards of hose for the purpose. A local celebrity, who answers to the cognomen of Frank the poet, has added his physical and poetical strength to the former, where his bones and sinews are likely to be of more service than his brains.

Eight years later three newspapers reported that the poet had died, possibly while digging for gold, near Mudgee on Thursday 29 August 1861. The original report was published in the *Western Post* on 31 August, republished in full in Sydney in the *Empire* on 4 September and in a truncated version in the *Maitland Mercury* on 7 September. These reports offer more evidence that the poet was newsworthy enough for his death to make the news through much of NSW. Here is part of the *Western Post* report.²⁰⁶

An inquest as held on Friday morning, by W KING, Esq., M.D. Coroner for this District, at the Fountain of Friendship, on the body of Francis McNAMARA, alias HILL, better known as "Frank the Poet". Robert WELSH having been sworn, said that the deceased had resided with him on the Pipe Clay Creek diggings. They came into Mudgee together on Wednesday ... Had known him for eight years. He had a complaint which caused him to spit blood. He earned a great deal of money, and spent it very freely; had known him to obtain "hundreds a week" at Tambaroora.

Robert Welsh's evidence at the inquest that he had known the poet "for eight years" is corroborated in the *Sydney Morning Herald* article placing the poet digging for gold in Hill End in 1853. Was that also where he adopted "Hill" as an alias? Meredith and

²⁰⁵ *Sydney Morning Herald*, 8 September 1853.

²⁰⁶ *Western Post*, 31 August 1861.

Whalan also mention Pipe Clay Creek in relation to a manuscript of the history of the Calf family penned by the poet, at the Devil's Hole Creek on the first of March 1861.²⁰⁷

John Calf was a sailor who settled in Sydney and then went to the diggings. He lived at Devil's Hole Creek, Wyndeyer, near Mudgee, and 1865 ran the 'Golden Nugget' hotel at Pipe Clay Creek, also near Mudgee.

This manuscript was sent to the Mitchell Library on 8 August 1928 with a letter from John Calf's son F.C. Calf who wrote:²⁰⁸

The special interest in the record is that it is a fine specimen of pen and ink work made by a convict well know in early days as 'Frank the Poet' - I believe his name was MacNamara who was transported for forgery.

Calf's letter reminds us that MacNamara was well known for his "pen and ink work", which in the Calf manuscript includes drawings as well as hand executed typography replicating a printed document.

Frank the Poet in the news

Newspaper reports did not cease with the poet's death, and provide much fragmentary information concerning the poet's character, talents and habits as the following articles show. A year after MacNamara's death in 1861, an unnamed "special correspondent", for the *Bathurst Free Press and Mining Journal* under the heading "Clarke's Creek, Meroo" writes that he had "heard a mixed conversation on the character of an unfortunate Irishman, known as Frank, the poet, who lived some time with a storekeeper on this Creek." The stories the correspondent relates illustrate some of the provocative eccentricities of the poet; for example "when he reached this country, he never would work as a government man, and was repeatedly flogged." The report

²⁰⁷ Meredith and Whalan, *Frank the Poet*, p. 64-65.

²⁰⁸ Meredith and Whalan, *Frank the Poet*, p. 67.

continues with the observation that he was sent to a “station in the interior” perhaps to avoid “endangering his life with the whip”.²⁰⁹

The first duty appointed him was to drive off the cockatoos from a paddock of newly sown grain. Frank performed this duty in the following provoking manner; he wrote out a number of threatening notices to the cockatoos, that they were prohibited from crossing the fence to the grain, and these notices he put at the tops of poles which he fastened at regular distances all round the paddock fences. When asked by the "Super," what all those papers meant, he replied. "Did you not tell me to order the cockatoos off the ground?"

The observation that “he never would work as a government man” reminds us of the poet’s refusal to work in the Newcastle mines while assigned to the AACo, despite (or more likely because of) his previous experience as a coal miner in Ireland. Two of the petition/poems written in the Trimmingham manuscript under his name attest to his refusal and can, as I have argued, be regarded as an unusual if not provocative use of convict petitions. MacNamara’s skill at calligraphy is described as “almost magical” by the same correspondent and was apparently put to provocative use revealing the poet’s delight in practical jokes.²¹⁰

On one occasion he obliterated a whole verse, and inserted in its place with his pen a sentiment utterly unscriptural. He did this so cleverly that it looked in no way different from the other print on the leaf; and he had the audacity to assert in the face of a clergyman, that it was a part of the Protestant Scripture.

Another section of the article clearly points to the poet’s most famous work ‘A Convict’s Tour To Hell.’

Whether he really possessed poetical abilities, I cannot say, having seen nothing of that kind ... I am told he was the author of a published volume of sarcasm on the Government; but, so far as I can learn, it was an imitation of that presumptuous

²⁰⁹ *Bathurst Free Press and Mining Journal*, 18 June 1862.

²¹⁰ *Bathurst Free Press and Mining Journal*, 18 June 1862.

and unpardonable part of Dante, in which he puts lately dead, yes, and living characters into hell, and assigns them horrible torments.

This reference to ‘A Convict’s Tour to Hell’ as the “published volume of sarcasm against the Government” is another indication that the poem had a life in oral form while the attitude of the “special correspondent” suggests someone who has only heard a description of the poem and has made up his mind about it nevertheless. The reference to living characters going to hell, clearly refers to NSW Governor Darling who Frank observes arriving in hell “in a coach and four”. Perhaps the poet thought he was dead as Darling left the colony in 1831, a year before MacNamara landed in Sydney and eight years before he wrote the epic verse. Finally the correspondent reveals MacNamara’s reputation for eccentricity in the following remarks concerning the poet’s clothing and footwear.²¹¹

Frank was offensively eccentric in his manners, he never put a string to his shoes, assigning as a reason, "that God never made man to stoop to anything so low as his feet," he generally wore his small clothes inside out.

This information helps flesh out MacNamara’s character, although in the case of the example above the explanation might lie in the scarring on his back and shoulders from so many years of flogging impeding the ability to bend and would be likely to make the inside stitches and seams of underwear particularly uncomfortable. It is characteristic that the poet would propose ingenious philosophical reasons to explain his behaviour. The report also suggests that any news of the poet was attractive to readers of newspapers.

Owen Suffolk, an educated poet and convict, wrote his 150,000 word autobiography, ‘Days Of Crime And Years Of Suffering’, which was serialised in the *Australasian* in 1867. The serialisation was so popular it was republished thirty-one years later in the *Gippsland Times* in 1898. The extract below not only refers to Frank the Poet but also offers a convict’s view of him as “the fellow to show 'em up in poetry”. It also reveals

²¹¹ *Bathurst Free Press and Mining Journal*, 18 June 1862.

the efficiency of the spy system in the mini panopticon, the wooden hulk *President*, anchored off the Melbourne suburb of Williamstown on Hobson's Bay, on board which Suffolk wrote his book. Suffolk alludes to "A Convict's Tour To Hell" where convicts were in heaven rather than "down below along with a lot of parsons and judges and them there sort of swells". We also find the description of MacNamara's verse as being "without any other dictionary words", that is, composed in the vernacular for an audience of prisoners. Finally there is the indication of the danger any prisoner who puts his name to a seditious verse, and may help explain, as I have discussed earlier, why what we have of MacNamara's verse comes to us unsigned so to speak, from oral sources.²¹²

Hefferan, the prisoner in the next cell to me on my right, one day, asked me if I knew a man called Frank the Poet. I told him I had often heard of him, but that I had never seen him. He said that Frank was the fellow to "show 'em up" in poetry, and he begged of me to compose something for him about the other penal officials without any other dictionary words in it. "Just put John down below along with a lot of parsons and judges and them there sort of swells," said Hefferan.

"John", referred to by Hefferan, is John Giles Price who was formerly the notorious commandant of Norfolk Island and was now in command of the floating hulk as Inspector General of Penal Establishments in Victoria. Another prisoner on the hulk overheard the exchange between Owen and Hefferan and reported it to the superintendent who gave him paper, pen and ink to write it all down for the Inspector General. After receiving the completed verse the Inspector General visited Owen's cell and he admitted authorship receiving this estimation of his work and the extension of his incarceration prescribed below:²¹³

"Well," he said, "as some of the rhymes are very bad, you can amuse yourself for the next five years in improving them, for you can take my word that you will not get out until the expiration of your sentence of ten years."

²¹² David Dunstan, *Owen Suffolk's Days of Crime and Years of Suffering* (Kew, Victoria, Australia: Australian Scholarly Pub, 2000), p. 241.

²¹³ Dunstan, *Owen Suffolk's Days of Crime and Years of Suffering*, p. 241.

I asked him if he intended to prohibit men writing to a friend for the purpose of trying the legality of my detention by a writ of habeas, and he very coolly replied, "You'll write nothing but rhymes here."

My searches of Australian newspapers for references to Frank the Poet have produced a number of previously unknown or uncited published articles mentioning him. For example, under the heading "Our Hobart Letter" the *Launceston Examiner* of 14 January 1883 includes this report on MacNamara twenty years after his death. The writer acknowledges Frank's talents as a poet:²¹⁴

Many old hands here will remember "Frank, the poet." Frank was a curiosity in his way, and was possessed of considerable poetical talent. One could not classify him with Adam Lindsay Gordon, but still he turned out some rhymes which, if altogether rude, showed talent which might have developed under better educational auspices than Frank in his earlier days moved under. The last I heard of Frank was that the reaper with his sickle keen had reached him, but in a general rummage made amongst some old papers I discovered one of his effusions, entitled "A tour to the lower regions." The poem, if one can call it a poem, is a skit on the early prison days of the colony, and in parts is literally sarcastic whilst not altogether devoid of humour. I quote the end of the last stanza, which reads thus:

And many saints from foreign lands
With Frank the poet all shook hands,
And began to sing and praise his name,
But at last I woke 'twas all a dream.

Again we find in the quoted verse the rhyming of name with dream, something of a marker in Frank the Poet's work, evoking his Irish accent. This article is a good example of the way fragments of MacNamara's work can still be discovered in old colonial newspapers (in this case by the researcher on 1 April 2013). "Our Own Correspondent" in the *Launceston Examiner* remembers the poet for some reason and

²¹⁴ *Launceston Examiner*, 14 January 1883.

appears to have a copy of "A Convict's Tour to Hell" amongst his archives which, having no title, he names "A tour to the lower regions." What is said about the poet is informed by his own understanding of what proper poetry should be; however this fragment, added to those others we have, provides important evidence of the continuing survival and popularity of the poet and his verse in Tasmania. Indeed, the correspondent refers to this in his opening sentence – ‘Many old hands here will remember “Frank, the poet.”’

In 1885 another literate convict writing a column in the *Launceston Examiner* under the name “Dolphin”, mentions MacNamara under the heading “A Lauriate” and publishes a variant of one of his epigrams.²¹⁵

Frank McNamara, the convict poet, was a clever fellow and a great favourite at Port Arthur. He was originally sent out to Sydney, and was for some time confined on board the hulk Phoenix, where, upon the occasion of some meat which was unfit for human food being given to the convicts to eat, he achieved fame by the following composition:

‘Oh, bull, oh, bull, what brought you here?
You’ve ranged these hills for many a year.
You’ve ranged these hills with sore abuse
And now you’re here for poor Frank’s use.’

He was afterwards sent to Port Arthur, where he behaved well, and was sent north as an assigned servant, subsequently obtaining his freedom. Prior to leaving Launceston for Victoria he scraped the mud off his boots upon the wharf, and took anything but a tender farewell of the island. I believe he afterwards obtained work upon a newspaper at Geelong, but I have not heard of him since.

Working on a Geelong newspaper would no doubt have been especially interesting for an ex-convict and sometime gold digger like MacNamara given the rush that was on in

²¹⁵ *Launceston Examiner*, 10 September 1885.

the 1850s, but so far no corroborating evidence of him working upon a newspaper at Geelong has been discovered. The four-line epigram mentioned above has been ascribed to the poet in at least three variants. One begins “Oh Redman, what brought you here?” another “Oh Beef, Oh Beef, what brought you here?” The ending varies too as in “And now you’re here for prisoners use.” The epigram, probably delivered before meals as a convict grace, gives the prisoner audience the opportunity to reflect on their own “sore abuse” comparing their own treatment as prisoners to the treatment of cattle. The version from Dolphin has not been cited before nor has his comment that it was composed on the Pheonix hulk “upon the occasion of some meat which was unfit for human food”. Dolphin’s remark that the poet “took anything but a tender farewell of the island” no doubt refers to MacNamara’s famous parting epigram that has been published in four variants. This example below was collected in Tasmania in the 1970s:²¹⁶

Farewell Tasmania’s Isle! I bid adieu
The possum and the kangaroo.
Farmers’ Glory! Prisoners’ Hell!
Land of buggers! Fare ye well.

More evidence of Frank MacNamara’s importance can be found in the fragment below which appeared in a lengthy article in the *Argus* in 1888 describing a steam train journey from Adelaide to Brisbane. The correspondent writing under the name Telemachus writes:²¹⁷

On the Peat’s Ferry road also there is a quaint natural amphitheatre, called Judgment-hall Amphitheatre, in the rock, where in old days executions were actually held, and just without is the spot where the executioner did his duty, Grim memories these, and they are kept alive in such traditions, which some of the second generation still keep living. These will—at least, would 10 years ago—relate the doggerel rhymes of one Frank Macnamara, the convict poet, full of horror, yet

²¹⁶ Meredith and Whalan, *Frank the Poet*, p. 62.

²¹⁷ *Argus*, 23 January 1888.

not devoid, therefore, of some interest to those who seek after the quaint grotesque and absolutely original in literature.

In 1892 the *Launceston Examiner*,²¹⁸ reporting the opening of the Victoria Museum and Art Gallery, refers to the existence in Tasmania of an example of the poet's drawing expertise that was evident in the Calf family documents cited above. "Mr Cheesman, Wellington-street, sends a specimen of pen and ink drawing and writing done by 'Frank the Poet,' formerly a well known local character" Perhaps this specimen was returned to Mr. Cheesman after the exhibition, as the museum today has no record of it.

In 1893 in the *Oakleigh Leader*, a Melbourne local newspaper, the correspondent Telemachus again provides another fragment about Frank the Poet in an extraordinary tale about an ex-convict bush character everyone knows as 'Sling the Wire' because that was a phrase he constantly used.²¹⁹

Sling-the-Wire was reciting a "something" which will not be found in any of the books. If memory would serve one could not print the whole of it, and indeed it was mostly rubbish, though at times so bitter and vigorous as to show the working of a powerful mind. It was the rhymed [sic] story of a "Prisoner's tour to Hell."

"The hero's valor had been tried
Upon the highway before he died.
At length to death he fell prey,
Which proved to him a happy day.
Downward he bent his steps untold
Until he came to Satan's fold."

Satan, of course, would have none of him. He was a man to be comforted, not tormented, and so was sent on the upward track. Having arrived at the gate he

"Knocked so loud upon the wicket
That Peter cried, Come, where's your ticket? "
The old man on the swag looked up with a cunning leer.
"Ah! If he hadn't that he was crooked!"

²¹⁸ *Launceston Examiner*, 1 January 1892.

²¹⁹ *Oakleigh Leader*, 28 January 1893.

“Yes,” said the narrator, “he’d slung a wrong wire then,” and proceeded—
“Or if you've got none to show
Is there anybody here you know?”
The gentleman admitted that he knew
Johnny Troy, and Wilkins, too,
Old Ben, and bold Jack Donohue.
And many more, whose backs were mangled.
Or whom Long Tom, the hangman, strangled.
Peter regarded this as sufficient qualification and unbarred the door, after which
the narration became somewhat blasphemous and very tame. It was eagerly
listened to, however, and when towards midnight the old man said he would sling
his wire for the station, the cook invited him to “doss in a tent.” He said he would
camp by the fire and did. But before sunrise he had taken his departure.

Telemachus catches up with the old bushman the following day and asks him about the poem:

"Who wrote the verses you were spouting the other night?"

"Ah ! that was Frank, the poet. Frank Macnamara's wire that was."

This extract is significant: it again connects “Frank the Poet” to Frank MacNamara and both to ‘A Convict’s Tour to Hell’. Tucked away in a long, rambling tale of bush life, it reveals the kind of oral tradition in which fragments of narrative verse like ‘A Convict’s Tour To Hell’ have survived, along with the name of its composer. Even the epic poem’s title raises an interesting point, since convicts preferred the word prisoner to convict, an inversion of the preference of their gaolers. As we have seen, MacNamara’s epic poem begins “You prisoners all of New South Wales/ Who frequent watchhouses and gaols/ A story to you I will tell/ 'Tis of a convict's tour to hell.” Telemachus, perhaps wary of the recitation in regarding it as “mostly rubbish” and of “blasphemous” content, does however admit “it was eagerly listened to.” Importantly, he sets down part of the epic and in doing so reveals the narration to be inclusive enough to allow audience participation, and that the story could continue perfectly naturally in this intimate fire lit arena. He also provides interesting variants of parts of the epic such as

the substitution of Tom Price as the hangman rather than Jack Ketch and the variant title “Prisoners Tour to Hell” in place of “A Convict’s Tour to Hell”, variations typical of the effects of oral transmission. Or, alternatively, it may have been the original title, as the Trimmingham manuscript version of the verse has no title for the epic.

At the turn of a new century the poet appears in another report in the *Launceston Examiner* this time as a character in a play about his fellow Port Arthur prisoner Martin Cash the Tasmanian bushranger.²²⁰

‘Martin Cash.’—At the Academy of Music on Tuesday and Wednesday evenings [...] Mr. Morris Mahon is said to excel, and his interpretation of the priest to be a capital piece of acting, while he is particularly humorous as Frank, the poet, the comedy character of the play.

The references to MacNamara continue - the *Braidwood Dispatch and Mining Journal* on 22 August 1903 carries a long article written by W. Hennessey under the heading “Jack Donohue” and mentions Frank the Poet in connection with the outlaw and attributes a long ballad at the end of his article to the poet. His information came from an ex-convict “an aged man named Mick Duggan”²²¹

Among the notable characters old Mick had become acquainted with during prison life was a man named Frank McNamara, better known as "Frank the Poet." Frank was sent out for forgery, and was said to be very expert with the pen, and when in prison he wrote the Lord's Prayer on a piece of cardboard the circumference of a threepenny piece, and sent it to the Governor of the colony. The poet, like Owen Suffolk, whose dream of freedom lately appeared in print, drew inspiration from the woes of his unfortunate companions, and what he learned in suffering he sang in song. I give below a song which I often heard old Duggan sing, and which he said was composed by McNamara and distributed among the prisoners.

²²⁰ *Launceston Examiner*, 12 December 1900.

²²¹ *Braidwood Dispatch*, 22 August 1903.

This article demonstrates again the popularity of the poet, particularly in regional Australia, many years after his death and in a period when very little of the verse attributed to him had been published. Hennessey's ballad does suggest the poetic fingerprint of MacNamara in a number of lines. The fact that this ballad has lain dormant in the newspaper for over 110 years, offers another tantalising fragment we can cautiously add to the poet's oeuvre. It is titled "The Poor Exile From the Shamrock Shore" and is set in Newcastle by the "limpid Hunter" River. The ballad is nowhere to be found in the considerable collections of Australian songs and poetry, and seems to fit the tune of "Moreton Bay" particularly well, indeed appearing to have something of that song amongst its lines.

One evening late, as bright Sol was declining,
Creation gilded with his last rays,
And the feathery tribes through the groves were chiming
Their warbling notes in melodious lays,
By the limpid Hunter as I was seated
No great distance from Newcastle shore,
I heard a voice that thrice repeated,
"I am a poor exile from the Shamrock shore."

Bradshaw's version of the ballad Moreton Bay is either set quite a distance south of Newcastle's Hunter River in the Woy Woy area of Brisbane Water, or more likely "Brisbane waters" refers to the *Brisbane River* where the Morton Bay penal settlement was built. The third verse of this version reads:²²²

Early one morning as I carelessly wandered,
By the Brisbane waters I chanced to stray,
I saw a prisoner sadly bewailing,
While on the sunbeaming banks he lay.
He said, I have been a prisoner at Port Macquarie,
At Norfolk Island, and Emu Plain,

²²² Philip Butters and Elizabeth Webby, *The Penguin Book of Australian Ballads* pp. 63-64.

At Castle Hill, and cursed Toongabbie—
And at all those places I've worked in chains.

Flogging, lashes and sunburn resonate with other descriptions of the Moreton Bay penal settlement, and in the *Braidwood Dispatch* ballad they read:

My bosom flowing with fond emotion,
By nature I was prompted to rise
To participate in that sad devotion
And re-echo feebly their mournful cries.
My sunburnt shoulders displayed more lashes
Of barbarous flogging; no shirt I wore;
No tattooed savage displayed more gashes
Than the poor exile from the Shamrock shore.

My head is hoary, my forehead's wrinkled,
With the palsy in every joint;
With convict's blood the ground is sprinkled.
The tyrants call it Limeburners' Point.
The servile soil that we are treading
Was trod together by our brethren's gore;
They expired like martyrs, no torture dreading,
Says the poor exile from the Shamrock shore.

Limeburners had a hard time in many penal settlements, from Moreton Bay in Queensland to Macquarie Harbour in Tasmania, or in the middle of the ocean on Norfolk Island.

I have read in the Bible of King Herod's slaughter,
Bethlehem, indeed, was a most awful sight,
And how King Pharoah in the Nile's deep water
Drowned many a true-born Israelite,
The crimsoned Isle and the raging bayonet

Are renowned in Scripture by deeds of gore;
They were excelled by Morrison, and I'll maintain it,
And so can many from the Shamrock shore.

MacNamara's biblical allusions are legion. Morton Bay has the lines "Like the Egyptians and ancient Hebrews / We were oppressed by Logan's yoke." Morrison in the verse above is probably an oral corruption of Major Morriset, another official the poet has in Hell long before his actual death in his epic poem:

I have witnessed Morrison's disembarkation.
Tyranny for a time did cease,
Blood speedily gained a restoration,
And McIntosh his venom traced.
Inhuman sights they did exhibit
As evil Morrison had done before,
The bloody triangles and the bleeding gibbet
Could not daunt the boys from the Shamrock shore

'Moreton Bay' has the lines "Or else at the triangles our flesh is mangled / That is our wages at Moreton Bay" and the retribution was the convicts exhilaration on hearing of Logan's death. Here the wished for retribution is the burning down of the penal settlement, again citing the Bible for dramatic precedent:

I sometimes ponder in silent sorrow
For my poor brethren's hardships—how hard they fare ;
For the cities of Sodom and great Gomorrah
To this cursed colony could not compare.
Those cities were cancelled by a conflagration,
Never to be inhabited or rebuilt any more,
This wants a similar visitation
To avenge the boys from the Shamrock shore.

You seem annoyed at my recital,

Of a poor bushranger's tale of woe.
A valiant outlaw is my real title,
Until the fatal bullet lays me low.
Through the forest echo with pistols loaded,
And girded round with the bayonets bare,
Like an Arabian Steed through the forest bounding
Goes the poor exile from the Shamrock shore.

The “Arabian Steed” of the bushranger above is also an echo of ‘A Convict’s Tour to Hell’ in the lines about old Sergeant Flood in Hell begging the poet for help

He gazed at me his eyes with ire
Appeared like burning coals of fire
In fiery garments he was arrayed
And like an Arabian horse he brayed

MacNamara’s lyrical composition is connected to the poetry and song he knew and sometimes quoted from, the poetry of Robert Burns, the imaginative inverted worlds and biting satire of Jonathon Swift, convict and transportation broadside balladry, Irish songs and bardic tradition. Important too is the narrative he constructed for himself as one “sworn to be the tyrant’s foe”. With ingenuity and wit he charmed his fellow sufferers and sometimes even those in authority. I argue in Chapter One that lyrical material about work is connected to the industrial ballads or “working songs” a term that comes from Roy Palmer in his recent study of songs from industrial towns of Britain, songs that are redolent with “a sense of industrial place” between the 1870s and the 1970s. More than any other poet in Australia at the time Frank the Poet is almost exclusively concerned with working conditions and workers’ assumed rights in a variety of industries. His is a veritable lyrical battle against tyranny.

Literary scholar Julian Croft argues that Newcastle in NSW is “one of the oldest purely industrial sites in the world” and that the industrial landscapes and the “communities that arose around those heavy industries” are not “what most people think of when they

imagine Australia.” Croft, in his appraisal of MacNamara’s poetic depictions of convict mining life, compares his worldview with that of Blake:²²³

The earliest literary representations of life at the settlement at the mouth of the Hunter date from the 1830s when mining coal using convict labor had become well developed. In symbology, style, and attitude these first poems by Frank MacNamara (“Frank the Poet”) contain the same radical, apocalyptic vision that Blake, in particular, articulated at the end of the eighteenth century. Repression, physical and spiritual slavery, the bankrupt ideology of the Enlightenment and Empire, leap off the pages of MacNamara’s “A Convict’s Tour to Hell.”

Croft argues that such industrial towns produce a literature that concerns itself with “the dreadful slavery of industrial work: dirty, exhausting, degrading and dangerous.” He contends that “MacNamara and his mates” are not only workers, but convicts, and as such are “closer to slaves than workers.” Linking the literature of Newcastle in Australia to that of industrialising Britain he writes:²²⁴

Here in the first decades of the nineteenth century as the late eighteenth century’s industrial revolution transformed into political revolution, we see many of the images of mid-century propaganda against working conditions in Britain.

“Frank the Poet” - Literary Legacy and Bicentenary Celebrations

As I canvassed in Chapter One, MacNamara’s work as “Frank the Poet” represents an early flowering of the rebel song and poetry in convict Australia that can be considered, along with the broadside ballads, to be an early evocation of the independent and subversive culture of the Australian labour movement. I have argued that as a body of work his compositions represent important historical evidence regarding the mind set or world-view of the early colonial prisoners. What we have of MacNamara’s work reveals a consistency of social analysis and a philosophy that marks him out as a pioneer in a

²²³ Julian Croft, ‘A sense of industrial place - the literature of Newcastle, New South Wales, 1797 – 1997,’ *Antipodes*, vol.13, no.1, (1999), p. 15.

²²⁴ Julian Croft, ‘A sense of industrial place’, p. 15.

tradition of radical industrial poetry and song. Generations of Australian poets and songwriters have since included working life, working conditions and workers demands as an important aspect of their cultural concerns.

MacNamara's verse weighs heavily in favour of the claim that convicts in the initial white settlement of Australia believed they were "more sinned against than sinning" a concept discussed at length in Chapter One. Convicts became the first work force in the colony and without their labour, ingenuity, adaptive skills and organisational ability it is hard to imagine that the colony would have survived and grown. Like many of his fellow prisoners, MacNamara represents the convict in his body - the scars on his back. He also represents them in his poetic voice, a voice that comes down to us most strongly from the convicts themselves, as the poet Les Murray suggests, and as Frank the Poet he became a part of convict culture. This society of forced labour in the original colonies of Australia, consisting to a large degree of mostly young men, built the roads, grew the food, built the penal settlements and the churches and became the forced witnesses of the public physical punishment and hangings and chain gangs even when they did not endure the lash themselves. The system of forced labour encouraged the growth of intransigent overlords and the hegemonic opposition to that lordly manner has today perhaps morphed into what is called the "tall poppy syndrome".

MacNamara's great epic, 'A Convict's Tour To Hell', turns the class-ridden world upside down for good. Workers have a secure place in heaven while those who exploit their labour can go the hell. That is the world-view that ensured that his masterpiece would be committed to memory in the gaols, and that is why it has been cited in newspapers for so long. Fragments of the verse of this sworn enemy of tyranny can be found in newspapers too. It was not until 1979, however, that the first scholarly account of his life and work was published by Meredith and Whalan. As Russel Ward suggests in the foreword of "Frank the Poet":²²⁵

For more than a century tradition has held him to have been the true author or composer of Moreton Bay, The Convict's Tour to Hell and other fragments of

²²⁵ Meredith and Whalan, *Frank the Poet*, p. v.

song and verse so evocative of our beginnings ... As time goes on interest in Australia's beginning, and in contemporary views of them, can only increase. Frank's life and verse will be of even more concern to Australians a hundred or a thousand years hence, than they are now.

In 2011, the year of Francis MacNamara's Bicentenary, through the archeological and forensic work of piecing together the fragments of his life and work, we are perhaps more inclined to accept Ward's enthusiastic prediction. The poems and songs of Frank the Poet, as well as his hegemonic perspective regarding authority and his dedication to his fellow prisoners, are far better known today than in 1979. Most of the verse attributed to him can now be found in two recent anthologies, both compiled by poets: "The Turning Wave: Poems and Songs of Irish Australia" by Colleen Burke and Vincent Wood²²⁶ and "Hell and After" by Les Murray.²²⁷ For my research purposes I have created an online blog that includes MacNamara's lyrical material as well as newspaper articles and database information about the poet.²²⁸

Although a number of scholars have likened "A Convict's Tour to Hell" with Dante's earlier and much longer epic "Inferno", the very close comparison of the two by Gino Moliterno finds more differences than similarities. In his chapter "Dante Down Under? Francis MacNamara's A Convicts Tour to Hell" Moliterno concludes:²²⁹

if our failure to confirm any influence of Dante on MacNamara's Tour is disappointing from the point of view of Dante scholarship, it in no way demeans Frank's clever and amusing poem per se, for what the Tour thus loses in terms of high literary heritage it gains in terms of verve and originality. And in the end we might consider that ... it has vouchsafed us a rare opportunity to revisit the work of this remarkable bush bard who could defiantly create poetry from his convict

²²⁶ Colleen Burke and Vincent Wood, *The Turning Wave: Poems and Songs of Irish Australia* (Kardoorair Press, Armidale, NSW, 2001.)

²²⁷ Les Murray (ed), *Hell and After: Four early English-language poets of Australia* (Manchester, Carcanet, 2005.)

²²⁸ <http://frankthepoet.blogspot.com.au/>, (accessed 4 December 2013).

²²⁹ David Moss, and Gino Moliterno (eds), *Italy under the Southern Cross: an Australasian celebration of Dino De Poli and the Cassamarca Foundation*, (Australasian Centre for Italian Studies, 2011), p. 85.

chains and who might thus still rightly claim the title of Australia's first, and perhaps only, bush Dante.

The poet's current popularity was highlighted in Sydney and Wollongong in 2011, the bicentenary of his birth, by a number of public celebrations.²³⁰ A popular radio documentary, 'Frank the Poet: A convict's Tour to Hell', based on my research for this chapter was produced for the ABC history program 'Hindsight' and first broadcast in August 2012.²³¹ The radio program made extensive use of the work of young Adelaide based popular songwriters who recorded a number of MacNamara's poems to contemporary settings, for a CD titled 'Banished From My Native Shore' which was released in 2012.²³² The radio program has also attracted attention from MacNamara's homeland Ireland and was broadcast there in March 2013.²³³ A CD of the program, and a discussion of its making are included in Appendix A and Appendix B as a creative component of this thesis.

²³⁰ <http://www.frankthepoet.blogspot.com.au/2011/05/events.html>, (accessed 28 February, 2013).

²³¹ <http://www.abc.net.au/radionational/programs/hindsight/frank-the-poet/4126734>, (accessed 28 February, 2013).

²³² http://www.stobiesounds.com/home/?page_id=1537, (accessed 28 February, 2013).

²³³ <http://www.rte.ie/radio1/doconone/podcast-radio-documentary-frank-macnamara-the-poet-convict-australia.html>, (accessed 23 March 2013).

CHAPTER 3. THE EUREKA MASSACRE: LYRICAL ACCOUNTS AND VERNACULAR REFLECTIONS.

I have witnessed today, I think, some of the most melancholy spectacles. A number of poor, brave fellows who fell in yesterday's cowardly massacre were buried. One of the coffins trimmed with white and followed by a respectable and sorrowing group was the body of a woman who was mercilessly butchered by a mounted trooper while she was pleading for the life of her husband. The mind recoils with horror and disgust from the thought that an Englishman can be found capable of an act so monstrous and cruel.²³⁴

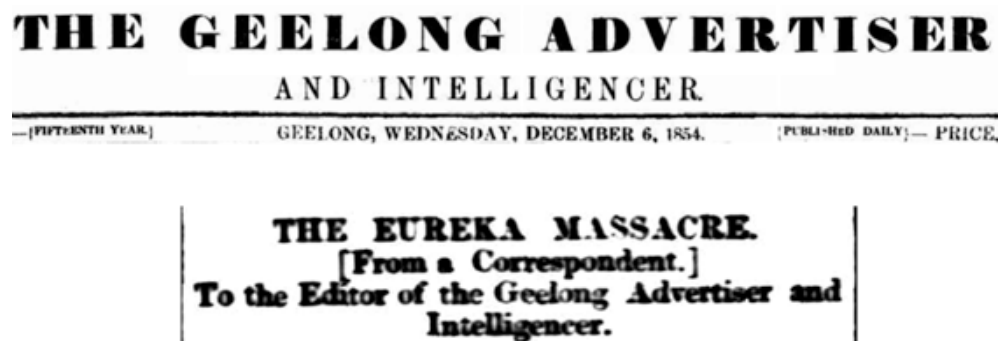


fig. 4. The *Geelong Advertiser*, 6 December 1854.²³⁵

The “Eureka Massacre” as it was headlined in the *Geelong Advertiser* of 6 December 1854, took place in the Victorian gold digging town of Ballarat in a pre-dawn raid by soldiers and police on Sunday 3 December. The gold diggers’ protest against “taxation without representation” and the unfair gold license system with its overbearing “digger hunts” was snuffed out in fifteen minutes by the raid on their hastily built defensive stockade. The brutal over-reaction by British armed forces created political conditions of anger and ultimately overwhelming popular support for the diggers and their democratic demands. This is a clear example of hegemonic shift where the powerful are so humiliated that the demands they had haughtily ignored - for rights, democracy and fairness - had to be granted.

²³⁴ Charles Evans Diary entry, 4 December 1854. - <http://www.slv.vic.gov.au/our-collections/treasures-curios/charles-evans-diary>, (accessed 13 January 2013).

²³⁵ *Geelong Advertiser*, 6 December 1854 p.4

My concern in this chapter is to examine the way that song and poetry commemorates Eureka, and the way this corpus reflects popular understanding of the event and the flag that has become its potent symbol. There are numerous contemporaneous reports of the event published in newspapers and most famously, a participant's account, a book written by Raffaello Carboni²³⁶. There are also a number of contemporary poems. This chapter surveys and analyses verse written and published at the time of the insurrection and also written in celebration and commemoration since. Just as historical accounts of Eureka consider the events leading up to the rebellion, I also refer to verse that was published prior to the event. How is the story of Eureka remembered in verse? How do the lyrical accounts of the event compare with other historical accounts?

One of my concerns is to consider the flow of the story of Eureka in verse across time, both in published and orally transmitted forms. I would argue that the term 'flow' with its connotation of a dialogic reciprocity is an appropriate way of considering the movement of this information between performer and receptive audience. To the folklorist and oral historian such flows are at the core of the discipline. From this perspective I would also argue that the Eureka rebellion occupies a singular place in Australian history simply in terms of the number of poets and songwriters who have made it their concern. In terms of songs and poetry about the event I will argue that there is a strong connection to the lyrical material discussed in earlier chapters of this thesis, a flow that looks backwards as well as to the future.

Newspaper Reports and the Voice of the Diggers

In the same issue of the *Geelong Advertiser* of 6 December 1854 cited above is a poem decrying the massacre under the title "The Diggers' Dirge" carrying the initials "J. M." and the description "Geelong, 5 December 1854".²³⁷

Toll the bell softly! toll toll for the digger,
Solemnly! solemnly! toll for the dead!

²³⁶ Raffaello Carboni, *The Eureka Stockade* (Melbourne: Printed for the author by J.P. Atkinson, 1855.)

²³⁷ *Geelong Advertiser*, 6 December 1854.

Rash men, yet brave ones, cut down in life's vigour,
Gently recline them in earth's lowly bed;
Slaughtered by scores, the hearts blood ran luridly;
Tingeing the moonbeams that shone on the plain;
Peaceful souls bayoneted, horridly! horridly!
Seeking their friends 'midst the heap of the slain.

The pre-dawn raid is evoked where the blood ran and tinged “the moonbeams that shone on the plain” and the description of “rash men, yet brave ones” who were bayoneted – in many cases as they surrendered – “horridly! horridly!” to end in “the heap of the slain.”

Toll the bell slowly! but mournfully! mournfully
Toll the bell softly! the knell's for the brave;
Toll for the weaponless, innocent, loyal man,
Sabred and shot as a fugitive slave.
Whizzing the fatal ball sped on its ruthless way,
Gleaming the keen sword leaped out from its sheath,
Dreadful the groans of the wounded, who, dying lay
Mangled in death by the trooper steeds' feet.

Toll the bell loudly! the LORD hears its doleful cry,
Wailing for JUSTICE before HIS high throne;
In fulness of time will his forked lightnings fearful fly;
Vengeance is HIS, pray for those who have gone!
Pray for the heart broken mother whose sorrow
Pierceth the clouds, 'tis her son's death she weeps.
Pray for the young wife, a bitter to-morrow
Frowns on her life, though unconscious she sleeps.

The demand for justice, “wailing for JUSTICE” in the name of God, accurately foretells the reaction of the people of the relatively new state of Victoria as they read these stories of Eureka. The hasty cover up of the massacre by the troopers looting and

burning the tents around and in the stockade, later secretly stitching up the bayonet wounds of the dead and quickly burying them forestalling the usual coroner enquiry all lead to demands that in the “wild glare sad deeds will be traced” so that “again may be ne’er shed such life blood.”

Pray! see the burning tents 'lumine the dark wood;
Pray! by that wild glare sad deeds will be traced;
Pray! that again may be ne'er shed such life blood;
Pray that all wrong doing soon be erased.
Toll the bell softly! toll, toll for the digger;
Solemnly! solemnly! toll for the dead!
Rash men, yet brave ones, cut down in life's vigour;
Gently recline them in earth's lowly bed.

A letter from the newspaper’s correspondent in Ballarat gives an eyewitness account describing the aftermath of the massacre:²³⁸

I didn't wake up till 6 o'clock on Sunday morning. The first thing that I saw was a number of diggers enclosed in a sort of hollow square, many of them were wounded, the blood dripping from them as they walked, some were walking lame, pricked on by the bayonets of the soldiers bringing up the rear. The soldiers were much excited, and the troopers madly so, flourishing their swords and shouting out, "We have waked up Joe!" and others replied, "and sent Joe to sleep again." The diggers standard was carried by in triumph to the Camp, waved about in the air, then pitched from one to another, thrown down, and trampled on.

The reference to “Joe!” in this account alludes to the warning that diggers in the goldfields gave when license-checking police were approaching. The diggers’ refusal to treat the police with deference is described by a correspondent to the *Geelong Advertiser* in October 1854:²³⁹

²³⁸ *Geelong Advertiser*, 6 December 1854.

²³⁹ *Geelong Advertiser*, 11 October 1854.

The police, to do them justice, do not appear to relish the new license-hunting excursions, and no wonder, for their reception by the licensed diggers is anything but complimentary. Independent of the running commentaries kept up; the usual Joe! Joe! resounds along the whole line, and more than one of the superior officers while asking "Have you your license?" is seen to exercise his frontal teeth, or his nether lip, in a style that proclaims most unmistakably how ill at ease the whole force is in discharging this department of their duty.

The triumphant troopers and soldiers and their ill-treatment of the diggers who had surrendered is described in detail:

I counted fifteen dead, one of them was C—, a fine well educated man, and a great favorite; I recognised two others, but the spectacle was so ghastly that I felt a loathing at the remembrance. They all lay in a small space with their faces upwards, looking like lead; several of them were still heaving, and at every rise of their breasts, the blood spouted out of their wounds, or just bubbled out and trickled away. One man, a stout chested fine fellow, apparently about forty years old lay with a pike beside him, he had three contusions in the head, three strokes across the brow, a bayonet wound in the throat under the ear, and other wounds in the body—I counted fifteen wounds in that single carcase.

...

A little terrier sat on the breast of the man I spoke of and kept up a continuous howl, it was removed but always returned again to the same spot, and when his master's body was huddled with the other corpses into the cart, the little dog jumped in after him, and lying again on his dead master's breast began howling again.

The correspondent expresses the opinion that this cowardly ambush and the overbearing and bloodthirsty attitude of the military force will not be the end of the matter:

All I spoke to, were of one opinion, that it was a cowardly massacre. There were only about a hundred and seventy diggers, and they were opposed to nearly six

hundred military. I hope all is over, but fear not, for amongst many, the feeling is not of intimidation, but a cry for vengeance, and an opportunity to meet the soldiers with equal numbers.

Impassioned eyewitness accounts like this encourage an analysis of this letter and the poem that followed it as evidence of a rapidly shifting hegemony underway, especially given that we find both the account and poem in the local goldfields press. Much of the non-local press like the *Sydney Morning Herald*, remote from the event still relied on the increasingly unreliable and self serving statements that came from Lieutenant Governor Charles Hotham and the Victorian military, and are pompously dismissive of the growing support of the people of Melbourne and Geelong for the diggers and their democratic cause. The numbers of troops and police cited by the *Geelong Advertiser* correspondent is likely the total of troops and police number stationed in Ballarat. The smaller number of military and police directly involved in the Eureka massacre is reported from Camp Ballarat on the day by Captain J. W. Thomas of the 40th Regiment, giving a total of two hundred and seventy six.²⁴⁰

The total number of troops were, one hundred mounted men, and one hundred and seventy-six foot; the remainder of the troops and police I left to guard the camp, under the command of Captain Atkinson, of the 12th regiment; having with me, Mr. Commissioner Amos, Mr. Hackett, P. M., and Mr. G. Webster, Civil Commissary, as the three magistrates to authorize my proceedings.

Historians, by no means unanimous about the importance or nature of the event, largely agree that the gold diggers' rebellion became a symbol of democratic protest and national identity and there is a widespread evaluation that "a profound change in public opinion in Victoria caused in part by Eureka ... ensured that the democratic provisions of the new constitution were rapidly extended".²⁴¹

²⁴⁰ <http://www.lancashireinfantrymuseum.org.uk/capt-j-w-thomas-report-to-headquarters-following-eureka-rebellion/> (accessed 2 March 2013).

²⁴¹ David Goodman, 'Eureka Stockade' in *The Oxford Companion to Australian History*, (Melbourne, Oxford University Press, 1998), p. 228.

Commissioner Robert Rede, one of the principal architects of the attack on the stockade, wrote a letter to the *Argus* on 3 December as follows:²⁴²

Ballaarat, December 3rd, 1854. — Sir, — I have the honor to inform you that the casualties on the part of the military, are, 1 private of 19th regiment killed, two privates of 40th killed. Captain Wise, 40th, is dangerously wounded; Lieutenant Paul, 12th, seriously wounded. Several privates of 40th and 19th more or less wounded. No official return has yet been made, but the correspondent of the *Argus* can have it tomorrow, by applying at the Camp. One hundred and twenty-five prisoners made, but the casualties on the part of the insurgents are not known. I have the honor to be, Sir,
Your most obedient servant,
ROBT. REDE,
Resident Commissioner.

The final phrase in the letter, “casualties on the part of the insurgents are not known”, in the letter exposes a complete lack of understanding of the effect the massacre was having on the public. Rede’s brief letter was embedded in a lengthy *Argus* report “From Our Own Correspondent” which contained a more informative and chilling account, and provided the first published assessment of the number of casualties amongst the diggers, an assessment that would be corroborated by a fugitive Peter Lalor a few months later, again in a letter to the *Argus* as shown below.

The reporter of the Ballaarat Times has been taken, and his life was with difficulty saved from the hands of the infuriated soldiers. A colored man, recognised by a soldier, would have been shot at the Camp had it not been for the officers. Nearly all the ringleaders are taken. Fifteen are lying dead in the Eureka Camp. Sixteen are dangerously wounded. A German has received five different wounds. The Eureka Camp, as well as the stores and tents in the neighborhood, have been burnt to the ground, and considerable loss of property has ensued thereby. A former reporter for the M. M. Herald, a Mr. Haslam, was shot in the shoulder by the

²⁴² *Argus*, 4 December 1854.

troopers. The London Hotel is the chief repository for the dead and wounded. The troopers swept the diggings, and are making several captures now at the moment of writing.

This on the spot report was dramatically different in tone and glaringly at odds with the official propaganda fed to newspapers by the military that claimed that the revolt was the work of foreigners and anarchists. The following extract was published in the *Argus* following the death of Captain Wise who had led the military and police charge on the stockade.²⁴³

Head Quarters.

Melbourne, 22nd December, 1854.

GENERAL ORDERS. No. 169

1. The Maj. General has deep regret in announcing to the troops within the Australian command, the deaths at Ballaarat Camp, yesterday morning, the 21st inst, of Captain Henry Christopher Wise, of the 40th Regiment. He died from the effect or wounds received on the 3rd instant, while bravely leading his company in storming the Eureka Stockade, which a numerous band of foreign anarchists and armed ruffians had converted into a stronghold.

The phrase “foreign anarchists and armed ruffians” spread through the British Empire, before the real situation became clear. As is so often the case the first official proclamation is a self-serving attempt to distort the facts. In this case a letter challenging and demolishing the military propaganda appeared in the *Argus* a few days later:²⁴⁴

Now, I ask you, Sir, if the use of such language in a Government officer as this will tend to allay the disgust felt at the merciless slaughter of the Ballaarat diggers, who took up arms after every other method had failed, to bring the Government to reason on the subject of their grievances? The victory obtained might have been enjoyed without such gratuitous insult and falsehood. If foreign

²⁴³ *Argus*, 23 December 1854.

²⁴⁴ *Argus*, 29 December 1854.

anarchists enlisted, surely their names might be published, as well as those of the British prisoners taken.

The writer points out that the hurried burial of the slain diggers did not follow the usual legal requirements, and writes:

I would ask why the "Crowners' quest law" was set aside on this melancholy occasion? and why the Registrar of Deaths in the Ballaarat district does not proceed at law against those who buried the men massacred by the troops, without presenting the usual certificates required by the act?

The letter writer ends by positing his own thoughts about the reason for this behaviour:

Perhaps it was because the Government would have found out that there were no foreigners engaged in the affair, although it has endeavored to make it appear as if they were the principal instigators in the rising, and not our fellow British subjects.

I am, Sir,

Your obedient servant and constant reader.

JUSTITIA.

There can be little doubt that Justitia's letter to the editor was much closer to the truth than the official bluster of "General Orders No. 169". Subsequent Australian newspaper reports began to cast doubt on the official story published in the colony and in London. Newspaper reports of the time also provide an important source of evidence of the diggers' demands, concerns and activities, written in a popular tone and language that was far removed from the language of the authorities. The fact that a letter from the Eureka leader in hiding, Lalor, an outlaw with a price on his head, was published, indicates something of the tenor of the times in Victoria. It is difficult not to read a complicity on the part of the newspaper in publishing Lalor's letter which is directed, in

its account of the injustices suffered, to the large gold fields population and, more broadly, “to the colonists of Victoria.”²⁴⁵

TO THE COLONISTS OF VICTORIA.

The diggers were subjected to the most unheard of insults and cruelties in the collection of this tax, being in many instances chained to logs if they could not produce their license. I have often known men to be asked for their license four or five times in the course of a day; and this having been more particularly the case since the arrival of Sir Charles Hotham. The water to be contended with in deep sinking compels the diggers frequently to change their dress; in doing so they very often leave their licenses behind ; under such circumstances should they be visited by the police, they are dragged, wet and dripping as they may be, to the prison, like common felons.

[Letter from Peter Lalor April 1855.]

Lalor’s letter, written while he was still in hiding, contactable through the offices of the *Ballarat Times* (the *Times* as he calls it in his letter) yet undiscoverable by the authorities, lists for the first time for the public the names of the diggers killed by the close to 300 soldiers and troopers who had ambushed the one hundred and thirty stockaders. Through Governor Hotham the press was advised that the rebellion was the work of foreigners, but eyewitness accounts of “Our Own Correspondent”, reporters on the spot, had already published a very different account and the names of the 13 diggers awaiting trial in the Melbourne courts gave the lie to the official position. The first trial was abandoned by the prosecution once the jury refused to be intimidated into a guilty verdict for any of the prisoners. The trials were held in Melbourne as the prosecution was concerned that no Ballarat jury would convict the prisoners. The second trial in Melbourne also found the prisoners “not guilty” showing that a jury in Melbourne simply could not be found that would convict the prisoners. Public meetings called to find support for the Governor and the military action in Ballarat were commandeered by the public and used to send messages of support to the prisoners. Hotham persuaded his right hand man John Foster the Colonial Secretary to act the scapegoat and resign. A

²⁴⁵ *Argus*, 10 April 1855.

timeline of the last few days of the events indicates just how rapidly events were moving.²⁴⁶

Mass meeting at Bakery Hill, 29 November 1854.

Licence hunt made by Rede, 30 November 1854.

Deputation to Rede, 30 November 1854

Stockade completed, 2 December 1854.

Military attack stockade, 3 December 1854.

Martial Law proclaimed in Ballarat, 4 December 1854.

Public meeting in Melbourne, 5 December 1854.

Resignation of Colonial Secretary Foster, 6 December 1854.

Ballarat Police Court commits 13 miners for trial on charges of High Treason, 8 December 1854.

Martial Law repealed, 9 December 1854.

The disgraced Foster summed up the outcome of Eureka in one sentence: “an attempt to vindicate the law and to increase the revenue, ended in the defeat of the law and the loss of nearly the whole of the revenue”.

Two more trials associated with Eureka illustrate the intransigence of the powerful forces arraigned against the diggers and their supporters. The trial of Henry Seekamp, the editor of the *Ballarat Times*, resulted in him being gaoled for three months of hard labour on a charge of sedition. His wife Clara took over the editorship. The other trial was of Arthur Pursell Akehurst, Clerk of the Bench at Ballarat, who was sent to trial for murder by a coroner’s report into the death of the Creswick digger Henry Powell.²⁴⁷

On 3 December 1854 a digger named Henry Powell, who had not been in the stockade, received sabre and bullet wounds while standing at his tent. Troopers then galloped over the injured man and he died soon afterwards, but not before he had implicated Akehurst. An inquest’s verdict was that Akehurst had killed him.

²⁴⁶ Hugh Anderson (ed.), *Eureka: Victorian Parliamentary Papers Voted and Proceedings 1854 - 1867*, (Melbourne, Red Rooster Press, 1999), p. xiv.

²⁴⁷ <http://adb.anu.edu.au/biography/akehurst-arthur-pursell-12769/text23033>, (accessed 6 March 2013).

This Akehurst denied; he was charged with murder but the case was dismissed when Powell's dying deposition was ruled inadmissible.

Akehurst went on to have a very successful career in the colony as described in the Australian Dictionary of Biography entry cited above. The coroner's report that led to the trial called many eyewitnesses whose vernacular accounts attest to the wild abandon with which the police and military attacked anyone that day. For example Joseph Ash, in his evidence to the coroner, described what he saw of the attack on Powell. Accounts like this reveal what the authorities were trying to hide from the public, the unpardonable excesses of those under their command.²⁴⁸

I heard the tramp of troopers close to the tent I thought they had passed and ventured to look out of the door I saw about twelve or fourteen cantering past the tent I saw a man in plain clothes about twenty five yards from me he made a hasty movement as if to get out of the way of the horses the troopers fired at him, the man leaped in the air as if he was struck. On the report of the pistol some six or eight of the advanced troopers wheeled and closed in upon the man who was shot at who was then reeling I heard one trooper say ride the bugger down, I saw one trooper make a thrust at him and two others hacking at him.

At the same hearing William Wills, a qualified medical practitioner, told the court that Powell

particularly described the party who first cut at him as being fair complexioned and recognised him as the Clerk who sat before the magistrates. Deceased was quite sensible when he made his dying deposition and always appeared sensible during the time I attended him he stated that he had no arms when the attack was made. Deceased did not know the young mans name who first struck at him but knew him well from seeing him in the Court House.

²⁴⁸ wiki.prov.vic.gov.au/index.php/Eureka_Stockade:
Trial_Brief_for_Arthur_Purcell_Akehurst_for_the_murder_of_Henry_Powell, (accessed 12 March 2013).

The diary of goldfields journalist Charles Evans, an extract of which is cited at the head of this chapter, has only recently been correctly attributed and transcribed – until 2012 it was known as the ‘Samuel Lazarus Diary’.²⁴⁹ It has since been made available online courtesy of the State Library of Victoria. In his diary entry for Monday 11 December 1954, Evans describes the evidence provided at the Powell inquest:²⁵⁰

An Inquest was held today on the body of a man who was cruelly slaughtered yesterday week and a verdict of wilful murder returned against Haycurst [Sic.], the Magistrates Clerk - It came out in the evidence that the poor victim was a considerable distance from the stockade when the cowardly puppy rode up to him & asked him what he did there - He replied he had nothing to do with the disturbance but Haycurst scarcely waiting for his answer pushed his horse forward & struck him a savage blow on the head with his sabre. Several troopers practiced the most horrible barbarities on him - some hacked him with their swords brutally while another fiend barbarously shot him while he was lying on the ground.

A number of Eureka poems describe this barbaric behaviour, some putting it down to the “rum fuelled” condition of the troops. It is an ironic probability that as a consequence of this behaviour that Peter Lalor, lying bleeding under some of the slabs that had formed the barricades of the stockade, was able to be carried away under cover of dark that evening.

As described in earlier chapters there had been a history of public demands for “democratic provisions” in Australian colonies long before the dramatic events at Eureka. A good example is to be found in the *Sydney Morning Herald* editorial in February 1848:²⁵¹

WEDNESDAY, FEBRUARY 16, 1848.

²⁴⁹ Wright, Clare. *The Forgotten Rebels of Eureka*. (Melbourne, The Text Publishing Company, 2013). p. 481.

²⁵⁰ Charles Evans Diary entry, 11 December 1854. - <http://www.slv.vic.gov.au/our-collections/treasures-curios/charles-evans-diary>, (accessed 13 January 2013).

²⁵¹ *Sydney Morning Herald*, 16 February 1848.

" Sworn to no Master, of no Sect am I."²⁵²

THE STAND AGAINST THE NEW CONSTITUTION.

If we had good reason to congratulate our fellow-colonists on the noble stand made by the Public Meeting in Sydney against Earl Grey's attack upon our liberties, we have now equal cause of congratulation in the manly spirit displayed throughout the country districts. All our principal towns have stood forward to protest against the threatened wrong.

In citing this editorial, veteran radical historian J.N. Rawling lists some of the earlier examples of democratic agitation in the colony.²⁵³

Owenite socialist bodies sprang up in Sydney around 1840; an attempt was made in 1846 to form one big union of all the trades, apparently in imitation of Owen's Grand National Consolidated Trades Union; papers were started that were inspired by Chartism or that spoke for the 'working classes'; a Democratic League was formed early in the fifties, when the Political Association (a radical body) had reading rooms in King Street; the Land League aimed at opening the land to farmers and settlers, and Dr. Lang's Australian League at independence for the Australian colonies.

Rawling's argument that rebellion and agitation for democratic rights in Australia did not begin with the events at Eureka is important. There is, however, a widespread view that Eureka represents something rather special in terms of an ongoing democratic and rights battle, particularly as an enduring symbol for organised action. The poems and songs referring to Eureka indicate the event as a recurring muse for songwriters and poets for the over hundred and fifty years. In his paper Rawling draws on radical poetry to illustrate and substantiate his argument, citing Charles Harpur (elder brother of the famous poet) who wrote scathing sonnets dealing with politicians of the time as can be found in this depiction of W.C. Wentworth's aristocratic (of the "bunyip" variety)

²⁵² This is one of two mottos of the early *Sydney Herald* taken from Pope and bequeathed by one of its founders and leader writers William McGarvie.

²⁵³ J. Normington-Rawling, 'Before Eureka', *Labour History*, no. 4, 1963, p.12.

retreat from his former stance regarding the right to vote. Witness in his poem 'Wentworth Again.'²⁵⁴

Once he would have the Franchise low. For why?
His 'brandy-faced' supporters then were poor!
But these grown rich (by any means be sure!)
He turned his jacket-and would have it high!
Being priced too cheaply by the grasping crew
Of Darling's reign—he was the Many's man!
Now that we've something of sage Bentham's plan
To rest in—Hark! he's roaring for the Few!

Describing the mid-century political alignments where an end of transportation becomes a popular demand among the growing population, ex-convicts, children of convicts and recent immigrants, Rawling paints a scene that would not be out of place in a Thompsonian account of “moral economy”:²⁵⁵

Crowds would gather in what is now Hyde Park, in protest or acclamation, not merely at week-ends, but on working days—on Mondays, for example, so that that day became known as St. Monday, the day when Sydney's workers could be expected to absent themselves in order to attend a meeting to protest this or that. All Sydney's shops closed to declare their opposition to the landing of convicts in 1849.

The Eureka Flag

The most recognisable symbol of the Eureka rebellion today is the Eureka Flag which was also known as the 'Australian Flag', the 'Southern Cross' and the 'Flag of Blue'. The remains of the flag, which had been torn down and dragged through the blood of the stockade defenders, were hidden for many years by the King family and donated to the Ballarat Fine Art Gallery where it lay forgotten and hidden in an old cupboard until

²⁵⁴ Normington-Rawling, 'Before Eureka', p. 16.

²⁵⁵ Normington-Rawling, 'Before Eureka'. pp. 15-16.

the 1930s. Today the flag has pride of place in the complex that commemorates Eureka in Ballarat. It has been a potent symbol for both workers and small business, for the left and the right in politics, including the Labor Party, the Australian republican movement, trade unions, the Communist Party, the Eureka Youth League and some organisations of the far-right. Raffaello Carboni, a leading participant in the rebellion and translator for its multi-cultural members, published the first book commemorating the rebellion a year after the event in 1855. His book "The Eureka Stockade" remains a unique contemporaneous source for historians and contains two poems he wrote about the event. He borrows the description of the flag from an eyewitness report in the local *Ballarat Times* newspaper of 3 December 1854, the day of the massacre. He describes the first use of the impressive flag in the following way:²⁵⁶

The "SOUTHERN CROSS" was hoisted up the flagstaff—a very splendid pole, eighty feet in length, and straight as an arrow. This maiden appearance of our standard, in the midst of armed men, sturdy, self-overworking gold-diggers of all languages and colours, was a fascinating object to behold. There is no flag in old Europe half so beautiful as the "Southern Cross" of the Ballarat miners, first hoisted on the old spot, Bakery-hill. The flag is silk, blue ground, with a large silver cross, similar to the one in our southern firmament; no device or arms, but all exceedingly chaste and natural.

Constable John King of Ballarat took possession of the Eureka Flag after the battle which he later describes in his deposition to the 1855 court trials of the Eureka prisoners.²⁵⁷ "they had a flag flying in the stockade; it was a white cross of five stars on a blue ground." King produced the flag in the court during the trial of John Manning.²⁵⁸

John King, examined – I am a policeman, and recollect the taking of the Stockade; I saw the prisoner in the guard tent within the stockade; when I went in prisoner said he was wounded; I brought him out, but cannot say whether he was or was not wounded; there was blood on his thigh; I handed him over to Captain Carter; I

²⁵⁶ Raffaello Carboni, *The Eureka Stockade* (Melbourne: Printed for the author by J.P. Atkinson, 1855).

²⁵⁷ Eureka Stockade:Depositions VPRS 5527/P Unit 2, Item 9.

²⁵⁸ *Geelong Advertiser and Intelligencer*, Wednesday 28 February 1855.

took down the flag produced from the centre of the stockade; it was on a pole, from whence I took it.

The fact that we have the remnants of the flag today bears testimony to the importance of family custodianship of items of historic importance. The flag remained with the King family until 1895 when King's son James presented it on loan to the Ballarat Fine Art Gallery.²⁵⁹ A generation after the Eureka massacre we can find newspaper reports showing a renewed interest in the existence of the Eureka Flag. The Tasmanian newspaper the *Mercury* carries this report in 1877:²⁶⁰

It was stated the other day that the Eureka Stockade flag had been offered to the Government, and that probably the Hon. Peter Lalor would be asked to identify it. There are, however, living in Ballarat at present (according to the *Star*), the two ladies who made the flag that has seen so many stormy scenes, so that should identification be needed, Mr. Lalor can be materially assisted in his task by the ladies in question.

Although Lalor believed the flag was authentic, the Melbourne Public Library to which it had been offered refused to purchase it. Eureka historian Len Fox suggests this refusal "may have been largely because of conservative prejudice against Eureka."²⁶¹

Newspaper interest in the flag is shown again in 1917²⁶² towards the end of World War I and, again, in 1931 in the midst of the depression.²⁶³

Reference to one of Australia's historical incidents is made in a paragraph in the "Bulletin" of January 14, viz., "The Eureka Stockade flag is said to be in the possession of Mr. James King, of "Kingsley," Minyip, whose father, it is averred took it down from the flagstaff on the stockade after the fight. Some small strips were torn from it, but with the exception of some bullet holes it is in good order."

²⁵⁹ <http://www.ballaratreformleague.org.au/eurekaflag.htm>, (accessed 9 December 2013).

²⁶⁰ *Mercury*, 22 September 1877, p. 3.

²⁶¹ Len Fox, *The Eureka Flag*. (Potts Point, NSW: L. Fox, 1992), p.41.

²⁶² *Daily Herald*, [Adelaide] 10 May 1917 p. 6.

²⁶³ *Horsham Times*, 30 January 1931 p. 4.

The true facts of the incident are that the flag was taken down from the flagstaff by Mr. A. J. King's father while the fight was in progress and not afterwards. The flag is the property of the King family and has been loaned to the Ballarat Art Gallery.

Despite the fact that it was only flown twice the Eureka flag has been an abiding symbol of rebellion in Australia. The Eureka oath, a simple statement of solidarity, a determination to stand by one another, resonates with a very similar oath taken by farm labourers in Tolpuddle a generation earlier. Any declaration of solidarity by workers at the time appears to have created a strong reaction from those who wanted to maintain their rule. While their own oath taking may have appeared to them to be “natural” the oaths of those they considered lesser mortals induced in them eruptions of draconian law and terror. The dialogic represented in oaths presents an interesting example of the cultural agency inherent in the assumption of basic rights to fairness, equality, representation, and suffrage. There is an alternative subaltern law-making that occurs through a conscious process of making choices about the way things should be, in preference to accepting the way things are. It is in such contests that cultural compositions such as song, and orally transmitted stories can help explore the philosophical underpinnings of a class in the process of organising. At the time of their composition and dissemination these songs and stories contribute to the imperatives that encourage organisation. I argue that later they become a foundational cultural heritage for study and emulation. The long-standing aim of the labour movement from its genesis has been the civilisation of the industrial workplace. We can perceive this aim expressed in an interesting variety of song and poetry, and embedded and inscribed on the banners and the Eureka Flag.

The State Treason Trials

Among the demands of the Ballarat diggers was the extension of the franchise as envisioned by the Chartists in Britain from the 1830s. As many as a hundred Chartists had been transported to Australia for their part in organising massive demonstrations,

petitions to present to parliament and insurrection.²⁶⁴ Among the most famous of these political prisoners were John Frost a leader of the Welsh Chartists and William Cuffay the black London tailor and Chartist leader mentioned earlier. The case of Frost was actually cited by the Attorney General in the Melbourne trial of the Eureka prisoners in his attempt to convince the jury of the judicial precedence for the charge of high treason that the prisoners faced.²⁶⁵

Agitation sometimes directed its efforts against some tax or charge which was obnoxious to many; but to levy war to obtain the alteration of a law, was high treason. The insurrection by men under the guidance of Frost, against the turnpike imposts on roads was a modern instance of the committal of high treason committed by men under similar circumstances to the present.

The Melbourne jury, however, was not convinced and their “not guilty” verdict was celebrated by the large crowd waiting outside the court, as the *Sydney Morning Herald* report of the trial describes:²⁶⁶

The jury retired, and in twenty-five minutes returned into Court with a verdict of Not Guilty. A buzz of approbation went round the Court: but no sooner was the verdict made known to the large crowd outside than a most vociferous cheer was raised. The cheering was repeated again and again, as the crowd passed down Stephen-street.

The reason for the State Trials being located in Melbourne rather than Ballarat was undoubtedly because the government knew no Ballarat jury would convict the diggers. That the authorities were out of touch with popular sentiment is evident from their insistence on taxing the gold diggers to the extent they did, from pursuing them so ruthlessly for their licences, from refusing to take notice of their petitions or listen to their grievances, to treating them as an ignorant rabble. So it was the authoritarian

²⁶⁴ George Rudé, *Protest and Punishment: The Story of the Social and Political Protesters Transported to Australia, 1788-1868* (Oxford, Clarendon Press, 1978), p. 251.

²⁶⁵ *Sydney Morning Herald* 27 March 1855.

²⁶⁶ *Sydney Morning Herald* 27 March 1855.

arrogance that led to their demand that “high treason” be the prosecution charge, and their refusal to imagine that such a draconian move might result in a diggers’ victory before a Melbourne jury, not once, but twice, as the arrogance of the authorities remained even after the first trial was abandoned and its jury dismissed. In the second trial the prosecution dismissed any potential juror who was Irish, but they fared no better, the new jury again proclaimed “not guilty” and once more the prisoners were carried through the streets by their jubilant supporters waiting outside the court. The moral force of popular sentiment proved powerful indeed. The defeat of the government was palpable and very public, the attempt to capture “Lawlor [sic.] and Black”, two leaders still in hiding was called off along with the reward of £400 for their capture that had been posted by the government on 18 December 1854²⁶⁷. The place of Eureka was from then on assured in the national ethos as a legendary event to celebrate, as a victory grasped by the people of Melbourne after the bloody military defeat of the diggers at Ballarat.

In contrast, the *Sydney Morning Herald* leader writer was dismayed by the failure to convict any of the prisoners and took a law-and-order position blaming the naivety of the citizenry of the newly independent Victoria. The writer is clearly affronted by the decision of the jury:²⁶⁸

when we see treason committed in the boldest and most undisguised way—when war against established authority is openly proclaimed when nothing short of an armed insurrection has taken place—and when the troops of the State are regularly opposed by the insurgents—to find not only a Jury acquitting against evidence, and a mob shouting victory, but a community looking on, half of it with approval, the other half with indifference or a fear which assumes the air of indifference.

The writer warms to his own distant assessment of the events:

We see that in that colony the flag of rebellion may be unfurled—our readers are aware that this is no metaphor; that an insurgent “general” may install himself into

²⁶⁷ Geoffrey Ingleton, *True Patriots All*, (Angus and Robertson, Sydney, 1965), p. 255.

²⁶⁸ *Sydney Morning Herald* 14 March 1855, p. 4.

command; that a sanguinary combat between the QUEEN'S soldiers and the rebels may take place, and the law of the ordinary tribunals is wholly inoperative in bringing to justice those offenders who have escaped the casualties of the battle field. And not only this, there is a cry to "let off" all the untried offenders.

Exasperated, the writer employs in his polemic the feigned concern of the Victorian authorities about the hidden hand of the filibustering American republicans:²⁶⁹

We have before said in these columns that there had been nothing to justify or even excuse the Ballaarat revolt. It was surely the most wanton aggression against authority ever known in any country. The license fee was the mere war cry. If it had not been to hand, some other would have been invented for the occasion. We believe the revolt would have taken place under any circumstances. There were filibustering spirits at work, who wanted to try their hand at a colonial revolution; and see what prizes of power and emolument might reward the vanity and cupidity of those daring enough to embark in such an enterprise.

Nothing of the actual situation on the ground seems to have got through to this *Herald* writer in the three months after the massacre. There is no hint that the diggers should feel burdened by a tax that was about to be abolished, that there could be a valid reason for the popular support for the diggers' cause in Victoria. The dialogic of the class position is laid bare in the language used in this article, like "the most wanton aggression against authority ever known in any country." Such a statement six years after the year of revolutions in Europe in 1848 is hyperbole. Is this an expression of ruling class frustration and fear at the surprising turn of events where the bloody defeat of the diggers at Eureka quickly turned into a victory against the Victorian authorities who had to scramble with a flurry of constitutional reforms in order to be seen to remain with any standing in the colony? Hotham's persistence in continuing with the draconian licence regime may have been influenced by his own military training and a colonial parliament dominated by squatters fearful that their contract-bound cheap labour was now quite prepared to ignore the legal chains and join the rush for gold, in the hope for

²⁶⁹ *Sydney Morning Herald* 14 March 1855, p. 4.

a better life. It was the same reasoning that deprived the diggers of even a small garden or patch of land on which to grow their own food. The first thing local diggers did once Lalor was no longer under threat of arrest was to organise a collection that was sufficient for him to buy a one hundred and sixty acre farm “at Glendaruel. Just 20 miles north-west of the diggings.”²⁷⁰

The convoluted story of the Eureka flag and attempts to authenticate it, the forensic examination of it and the final acceptance of its national importance form part of a history that has preserved and secured it as a vital document for many generations. The survival of the flag from the burning frenzy that destroyed the stockade is itself a remarkable testament to its potency. Although it was trampled on and had pieces torn from it as booty it remained intact and protected long enough for some of its torn pieces to be returned as if the fragments were animated by some Eureka flag magnetism. Stories, songs and poems have kept the flag alive when it was hidden or forgotten.

Eureka Songs and Poems

What can the songs and poems tell us of the event? A pamphlet published on the first anniversary in 1855 contains the words of ‘The Mounted Butchers’. The title itself is an indication of the anonymous poet’s position towards the massacre. There is no hint here of the bravery of the company that stormed the stockade.²⁷¹

There go the “Troopers” that slaughtered our men,
When all fight and resistance were o’er:
They hovered around, like wolves on the plain
That had scented the carnage and gore.

By firing the tents, and cutting men down;
And mangling and maiming the dead
They bravely held up the old British Crown,

²⁷⁰ Peter FitzSimons, *Eureka: The Unfinished Revolution*. (North Sydney, William Heinemann, 2012). p. 582.

²⁷¹ Hugh Anderson and Stephen Hutton, *The Mounted Butchers*. (Hotham Hill: Red Rooster, 2004), p. 8.

That *our* fathers had fought for and bled.

Women and children escaped not their fire,
Or old men that in sadness looked on:
Like demons they rode, and vented their ire,
When the “Red Coats” the skirmish had won.

In a tent, gasping, a wounded man lay;
Had pity been there, it were given;
No pity was there: “Fire the tent,” cried they,
And his soul through the tent went to Heav’n.

Great God! Should such deeds be done in thy name?
And be done in a Christian land?
Should the Crown, by injustice, first fan the flame?
Then by BLOODSHED, the peril withstand.

Hugh Anderson writes that this pamphlet survived “in what may be a unique copy in the National Library of Australia” and cites a note dated from 1957 in which historian Brian Fitzpatrick proposes that the poem is by Raphael Carboni as “an endpiece to his major work”.²⁷² While there is no evidence that Carboni wrote that song he certainly wrote lyrical material about the massacre which he included in his book “The Eureka Stockade”. One was titled ‘Victoria’s Southern Cross’ written to the tune ‘The Standard Bearer’. The second of the three verses describes the rum imbued soldiers’ attack on the stockade, the Eureka flag torn from the flagpole and dragged through the blood of the wounded and dead defending miners:

Blood-hounds were soon let loose, with grog imbued,
And murder stained that Sunday! Sunday morning;
The Southern Cross in digger's gore imbrued,
Was torn away, and left the diggers mourning!

²⁷² Anderson and Hutton, *The Mounted Butchers*.

Eureka has had such impact over the years that it is hard to be sure just how many songs and poems about it exist. In a recent paper folklorist Keith McKenry writes that he has “come across over sixty ballads, poems and songs about, or referring to, Eureka”.²⁷³ One of the earliest examples he gives was published in the *Age* in Melbourne on 30 March 1855:²⁷⁴

The acquittal, on 27 March 1855, of the last of the Stockaders charged with treason was an occasion for popular rejoicing, and the Melbourne *Age* published ‘A Song of Deliverance for the Release of the Ballarat Prisoners’, by a Caroline Eliza Gibbs. The first of her six verses sets the tone:

Hurrah! Hurrah! we shout Hurrah!
Once more again to see them,
Escaped the prison bolt and bar,
To breathe the air of freedom.
Hurrah! Hurrah! both loud and long
Shall be our joyous hailing.
The Right have overcome the Wrong,
The Oppressor’s cause is failing.
God save the People!

A year later, the second anniversary of Eureka was also commemorated in the *Ballarat Times* with the following eulogy and poem. This was republished later in another Ballarat newspaper the *Star* in December 1858 as part of a letter from a stockader under the heading ‘The Eureka Stockade’:²⁷⁵

THE MARTYR'S GRAVE.
(From the Ballarat Times, 3rd Dec., 1856.)

²⁷³ Keith McKenry, 'Eureka: Releasing the Spirit of Democracy', *Journal of Australian Colonial History* vol.10, no.1 (2008), p. 51.

²⁷⁴ McKenry, 'Eureka: Releasing the Spirit of Democracy' pp. 3-4.

²⁷⁵ *Star*, 12 December 1858.

Yes! weep for the martyrs, though lonely and lowly,
The graves where unheeding they slumber to-day,
Nor wake at the grief; or the tears pure and holy,
That fall on their tomb, while in silence we pray.

For the local Ballarat newspapers, at least, the lessons of Eureka are clearly that tyranny can be defeated even when those fighting for freedom are outnumbered.

Yes! weep for the martyrs, who bravely defying
The tyrant, his forces so boldly withstood;
Who surrounded, out-numbered, in Freedom's strife dying,
Our charter of liberty "sealed with their blood."

Yes! weep! but while weeping remember the cause,
They defended to death, as in life they sustained
The right of a people to frame their own laws,
And to trample on those by a tyrant ordained.

One of the assumed rights demanded by the diggers and “defended to death” was the right to vote and consequently “The right of a people to frame their own laws/ And to trample on those by the tyrant ordained”, a reminder that there are essentially two laws operating, in common parlance - one for the rich and one for the poor - and that this situation can be remedied by concerted political action against tyranny.

Though the coward may censure, the traitor deride,
Their memory we'll honor, their doom we'll deplore;
And our children for ages will look back with pride
To the day when their blood was for Freedom outpoured.

On the second anniversary the poet is confident about the way Eureka will be celebrated by future generations, “our children for ages will look back with pride”. In the final verse the flag is remembered too as “the cross they upraised” and the need for vigilance

against the future erosion of rights is stressed, “To resist with our lives each tyrannical claim,/ And as Freemen to live, or as Freemen to die!”

Oh! we swear, by their courage, their fate and their fame,
By the cross they upraised, by the graves where they lie.
To resist with our lives each tyrannical claim,
And as Freemen to live, or as Freemen to die!
ARAKMO.

As we have seen, what happened at Eureka on 3 December 1854 was widely reported in newspapers of the time. It is not difficult to discern the dialogic struggle for the public ear in these reports and the growing ideological gap between the rulers of the day and those they rule. Newspapers, especially local ones, were an important vehicle for vernacular, popular and dissenting opinion as well as the humourless official posturing of the often provocative edicts of the rulers. Under the heading ‘Government by Artillery’ the *Argus* of 28 November 1854 ran a leader that predicted what might be in train.²⁷⁶

It has been the policy of England to challenge agitation among the disaffected as the evidence of their sincerity, and so provoke revolution as a trial of their strength. Can we then wonder that, in accepting the challenge, an exasperated body of men should overleap the constitutional limits of applying the necessary "pressure" and rush headlong into anarchy and rebellion?

The Victorian gold fields were renowned for lavish entertainments and a voracious appetite for newspapers and other reading material. Some of the earliest lyrical material about the diggings was written at the goldfields by William Coxon and Edward Overbury²⁷⁷. Songs also come from the better known goldfields entertainer Charles Thatcher. These compositions were published in songbooks for sale at the time. A number have also been recently discovered in newspapers using the search tools offered

²⁷⁶ *Argus*, 28 November 1854.

²⁷⁷ Hugh Anderson, *Two Goldfields Balladists*, (Hotham Hill, Vic: Red Rooster Press, 1999).

by the National Library of Australia Trove Project²⁷⁸. Some early compositions have entered the oral tradition and were noted or recorded by Australian folklorists a century after they were composed and first performed. Their transmission indicates a generational flow of lyrical material depicting and reflecting on the life and concerns of the nomadic workers and goldfield diggers. The vernacular style and use of language provides us with important cultural and political records of the time. The early public excitement of the discovery of gold can be found in reports published in newspapers of the day. As I stated earlier lyrical material about the goldfields can also be found in the Australian press as early as 1851:²⁷⁹

Hurrah! for the diggins! come join in the cry—
Let us pack up our swag without bother—
With a-well temper'd pick and a cradle, we'll try
Our luck there as well as another.

Hurrah! for the diggins! come shoulder your spade ;
The secret we'll quickly unravel;
I doubt not we'll soon do a rattling trade,
When we're shaking our bowls full of gravel.

Hurrah! for the diggins! come hasten away,
You'll find there, priests, doctors, and lawyers!
Hutkeepers and shepherds, in goodly array,
And seamen, and splitters, and sawyers!

Hurrah! for the diggins! you'll find in the dirt
Some scions of high aristocracy,
Who are digging away in the humble blue shirt
In a mob of the lowest democracy.

A. R.

²⁷⁸ <http://trove.nla.gov.au/newspaper?q=>, (accessed 8 July 2013).

²⁷⁹ *Argus*, 9 June 1851, p. 4.

This selection of stanzas eagerly encourages people to take up the requisite tools, spades, pick axe and cradle, and join others in the search for gold. At “the diggings” we find all trades and callings, all classes of society, who don the “humble blue shirt” and enter the ranks of the “mob of the lowest democracy.” It was ultimately the lack of democratic rights and the unstoppable demand for them that created a political upheaval. On the goldfields all men are considered equal. The hutkeepers, shepherds, seamen, splitters and sawyers, along with priests doctors and lawyers, were largely at the diggings, having left ship and station, to look for gold and perhaps offer some carpentry, legal advice and medical assistance as a sideline in the growing goldrush towns. Paying the onerous gold tax in advance of finding any gold was an imposition too hard for most to accept for long.

Early in February 1853 the following song titled ‘The Foreign Digger’s Song’ was published in the Sydney newspaper the *Empire*.²⁸⁰

Though Wentworth may bluster, and Thomson look glum,
I care not for either one crack of my thumb;
But this I can tell them, their new license fee
Will never be paid, though an alien, by me,
In peace I arrived, and in peace I'll depart,
Should the land I have sought be no home of my heart.
But here while I'm one of a stout-hearted throng,
I'll submit to privations, but never to wrong.

How vain thus to plead in Australia's cause;
She attracts by her wealth, and repels by her laws.
"Come, come!" cries her gold, and lo! what a host!
"Off, off" say her laws, "from this tyrannous coast."
Her rulers are rocks which some tempest-toss'd tide,
That baulks as it rises, submerging, may hide;
For her men of the mines are deeply imbued

²⁸⁰ *Empire*, 12 February 1853 p. 3.

With the spirit of freedom, can ne'er be subdued!

In this land of high hopes, where such fortunes are made,
By the diligent use of the pick and the spade,
To till their own acres poor men may aspire,
And reap the full sheaf of each honest desire;
Then heaven speed the cause of the gullies and glens,
And all who can aid, with their speeches or pens;
The battle of Labour had ne'er such a field,
Since tyrants were taught by the masses to yield.
G.

Bathurst, February 7, 1853.

This song describes the attitudes prevalent among the diggers. It focuses on the unfairness of the license fee and the resolve not to pay it. "I'll submit to privations but never to wrong" could be a line from the Tolpuddle leader Loveless, or any of the Chartists both transported and immigrant. It could equally be from the locally born as well as from the "foreign." It speaks of solidarity among the diggers and the strength that imbues: "I'm one of the stout-hearted throng" and "For her men of the mines are deeply imbued / With the spirit of freedom, can ne'er be subdued!" The song also raises the question of exploitation and the desire of the miners to escape from it by accumulating enough to buy land which may finally enable them "to reap the full sheaf of each honest desire." The requirement is to unite in "the battle of Labour", to make their demands known with the help of "speeches and pens" and use the window of opportunity presented in the decline of oligarchic hegemony in which mass action may civilise the nation following the example of the 1848 revolutions in Europe where "tyrants were taught by the masses to yield".

The historian Manning Clark writes of William Wentworth and Deas Thomson mentioned in the poem:²⁸¹

²⁸¹ Manning Clark, *Manning Clark's History of Australia: Abridged from the Six-Volume Classic*, (Melbourne: Melbourne University Press, 1997), pp. 241-242.

By December 1853 all agreed that there should be two houses of Parliament. All agreed that the lower house should be wholly elective. The one contentious issue was still the composition and powers of the upper house. By then Wentworth was prepared to drop the proposal for a hereditary order of colonial nobility, provided the upper house was nominated by the Governor. ... Having won that part of the battle for conservative principles Wentworth and Deas Thomson were chosen to act as watchdogs in London when the bill was introduced into the Imperial Parliament. While they were packing their bags Henry Parkes was telling the readers of the *Empire* that they must persuade Whitehall not to perpetuate squatting because that was the prime cause of barbarism in the Australian bush.

Writing in the *Sydney Morning Herald* on the centenary of the popular revolt over Wentworth's attempts to create an Australian aristocracy Rawling observes:²⁸²

Organised opposition arose at once. To carry on the fight a public meeting at the Royal Hotel on August 3 appointed a Constitution Committee among whose members were 14 who were later to be elected to Parliament, including two who were to become Premiers: Henry Parkes and Charles Cowper. Anti-constitution meetings were held throughout the colony, Bathurst showing the way.

Bathurst NSW is also the town where the song above was composed and posted to the *Empire*. Rawling writes of the dramatic impact of a speech made by the twenty-five year old Daniel Henry Deniehy who ridicules Wentworth's proposals with the phrase "bunyip aristocracy". A public meeting had been called for "Monday, August 15, at 1 p.m., in the Royal Victoria Theatre" by the Constitution Committee, whose chairman was Wentworth, and Deniehy was "placed in that position to make way for the big men":

He started uncertainly and there were cries for him to speak up. But soon he had his audience listening intently, as, carefully and methodically, and with great eloquence, he analysed the proposed constitution. Then he came to the proposed

²⁸² *Sydney Morning Herald*, 17 October 1953, p. 9.

"House of Lords." His scathing comments on Wentworth and other "pigmies" who sought to establish a bunyip aristocracy won gusts of laughter, and, finally, a tremendous outburst of enthusiasm. As he sat down, cheer after cheer rang through the theatre. "The audience," ... "felt unable sufficiently to exhibit their admiration of the powerful spirit that has given such a brilliant exposition of the intense feelings which had brought them together."

Deniehy's two words, bunyip democracy, quickly spread through the colony – an example of the power of Bakhtin's "guffaw from below". The words stuck to Wentworth as the words "Little Digger" or "Win-the-War" would later stick to Prime Minister William Hughes and later still the words "Pig Iron Bob" would stick to Attorney General Robert Menzies.

Accounts of the growing independence and organisation of the gold diggers include another interesting poem 'The Man Hunt (The Song of the Gold Commissioners)' published in the *Goulburn Herald* on 12 March 1853 and later reprinted in the *Argus* on 1 April 1853. The song gleefully describes British soldiers chasing a miner for not carrying his license. Initially, the song presents the military point of view as the troops dash after the man, excited by the chase, performing their tax collecting duty with pistols at the ready:²⁸³

Hurrah! hurrah! He's started,
Now mount, men, and away;
With pistols cock'd and loaded,
We'll pounce upon our prey.

We'll seek within the tunnel,
And we'll search behind the mound;
For no unlicensed footstep
May tread the sacred ground.

²⁸³ *Goulburn Herald*, 12 March, 1853.

The triumphal tone is maintained to the fifth verse:

Bring forth, bring forth the handcuffs,
Tho' his trembling lip be pale;
And we'll march him like a felon,
In triumph to the gaol.

He may pine within the prison
For the term the law hath said,
And his wife and little children
May starve or beg their bread.

In the sixth verse, the tone dramatically changes from the thrill of the chase to concern about what may happen to the reputation of the hunters, dialogically undercutting the perception set up earlier, that it is sympathetic to the mounted troopers.

Oh! the tale will reach Old England,
And will she glory then,
When she hears how British soldiers
Go hunting British men?

Oh never! she will rather
Place shame's eternal brand
On every man who lent his voice
To curse this golden land.

Following the verses is a defensive comment from the editor of the *Goulburn Herald*:
“We do not hold ourselves responsible for the sentiments or opinions of Correspondents.” The change of tone anticipates the events at Eureka eight months later, where the initial military victory soon turned to political ignominy and defeat. The poem, lain dormant for so long, illustrates the complex problems associated with using military force to enforce unfair taxes. This work is a recent discovery made possible by the digitisation of Australian newspapers.

The same issue of the *Argus* carries a column from the gold fields titled ‘Scraps from the Ovens’ reporting a struggle between the diggers and the Chief Commissioner of the gold fields. The report is very scathing of the Commissioner and his assistant Mr. Clow who has been insisting that the diggers must attend a meeting without their chosen representative Dr. Owens.²⁸⁴

At this moment some parties espied Dr. Owens riding past (by mere accident) at a short distance from the spot; a cry was raised for him, and he rode up and confronted Mr. Clow, evidently to that gentleman's surprise if not annoyance ... Mr. Clow advanced several assertions which he was unable to substantiate; for instance, he threw out insinuations that Dr. Owens was not a duly appointed representative of the diggers. A digger here came forward, and in plain but forcible language stated that he had attended both the meetings that had been held; that he was one of a large meeting held in the Circus, who unanimously appointed Dr. Owens to the office, and that he quite approved of his conduct.

The song on one page and the report on another tell essentially the same story of a society where the ruling elite has only the remotest comprehension of, or real interest in, those they supposedly govern. In this case the Assistant Gold Commissioner's claim that Owens was not “duly appointed” suggests that the authorities, unhampered with democratic principles, expected to make that appointment themselves. The digger's response that a mass meeting had “unanimously appointed Dr. Owens to the office” suggests a diametrically opposed view: a popular understanding of appointment, election, and the nature of what democracy should be. Cross-referencing, reading between the lines and understanding that this material was published eighteen months before the Eureka massacre, adds to our own comprehension of a developing situation. It was a time when the old colonial model of patronage and constitutional control from England was being challenged by the local demand for democratic rights, and the placement of these two texts in the newspaper both reflects and broadcasts this dialogic tension. Dr. Owens, the diggers' chosen representative, came to play an important

²⁸⁴ *Argus*, 1 April 1853.

public role in Melbourne three days after the 3 December 1854 Eureka massacre at a huge open-air meeting in Melbourne, a meeting that passed resolutions in support of the diggers. According to the *Age*, Owens declared “This is a great day for the colony, the beginning of its history, this great meeting of the people to assert their rights and lay bare their injured feelings to the Government”.²⁸⁵ Owens appears to echo the *Ballarat Times* opinion cited above that these events “will be recorded in the deathless and indelible pages of history”.

A month before the storming of the stockade the *Ballarat Times* published ‘On Joining the Mounted Troopers’. This poem takes the form of a dialogue in which Jack, an “honest British sailor”, is considering joining the “mounted traps” and is scathingly persuaded not to by his mate Bill.²⁸⁶

“Do I hear alright!” his mate exclaimed,
A trooper did you say,
For license hunting yet be famed,
To earn eight *bob* a day?
What! wear a suit of rough dark blue,
And cap with broad white band,
Parading with a motley crew,
The men of truncheon hand, –

Saluting nobs too proud to speak,
Because they wear gold-lace
Around the bright protruding peak,
Which covers half their face.
Oh! Jack, it surely would disgrace
An honest British sailor,
To march in file at steady pace,
Behind Lieutenant Taylor.

²⁸⁵ *Age*, 7 December 1854.

²⁸⁶ Anderson and Hutton, *The Mounted Butchers*, p. 10.

The sailor accedes to his mate's unanswerable mocking logic

Beneath the sod on which we lie,
Are vast though hidden riches,—
Then take my word I'd rather die,
Than wear the white striped breeches,
The notion did my mind possess;
But now, of course, I'll scout it,
'Twas wicked I at once confess,
There's no two ways about it.

Independence in the face of corrupt and overbearing authority is often seen as an enduring legacy of the well-organised Eureka diggers. They held “Monster Meetings” in Ballarat, debating, moving and passing resolutions, to consolidate and advance their cause. They designed and made the Eureka flag and with the phrase “We swear by the Southern Cross to stand truly by each other and fight to defend our rights and liberties” launched the Eureka oath. They elected their leaders and delegates, wrote petitions and stood firm in the face of defeat, all signs of strong local democratic organisation. The miners' demand for the right to vote echoed the Chartist demands in Britain that were a focus of working class campaigns from their formulation in the Peoples Charter of 1836. In Eureka the authorities refused all attempts at negotiation, and devised a strategy of intimidation and attempted to gull with public smear and slander. In the event the authorities completely misjudged the times and their bloody over-reaction helped ensure that many of the diggers' demands for civil and democratic rights were met in Victoria generations before they were in Britain. Historian Marian Sawer describes the importance of the secret ballot as pioneered in Victoria in 1856:²⁸⁷

It is not only the right to vote, but the freedom to vote without intimidation or corruption, that is such a significant, though often forgotten part of our political history.

²⁸⁷ Marian Sawer, *Elections: Full, Free & Fair*, (Annandale, NSW: Federation Press, 2001), p. 4.

For the 150th anniversary of Eureka in 2004, folklorist and historian Hugh Anderson published a small booklet of Eureka poems and songs that were published in the newspapers of the time.²⁸⁸ As far as we know it was not until the radical 1890s that a new era of lyrical composition commemorating Eureka began.

Eureka's enduring significance, I argue is evidenced in the range of lyrical works created from the event onwards. Between 1889 and 1911 Henry Lawson wrote five poems invoking the Eureka rebellion and the Eureka flag. Through the remainder of the twentieth century till now many poets and songwriters wrote celebrations of the rebellion and its flag. They include Victor Daly, Francis Adams, Marie Pitt, Mary Gilmour, Jock Graham, Bartlett Adamson, Helen Palmer, Kenneth Cook, Bob Bolton, Shane Howard, Louis McManus, Alistair Hulett, John Munro, Phyl Lobl and Kavisha Mazzella.²⁸⁹ Lawson's 1889 *Eureka* commemorates the death of the diggers' famous leader, Peter Lalor, that year. The last three verses sum up Lawson's thoughts about the legacy of Eureka:²⁹⁰

The sight of murdered heroes is to hero-hearts a goad,
A thousand men are up in arms upon the Creswick road,
And wildest rumours in the air are flying up and down,
'Tis said the men of Ballarat will march on Melbourne town.

But not in vain those diggers died. Their comrades may rejoice,
For o'er the voice of tyranny is heard the people's voice;
It says: "Reform your rotten law, the diggers' wrongs make right,
Or else with them, our brothers now, we'll gather to the fight."

'Twas of such stuff the men were made who saw our nation born,
And such as Lalor were the men who led the vanguard on;
And like such men may we be found, with leaders such as they,
In the roll-up of Australians on our darkest, grandest day!

²⁸⁸ Anderson and Hutton, *The Mounted Butchers*.

²⁸⁹ <http://eurekasydney.com/songs.html>, (accessed 14 July 2011).

²⁹⁰ Chris Kempster, *The Songs of Henry Lawson*, (Ringwood, Vic: Viking O'Neil, 1989), p. 32.

In 1911, in his poem 'Australia's Forgotten Flag' Lawson tells us of the vital financial support that Australian workers gave, collected and donated £24,000 to aid the London dockers in their most famous strike in 1889, when a mass demonstration through London by the striking workers paid tribute to the critical Australian support and showed their determination to establish a strong union and demanded a minimum wage of sixpence an hour that became known as the 'dockers' tanner'.²⁹¹

When the London strikers starved,
While old England's roast was carved,
And our loaf with them was halved,
Then they bore our flag through
London wreathed in flowers,
Wreathed in flowers,
Wreathed in flowers,
In the dreary streets of London, brightest spot in those dark hours.

Lawson reflects on the lean times for Australian workers and again invokes Eureka as a vital symbol of hope:

We're divided - we are curst,
By the paltriest and worst,
Parties striving to be first.
But the shots from far Eureka echo yet,
Echo yet, - Echo yet.
And they rattle round my window in the wet.

Lawson also dreams of the role of the flag in future years:

Flag and banner of my dreams!
The time is not as it seems,

²⁹¹ <http://www.eurekasydney.com/eureka22.html>, (accessed 8 July, 2013).

And the tide of freedom streams
With the spirit of the people over all.
We shall raise the bright flag yet,
Ne'er to falter or forget,
And 'twill go through many battles ne'er to fall.

The earliest eyewitness description of the design of the Eureka flag can be found in a report in the *Argus* in 1854 concerning the Bakery Hill meeting where it was first flown.

The following remarkable scene at the inauguration of the "Australian flag," and the organisation of the first "rebel army" in these colonies, was narrated to me by an intelligent gentleman who was an eye-witness of the greater part of the proceedings. ... The gentleman alluded to observing a large crowd of men collected on the Bakery Hill on Thursday last [29 November 1854], rode up to see what was going on. On arriving there he found a tall flagstaff erected, on which was floating a blue flag with a white cross upon it. In each corner of the cross and in its centre, was a blue star—the five stars representing, he was informed, the five Australian colonies.²⁹²

For many years the authenticity of the remnants of the flag donated to the Ballarat Art Gallery, as mentioned above, were disputed. Len Fox, who wrote and illustrated a book dealing with the flag in 1963,²⁹³ was convinced of the flag's provenance although it was not until 1996 that the discovery of a painting from the time of Eureka provided final proof of its authenticity. In a paper about Fox in 2004, Eureka historian Bob Walsh writes:²⁹⁴

In August 1996 a Christies auction in Melbourne offered the sketchbook of a Charles Doudiet: watercolours painted on the Australian goldfields in the mid-1850s. By a strange coincidence, this 22-year old Doudiet, a French Canadian

²⁹² *Argus*, 5 December 1854.

²⁹³ Fox, *The Strange Story of the Eureka Flag*. (Darlinghurst, NSW: L. Fox, 1963).

²⁹⁴ R. D. Walshe, 'Tribute: He Found and Raised Eureka's Trampled Flag: A Tribute to Len Fox', *Labour History*, No. 86 (May, 2004), p. 200

artist-digger, had been prospecting at Ballarat in 1854: strange, equally, that there he befriended another digger, 'Charlie' Ross, who was not only one of the half-dozen leaders elected by the diggers but is generally credited with having created the unique design of this Southern Cross flag and given it to the women to turn into the flag that he hoisted above Bakery Hill. And when 'Captain' Ross, as the diggers called him, was severely wounded when the soldiers attacked the Stockade before dawn on Sunday morning of the 3 December 1854, it was Doudiet who took Ross to a hotel to nurse him, but Ross dies, one of about 30 diggers who were killed.

Doudiet's collection of his documentary sketches and paintings of Eureka went with him to Canada and was discovered by his descendants one hundred and forty years later. Apart from documenting the Bakery Hill meeting and the design of the flag that fits the *Argus* eye witness description above and the remnants hidden away in Ballarat, Doudiet had also recorded the diggers' oath of allegiance beneath his sketch: "We swear by the Southern Cross to stand truly by each other and fight to defend our rights and liberties." Doudiet's auctioned sketchbook also contained his 'Eureka slaughter 3rd December', and the fire consuming James Bentley's hotel after the brutal murder of the digger James Scobie.²⁹⁵ The artist titled this painting "Eureka Riot 17 October".

In her website essay 'Contesting The Flag: the mixed messages of the Eureka Flag' Eureka historian Anne Beggs Sunter writes:²⁹⁶

At the Eureka treason trials in 1855, the flag was the most important piece of Crown evidence for the charge that the diggers 'maliciously and traitorously did raise upon a pole a certain flag as a standard and collect round the said standard and did then solemnly swear to defend each other with the intention of levying war against our said Lady the Queen.

²⁹⁵ 7 October 1854, Bentley was involved in the death. At his initial trial he was shielded by his friends, including the magistrate, a breach of justice which led to the mass protest by the Ballarat diggers outside his hotel on 17 October.

²⁹⁶ <http://www.ballaratreformleague.org.au/eurekaflag.htm>, (accessed 4 May 2011).

The treason charge of ‘levying war against the Queen’ had been very successfully used in London’s Old Bailey trial of the Chartists in 1848, a trial that led to the transportation to Van Diemen’s Land of the black London tailor, union leader and Chartist organiser, William Cuffay and others in 1849. The charge coupled with the same strategy of police spies as prosecution witnesses, proved to be a complete failure in Melbourne less than six years later. Was it another coincidence that the prosecution in each case chose black prisoners, specially targeted as “outsiders” to be tried first? As we have seen those insisting on a treason trial for the Eureka diggers went to great lengths to spread the story in the newspapers that the rebels were foreigners and anarchists.

Two recurring themes in over a century of verse dealing with Eureka are the arrogance and denial of assumed rights by the authorities, from the Lieutenant Governor, the Gold Commissioners, the Red Coated soldiers and the Troopers or Mounted Police on the one hand and the steadfast refusal of the diggers to accept this behaviour on the other.

“Liberty or Death”, the catch cry against oppression in Ireland resonated elsewhere where basic rights were at stake. In Eureka the slogan of the American Revolution, “No Taxation Without Representation” resonated enough to convince Commissioner Robert Rede that the American diggers were organising the revolt. It did not take the diggers long to work out that they were by far the most highly taxed group in the colony, if not the Empire, yet somehow deemed unfit for any rights of representation within the political system. Rede “had written to Chief Commissioner Wright on 27 November suggesting it was time to teach the diggers a lesson”.²⁹⁷

Until the calculated provocation by the Government with the most aggressive “digger hunt” ever conducted by military and police, on 30 November 1854, the diggers and their leaders had believed in the efficacy of “moral force,” a position they had held in the gold fields during three years of protest. Following the 30 November display of force against the diggers, Rede wrote that he wished to “crush the democratic agitation at one blow which can only be done if we find them with arms in their hands and acting in direct opposition to the laws”²⁹⁸. As the final lines of ‘The Mounted Troopers’ cited

²⁹⁷ Hugh Anderson (ed), *Eureka: Victorian Parliamentary Papers Voted and Proceedings 1854 - 1867* (Melbourne, Red Rooster Press, 1999), p. xix.

²⁹⁸ Anderson, *Eureka*, p. xix.

above has it “Should the Crown, by injustice, first fan the flame? /Then by BLOODSHED, the peril withstand.”

The oath that the diggers pledged together “to defend our rights and liberties” under the flag of their own design was redolent with symbolic and historic meaning. Such oaths had led to transportation in chains to exile in the colony of Irish rebels or early trade unionists in Britain. The Victorian authorities saw the oath and the “republican flag” at Eureka as acts of sedition that had to be dramatically crushed in a public spectacle. This determination resulted in the prosecutors laying the most draconian charge they could find, the “hanging, drawing and quartering” offence of levying war against the Queen. In the event, however, it was this charge that ensured the prosecution would so dramatically fail, as it was a charge two different juries in Melbourne would not support.²⁹⁹

The rebellion could not be restricted to a smashed stockade on an acre of a Ballarat goldfield, though that was what the Governor had intended; instead, it spread immediately across a Victoria grown resentful of imposed Government – a popular movement that expressed itself through excited radical meetings in Melbourne, Geelong, Ballarat, Bendigo, Castlemaine and other centres.

Shearers and Eureka

The 1891 shearers’ strike faced a hostile invocation of a law “that’s made for times like these” as the historian, Helen Palmer, puts it in her later commemoration of the event.³⁰⁰ In this case it was the long out-dated conspiracy statute under which 25 shearers were charged and 11 were sent to gaol, in the old penal station on St Helena in Brisbane’s Moreton Bay. The conspiracy law used in the case dated from King George IV (on the throne 1820 -1830) and while substantially revised in England had remained in its more draconian form on the books in Queensland. The prosecution lawyer Mr. Power argued that although “The counts that he had just read had been framed on a statute of 6 George

²⁹⁹ Robert Walshe, *Great Australian goldrush & Eureka stockade* (Sydney: Literary Productions, 2004), p. 53.

³⁰⁰ From “The Ballad of 1891”, composed by Helen Palmer in 1951.

IV. c. 129 s. 3. It was a very short one; and it was in force in this colony, though not in England”. He also argued that the updated law in England was much the same as the old one and when the defence lawyer Mr. Lilley objected to this interpretation replied “Whether that was so or not, it was the law in this country, and it seemed to him to be a very proper statute in a free country.”³⁰¹ Again we see the operation of deliberate “injustice within the law” to enforce political requirements. Given the lengths to which the state went to crush the shearers’ strike, acting as if it were an arm of the “Squattocracy” and other employers, it is not surprising that the shearers in their defense invoked the spirit of Eureka.³⁰²

[T]he government quickly intervened in the name of law and order. Military – complete with artillery and machine guns – and armed police were sent to the troubled districts, special constables were recruited to protect free labourers, and special trains transported them. More than 150 strikers were arrested, including 25 charged with conspiracy; 11 of the latter were convicted and imprisoned to three years ... when the union funds exhausted, the struggle was called off on 10 June 1891.

A contemporaneous song, ‘The Ballot is the Thing’, satirises the legal and military machinations against the shearers. It was written by bookseller and stationer William Kidston, founder of the Workers Political Association and later Premier of Queensland, to the popular Irish tune ‘The Wearing of the Green’³⁰³

Oh comrades dear, and did you hear the news that’s going round
 The shearer is by law forbid to camp on camping ground
 Unto the chain-gang’s clank again Australian woods shall ring
 For they have found a law was made when George the Fourth was king
 It makes the squatters sing, oh, it makes the squatters sing
 This vile old law that once was law when George the Fourth was king

³⁰¹ *The Morning Bulletin*, 4 May 1891.

³⁰² Bradley Bowden, *Work and Strife in Paradise: The History of Labour Relations in Queensland 1859-2009*, (Annandale, N.S.W.: Federation Press, 2009), p. 186.

³⁰³ Colleen Burke and Wood, Vincent, *The Turning Wave: Poems and Songs of Irish Australia*, (Armidale, NSW, Kardoorair Press, 2001), p. 98.

The song links the shearers' position to the convict past with its "chain-gang's clank" and cautions the shearers to keep their powder dry and place their faith in the electoral process. Perhaps Kidson had an eye on his future political trajectory:

Then keep your heads, I say, my boys, your comrades in the town
Will help you yet to win a vote and put your tyrants down
Throw your old guns aside, my boys, the ballot is the thing
They did not have to reckon with when George the Fourth was king
The ballot is the thing, my boys, the ballot is the thing
We'll show those men how long it is since George the Fourth was king

During the strike Kidston, although a member of the local militia, refused to join the anti-strike special constables and was court-martialled for his support for the shearers. In 1896 he was elected the Labor candidate for Rockhampton, and his long political career began.

Another contemporaneous shearer's verse, 'Clancy's Prayer', author not known, captures in a more vernacular way the set-back the movement felt in the defeat of the strike that promised so much. In 1956 a recitation of the prayer by Jim Gibbons was recorded by folk song collector John Meredith. Meredith had set up his tape recorder in the parlour of the Centennial Hotel in Gulgong where the licensee was Gibbons' nephew.³⁰⁴

Whilst on the track, away out back,
A night I camped with Clancy,
While going to bed, his prayers he said,
But this one took my fancy.

O Lord, said he, I pray to thee,
While misery round us rages,

³⁰⁴ John Meredith and Hugh Anderson, *Folk Songs of Australia and the Men and Women who sang them* (North Sydney, Ure Smith Pty Ltd, 1967), pp. 254-255.

May bad luck fall, on one and all
Who tries to cut down wages.

May conscience sting old Whitley King,
And frown him to damnation,
May all white wings drink deep their wants
In misery and starvation.

May Unions strong right every wrong,
That the worker feels today,
May contentment shine, on this fair clime,
O Lord, I humbly pray.

Injustice Within the Law

What the poems and songs suggest is that Eureka, its flag and oath, offer recurring themes promulgated by organised workers in Australia. The desire and determination to defend “our rights and liberties” can be seen as critical in many struggles. Rights and liberties gained in one struggle are seldom permanent, even the basic “right to organise” and “right to strike” dwell in a legal limbo reflecting the state of the contention between labour and capital. Lawyer and later leader of the Labor Party, Herbert Vere “Doc” Evatt argues in his 1937 book that there exists “injustice within the law” in his analysis of the 1834 Tolpuddle Martyrs’ trial.³⁰⁵

The Dorchester case illustrates the fact that oppression and cruelty do not always fail. Indeed, sometimes they succeed beyond the hopes of the oppressors. Unless trades unionists throughout the world are always ready to sacrifice their personal interests, their safety, or even their lives for the amelioration of the lot of the poor, their elaborate organisation may perish overnight either in a holocaust of terror and force or in the slower process of legal repression.

³⁰⁵ H. V. Evatt, *Injustice Within the Law: A Study of the Case of the Dorsetshire Labourers*, (Sydney: Law Book Co. of Australasia, 1937), p. 71.

Imprisoning and penalising organised workers for striking is as much an issue today as it was in earlier periods in Australia. The labour movement heroes include men and women who have been wrongfully incarcerated under instances of injustice within the law, the temptation of the powerful to make examples of their victims in a public display to deter others.

The theme of draconian legislation and its use against organised workers features in many union struggles in Australia, but is seldom without resistance. Towards the end of the depression in 1938 the Kembla Branch of the Waterside Workers' Federation voted to refuse to load pig iron from the local BHP foundry. The wharfies had discovered that the English freighter the *Dalfram* was taking the pig-iron to Japan. Their refusal to load the ship was a protest against the recent Japanese invasion of China and takeover of Manchuria. Again, "the call of Eureka" is invoked when in July 1939 the Tasmanian poet Bartlett Adamson wrote 'The Oath of Eureka' a poem in support of the wharfies and seamen.³⁰⁶

The workers of Kembla, those leaders of men,
Those leaders in deed as in thought,
They challenged the might of the pound and the yen,
And there at the "Dalfram" they fought
The cause of the Chinese distraught,
And still marching onward,
With gaze lifted sunward,
The call of Eureka is caught.
Democracy thrills to that message of yore.
The vow of Eureka has echoed once more.

Here again we can sense the multi-faceted nature of the invocation of Eureka, a rebellion that had involved diggers from "20 nations", by militant Australian workers. The 1938 protest against Japanese imperial invasion and attempted colonisation of

³⁰⁶ Bartlett Adamson, *Comrades All: And Other Poems for the People* (Sydney: Current Book Distributors, 1945), p. 16.

China was an international one, and the wharfies in Port Kembla gained solid support, locally, nationally and internationally. The poem continues:

Eureka the Flag! By that symbol they swear
Unswerving to stand to the fight.
And sworn to the faith of Eureka, they dare
To march in their militant might,
To battle for freedom and right,
To vanquish each traitor,
Each Fascist dictator,
Each monster of death and of night.
The workers now march like those freemen of yore.
They take the firm oath of Eureka once more.

The secretary of the Kembla Branch, Ted Roach told his biographer, the poet Denis Kevans, that he had used the Eureka Oath at marches and rallies during the dispute. And that it “went over big, a big lift, it was very lifting.”³⁰⁷

The Federal Attorney General at the time was Robert Menzies who seized the opportunity to gazette *The Transport Workers Act* enabling the sacking of the wharfies in order to break their boycott and bring in non-union labour issued with a special licence. The wharfies had long renamed this anti-union legislation “The Dog Collar Act”, because like a dog licence at the time it cost one pound and because it was designed to take control of the union out of the hands of the members. Roach organised that one licence be purchased which he publicly burnt at a demonstration outside Customs House. The public licence burning was a deliberate tribute to Eureka, a re-enactment of the miners’ burning their licences in 1854. Adamson’s poem continues:

The workers have trampled the counsels of gloom,
Of cowardly leaders that quake.
This register card is a ticket of doom.

³⁰⁷ <http://unionsong.com/u651.html>, (accessed 9 July 2013).

Then spurn it and burn it and break
Each move that the tyrannies make.
The workers have risen,
And heedless of prison,
And bidding democracy wake,
They march man to man with those great men of yore.
They swear the great vow of Eureka once more.

When he published his poem in a collection six years later Adamson commented:³⁰⁸

Written in July 1939, when the Menzies Government tried to introduce a National Register in Australia and when Chamberlain was still in power in Britain. Workers throughout the Commonwealth, knowing well that Menzies, like Chamberlain, aimed primarily at repression of the workers, rightly opposed the Register. At Port Kembla, where wharf-laborers shortly before had gone on strike rather than load the "Dalfram" with scrap-iron for Japan, the workers publicly burned their Register Cards and took the Oath of Eureka: "We swear by the Southern Cross to stand truly by each other and fight to defend our rights and liberties." The Register was a fiasco.

January 1939 saw the publication of Betty Roland's short play about the Dalfram dispute, "Workers – Beware!". The play was published by the *Communist Review* and has recently been reprinted in the labour history journal *Illawarra Unity*.³⁰⁹

In one scene the ship's owner asks a waterside worker why he refuses to load the ship destined for Japan. He is given this response: "Because they're war materials. I'm not going to help those lousy Japs make war on innocent women and children."

³⁰⁸ Bartlett Adamson, *Comrades All*, p. 16.

³⁰⁹ Roland, Betty, "Workers - Beware!" [Play], *Illawarra Unity - Journal of the Illawarra Branch of the Australian Society for the Study of Labour History*, vol. 8, no.1, (2008), pp. 80-85.

Historian Greg Mallory points out that the support for the wharfies came from a broad section of the community with donations of money, food and public commentary - “Labor Party”, “Communist Party”, “Council of Civil Liberties”, “religious organisations” and “Sir Isaac Isaacs, the former Governor General”.³¹⁰ The 2007 victory of the Australian Labor Party over the Howard federal government was to a large degree an indication that laws designed to make union action illegal and severely diminish workers’ rights to organise can still awaken a robust political response, much to the surprise of the incumbent government beholden to corporate interests and a cash hungry media industry dependent on corporate advertising. In its efforts to hold on to power the Howard government for a time became the biggest advertiser in this cosy arrangement.

Part of the legacy of the Howard years was the extraordinary special court set up to deal with organised workers in the construction industry. The Australian Building and Construction Commission (ABCC) was immediately condemned by the International Labour Organisation (ILO), to which Australia has long been a signatory. The court was endowed with draconian powers; no one called for interrogation has the right to silence; interrogations are secret; it is illegal to discuss your case with family or friends and you may not be able to choose your own lawyer. Maybe it is a coincidence but the unions targeted by the ABCC have for the last forty years adopted the Eureka flag as their symbol. They are the unions involved with construction, the building workers, the plumbers, the electricians, the miners and the maritime workers. Evatt’s phrase “injustice within the law” and his warning to unions about the threat to their rights has special resonance in the birth and life of this court. It was devised to disempower the construction industry unions at the behest of the construction industry conglomerates. The ABCC began operations in October 2005 and was abolished by the Gillard coalition government in March 2012. With the defeat of Labor in the Federal election of 7 September 2013 a Royal Commission into trade unions has been set up and a resurrection of the ABCC is expected to be one of the results of its deliberations³¹¹.

³¹⁰ Greg Mallory, *Uncharted Waters: Social Responsibility in Australian Trade Unions*, (Annerley, Qld.: Greg Mallory, 2005), p. 42.

³¹¹ *Sydney Morning Herald*, 9 February 2014.

It is interesting that in this context in 2004, the 150th anniversary of the Eureka rebellion, the Eureka Flag flew over every parliament in Australia except for the Federal Parliament because of the influence of Howard, Howard's personal antipathy to flying the rebel flag was trumped with great symbolism by the ACT Government lining the avenues leading to Parliament with hundreds of Eureka flags.³¹²

Prime Minister John Howard has refused to fly the Eureka flag for the 150th anniversary of the storming of the rebel miners' stockade and is snubbing ceremonies to mark the occasion. Even though every state and territory Parliament and hundreds of town halls will fly the Eureka flag for the anniversary on Friday, Mr Howard won't allow the flag to be flown in the national Parliament ... Mr Howard won't be able to escape the Eureka flag this week as the ACT Government is flying more than 200 flags around Canberra, including along the avenues leading to Federal Parliament. "This flag has a strength and pride which reflects those very same characteristics of our people," said ACT Chief Minister Jon Stanhope.

As the *Sun-Herald* article above suggests, there is a connection between the flag and national identity, a connection that Howard, in his desire to preserve official hegemonic symbols refused to accept or celebrate.

For May Day 1891, the year of the shearers' strike and the first May Day march in Australia, Henry Lawson wrote 'Freedom on the Wallaby'. The final verse reads:³¹³

So we must fly a rebel flag as others did before us
And we must sing a rebel song and join in rebel chorus
We'll make the tyrants feel the sting of those that they would throttle
They needn't say the fault is ours if blood should stain the wattle

The "rebel flag" of course is the Eureka flag; the imperative for a continuity of resistance is foregrounded in the phrase "as others did before us". This was how the

³¹² "After 150 years, Eureka flag still stirs rebellion", *Sun Herald*, 28 November 2004.

³¹³ *Worker*, 16 May 1891, p. 8.

attitude of the shearers at Barcaldine in Queensland, with their Monster Meetings and their willingness to defend their wages and organisation by force if necessary in 1891, was expressed in song and poem at the time and remembered in song and poem sixty years on. Today Lawson's poem, set to music and with the final verse as chorus, is still sung by union choirs around Australia.

Eureka Songs - Cold War and Beyond

In 1950 the historian and teacher Helen Palmer wrote 'The Ballad of Eureka' in the lead up to the centenary commemoration of the rebellion in 1954.³¹⁴

They're leaving ship and station,
They're leaving bench and fold,
And pouring out from Melbourne
To join the search for gold.
The face of town and country
Is changing ev'ry day,
But rulers keep on ruling
The old colonial way.

This evocation of the times, showing the author's historian eye for detail, captures the story of the Ballarat diggers.

"How can we work the diggings
And learn how fortune feels
If all the traps forever
Are yelping at our heels?"
"If you've enough," says Lalor,
"Of all their little games,
Then go and get your licence
And throw it on the flames!"

³¹⁴ Marjory Pizer (ed), *Freedom on the Wallaby* (Sydney, The Pinchgut Press, 1952) p.189-190.

"The law is out to get us
And make us bow in fear.
They call us foreign rebels
Who'd plant the Charter here!"
"They may be right," says Lalor,
"But if they show their braid,
We'll stand our ground and hold it
Behind a bush stockade!"

The understanding ascribed to the diggers here is summed up in the phrases "the law is out to get us", that the purpose of the unjust laws is to "make us bow in fear" and that the use of the full force of the state to force submission can nevertheless be countered.

It's down with pick and shovel,
A rifle's needed now;
They come to raise a standard,
They come to make a vow,
There's not a flag in Europe
More lovely to behold,
Than floats above Eureka
Where diggers work the gold.

The 'chaste beauty' of the enormous home made Eureka flag, the flying of which becomes a sign of the diggers' determination to not be intimidated by military force. The flag commissioned as it was by resolution passed at a monster meeting, was intended to be the rallying point for diggers mass meetings. It was a counter-hegemonic riposte to the Union Jack of the military camp nearby.

"There's not a flag in Europe
More lovely to the eye,
Than is the blue and silver
Against a southern sky.

Here in the name of freedom,
Whatever be our loss,
We swear to stand together
Beneath the Southern Cross."

The Eureka Stockade was under surveillance by the military and police with a number of spies who reported back how many diggers were inside the hastily constructed timber walled stockade defence. So it was that the military chose Sunday, the holy day with a tradition of no digging, and a day the soldiers knew that most of the diggers were not in or near the stockade.

It is a Sunday morning.
The miner's camp is still;
Two hundred flashing redcoats
Come marching to the hill
Come marching up the gully
With muskets firing low;
And diggers wake from dreaming
To hear the bugle blow.

The wounded and the dying
Lie silent in the sun,
But change will not be halted
By any redcoats gun.
There's not a flag in Europe
More rousing to the will
Than the flag that flutters
Above Eureka's Hill.

Another staple of Australian union choirs is the 'Ballad of 1891', also written by Palmer, a song commemorating the sixtieth anniversary of the shearers' strike. The song

makes a strong connection linking the shearers backwards nearly forty years to Eureka and forward sixty years to the 1950s:³¹⁵

From Claremont to Barcaldine, the shearers' camps were full
Ten thousand blades were ready to strip the greasy wool
When through the west like thunder, rang out the Union's call
"The sheds'll be shore Union or they won't be shorn at all"

Oh, Billy Lane was with them, his words were like a flame
The flag of blue above them, they spoke Eureka's name
"Tomorrow," said the squatters, "they'll find it does not pay
We're bringing up free labourers to get the clip away"

Palmer's song concludes

To trial at Rockhampton the fourteen men were brought
The judge had got his orders, the squatters owned the court
But for every one that's sentenced, ten thousand won't forget
Where they jail a man for striking, it's a rich man's country yet

Both Palmer's ballads were set to music for choirs by her friend Doreen Jacobs who had worked with the composer Alan Bush and the Workers' Music Association choirs in Britain, and was at this time mentoring and conducting the Unity Singers a radical choir while working in the Music Department at Sydney University. Palmer and Jacobs, met as members of the Women's Auxilliary Australian Air Force (WAAAF) in World War 2. The "Ballad of 1891" with its reference to Eureka as a symbol of resistance was not simply a commemoration of another battle lost. It was written in the cold war circumstances of the then Prime Minister Menzies' attempt to outlaw the Communist Party and curtail the activities of unions through penal clauses and enforced state control of union ballots and leadership choices. The song soon became an integral part

³¹⁵ <http://unionsong.com/u114.html>, (accessed 27 March 2012).

of the popular New Theatre play *Reedy River* and has continued to be a staple of Australian union choirs for more than sixty years.

The lyrical material celebrating Eureka provides strong evidence that the long-term outcome of the diggers' demands has been important for the labour movement for generations. We can see this in the centenary competition organised by the Miners' Federation. In 1954, for the 100th anniversary of Eureka, the Miners' Federation advertised a national competition for material commemorating the event. Jock Graham, the miners' poet, won first prize with a poem that summarizes the union's history since Eureka, a powerful dialect poem 'Eureka Ways'. Among its lines are the following:³¹⁶

"We bin toilin' like bullocks in duffers and mullock,
For only just tucker and gear;
We bin blastin' and drillin' and tubbin' and fillin',
For gold you could put in your ear.
Every hour, like a blow: "Got your licence to show?"
Every month it's a licensing fee
To hell with the licence, let's burn every licence,
And diggin's to diggers make free.
"Digger huntin's the fashion, horse-chargin' and bashin';
Traps yap at our heels and our doors.
Now the lords of the Order are winkin' at murder,
And spillin' our blood on our floors
Come then, let us rally from flat and from gully;
Divisions we'll form and we'll drill,
And we'll fight till we crow over Hotham and co.,
From a fortress on Bakery Hill."

The poem is an interesting example of verse that sets out to link past events in order to provide a subaltern history of the Australian labour movement. I revisit this poem along with others composed by Graham as one of a number of working class autodidacts in

³¹⁶ Jock Graham, *Dark Roads* (Sydney: Elizabethan Press, 1973), p. 32.

Chapter Seven. For the Miners' Federation and its members, Eureka has a special meaning as it from those days of rebellion that union can trace its ancestry. Thus their competition and the miner composed verse with its voice from 'within', above.

On ABC Lateline television program in 2001 the historian Geoffrey Blainey argued that there is a strong connection between Eureka and working class radicalism in later times:³¹⁷

For example, the striking shearers raised the southern cross flag at Barcaldine in 1891. I think Eureka served as a beacon for people on the left, for generation after generation. And gave inspiration to the union movement especially the shearers movement and the Miners' Union. I think for the Labor Party at various times it's been a beacon of hope.

Blainey also noted that another significant result of Eureka shortly after the event was the introduction of a governmental system "whereby the miners in each region could govern the goldfields themselves. I don't mean that they could determine where streets went but the goldfields laws could be made by the people who lived on the goldfields."

West Australian worker poet Vic Williams also wrote about Eureka, one hundred and sixteen years later. His poem 'Monty Miller' celebrates Monty Miller who was at Eureka and took part in a number of key events in the Australian labour movement during his long life, was celebrated in verse by the West Australian poet Vic Williams. Williams was born in Perth in 1914 and in World War 2 had fought in New Guinea against the Japanese invaders. Returning to Western Australia he worked as a wharfie and became a prominent member of the Waterside Workers' Federation (WWF).³¹⁸

Are you ready, Monty Miller?
For the lords. beyond the sea
have ruled that all the diggers
must pay the license fee.

³¹⁷ <http://www.abc.net.au/lateline/stories/s290806.htm>, (accessed 12 December 2013).

³¹⁸ <http://unionsong.com/u672.html>, (accessed 27 March 2012).

They would make us conscript labor,
take from us the rights we won,
but the diggers are defiant and
now the red-coats come.

I was ready, fellow diggers,
faced the guns at Bakery Hill
and the sabres of the soldiers
as they came to slash and kill.
But though their guns are silent
and their whips are hidden now
their creed of force is written
in the scar across my brow.

Are you ready, Monty Miller?
Loud as the Kaiser's guns
the generals shout for power
to make conscripts of our sons.
They'd smash the referendum,
black out the warning lamp.
For their victory and their profit
they have marched our sons to camp.

I was ready, fellow workers
when the robber war began.
We called for strikes to block them
but they jailed us, every man.
They condemned us for sedition,
but still our numbers grow.
It was Labor's road to freedom
when the people shouted "No."

Williams wrote this poem in 1970 at a time of monster demonstrations in Australia
against the US war in Vietnam, and against the conservative government conscription

by lottery laws that sent young Australians to fight alongside the US. In his poem he links the idea of “conscript labour” to conscription for war. Eureka is invoked as a starting point for resistance. Miller was born in 1839 and died in 1920. In his youth he went to Victoria where he worked as a gold digger and claimed to have fought at the Eureka stockade:³¹⁹

Disillusioned with the Labor Party, for which he had earlier worked, he embraced the principles of the Industrial Workers of the World—industrial unionism and direct action in the class struggle—when they became known in Australia from 1907. As a member of the I.W.W. he was tried in Perth in December 1916, found guilty of conspiracy, but released. He continued his court-room defiance outside, touring Australia condemning the war, and next year in Sydney was again sentenced to gaol for his membership of an illegal organization, and again released because of his age.

Miller in his 80s was sentenced to hard labour in Sydney because of his opposition to Australia’s involvement in World War I, under draconian laws that made the IWW “an illegal organization”. Williams’ poem above points out that the anti-conscription movement, in which the IWW played an important part, was seen by labour movement radicals as a key defense of freedom and workers’ rights. “It was labor’s road to freedom/when the people shouted No” alludes to the success of this increasingly popular movement in voting down conscription in two wartime referendums despite the urging for a “yes” vote by most of the elected parliamentary representatives in Australia. Perhaps most tellingly conscription was also opposed by a majority of Australian soldiers. IWW members, for their role in the anti-conscription movement, were specially targeted and framed; ; twelve IWW leaders were charged with sedition and conspiracy.³²⁰

³¹⁹ Fry, Eric, 'Miller, Montague David (1839–1920)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/miller-montague-david-7587/text13249>, (accessed 18 July 2011).

³²⁰ Stuart Macintyre, 'Industrial Workers of the World', in *The Oxford Companion to Australian History*, (Melbourne, Oxford University Press, 1998), p. 344.

Their outspoken opposition to the war provided federal and state governments, mostly Labor ones, with an excuse to suppress them. Twelve leaders were framed in 1916 on a charge of seditious conspiracy as a result of their campaign of direct action against the war effort.

The Australian singer-songwriter Shane Howard has for many years been involved with contemporary Aboriginal musicians and many of his songs explore what it means to “face up to the immoral dispossession of the indigenous inhabitants”.³²¹ His 1978 song about Eureka, ‘Rebel Song’, quotes Lawson’s ‘Freedom on the Wallaby’ which I have discussed above. Again, we see how Eureka becomes a potent symbol of resistance across extended periods of time, with poets quoting writers from the past in their works:

We’ll sing a rebel song
As others did before us
And we’ll raise a rebel flag
Join in rebel chorus

The work was hard
The rewards were small
On the fields at Ballarat
The licence hunts got worse and worse
The government saw to that
One day the cry went up
That the traps were out
And they were hunting anyone
Hunting free men like criminals
At the point of a gun

The men who sat in seats of judgement
Delirious with power
Were blind to the wrongs of Ballarat

³²¹ Liner notes to Shane Howard CD “Clan”, 1996.

From behind their ivory towers
Until at Bakery Hill
When the world stood still
And Lalor rallied the men to be free
And they raised a cry under a Southern Cross
“We’ll die for liberty”

What drives a man to take up arms
And risk both life and limb
What rallies men together
To fight and not give in
The injustice of the old world
The injustice and the greed
“No more”, cried the Eureka men
“Demand equality”

Lyrical reflections on Eureka continue to be written suggesting that its symbolic potency has not waned. As late as 2005 the veteran singer/songwriter Phil Lobl was moved to write ‘Anastasia’s Petticoats’; the song resulted from her research into the making of the Eureka Flag and commemorates the Ballarat women who were involved in its final form, women who used their skills to cut out and stitch the white cross and stars to the huge blue ground. The material they used may not have been the silk described by Carboni, and Lobl in her song suggests that perhaps instead material for the making of women’s petticoats was used. Time was short and the flag had to be made as quickly as possible. This is the likely reason the stars have eight points rather than the more usual five. Folding a circle of cloth three times on itself requires only a simple time-saving scissor operation for an eight pointed star shape to be created. The most famous of the women involved was Anastasia Hayes whose husband Timothy had been one of the thirteen diggers to face trial.³²²

³²² <http://www.eurekasydney.com/eureka11.html>, (accessed 5 March, 2013).

The miners of Eureka have long been brought to fame,
It's time the wives who stood by them were honoured just the same,
Many were prepared to die but weren't allowed to fight,
They sewed Eureka's flag instead, the flag of blue and white.

Chorus

But the stars, the petticoat stars, fly beyond the battle,
Of that December morning when hot blood stained the wattle.

The miners push for justice came in 1854,
They stumbled into trouble and then into civil war.
Anastasia felt it right, that she should also join the fight,
Though a white lawn petticoat seemed too slight an offering for the cause.

Henry Ross had planned a flag he hoped would prove to be
A flag to unify all those who scorned the licence fee.
Armed with scissors thread and thimble, miners wives worked on the symbol
Sewing with their hearts a tremble stitching for the cause.

On Bakery Hill, the flag first flew brave against the cloud,
It gave the speakers heart and hope when they addressed the crowd,
Mid calls for solidarity, for justice and for liberty,
The petticoat stars shone constantly, dancing for the cause.

It has since been proved conclusively that no petticoat material was used on the huge flag but the same forensic research of the stitching does suggest that women were involved in sewing the flag together, and that the sewing would have required a number of women to be working on it to finish it in time. Historian Clare Wright cites the arguments of the flag's "most recent conservator" Kristen Phillips who "has confirmed that the flag was made using traditional women's sewing skills: flat felled seams done

by hand.”³²³ Among the women for whom there is evidence that they worked together on the flag Wright includes Anastasia Hayes, Anne Duke, Anastasia Withers and Eliza Darcy.³²⁴ Wright argues that the exceptional size of the flag is an important part of the story of its making and asks:³²⁵

Was the flag sewn in the Catholic church where Anastasia Hayes, the doyenne of the Catholic community, was employed? It was certainly one of the few tents large enough to lay out such an expanse of fabric.

The show trials of the diggers in Melbourne, far from vindicating Hotham’s policy towards the diggers, ruined his career and probably shortened his life.³²⁶ Police witnesses were publicly shown up to be perjurers, and the prosecution’s draconian charges were shown to be impossible to prove for any of the prisoners. The only man to serve a sentence related to the Eureka rebellion was Henry Seekamp, the campaigning editor of the Ballarat Times, who was gaoled for three months for sedition – punishment for his support of the miners’ demands. The trials also had other unexpected outcomes in that they made public the spying that had been used by the authorities, as well as “the corruption, disorganisation and ineptitude in the administration of the goldfields. They made a laughing stock of the Governor and his Attorney-General, placing them both under enormous public pressure.”³²⁷ Ultimately the failure of the trials turned the defeat of the Eureka diggers into a remarkable victory over a discredited government, its Governor, its Attorney-General, its Gold Commissioners, the mounted butchers and military, the untenable gold license and the police sly grog racket. On 15 June 1855 the Gold Fields Act was passed, acceding to diggers’ original demands:³²⁸

In short order, the licensing system was abolished. Instead, a system was introduced in which miners paid a fee of just £1 per year for the right to mine,

³²³ Clare Wright, *The Forgotten Rebels of Eureka*. (Melbourne, The Text Publishing Company, 2013), p.386.

³²⁴ Wright, *The Forgotten Rebels of Eureka*. pp. 385-386.

³²⁵ Wright, *The Forgotten Rebels of Eureka*, p.385.

³²⁶ Hotham’s health was broken and he died nine months after the court cases on 31 December 1855.

³²⁷ Jeremy Stoljar, *The Australian Book of Great Trials*, (Sydney: Murdoch Books, 2011), pp. 64-65.

³²⁸ Jeremy Stoljar, *The Australian Book of Great Trials*, p. 65.

together with an export duty on each ounce of gold. In this way, the amount paid by each miner was regulated by the quantity of gold found - a much fairer system.

The continued creation of verse about the Eureka Stockade seems to have occurred particularly around landmark anniversaries of the event starting with the year of Lalor's death. In addition, times of militancy seem to encourage revisiting the event for inspiration and example. 2006 saw a continuation of a period of deep opposition to new federal industrial laws in Australia. Victorian farmer and singer/songwriter Martin McKenna wrote one of the most recent Eureka songs in that year, "Ballad of Eureka".³²⁹

The squatters made the laws, for the squatters held the land
To give the vote to miners was never in their plan
The Governor agreed and sent his troops to put them down
For no say would he have against the tyrant crown.

On December third, pre Sunday dawn as they slept in their stockade
The diggers were cut down by musket ball and blade
And though they lost the battle there, their just cause did prevail
For the miners won the Miners' Right. Now the miners had a say.

So here's to those Eureka men who stood to right a wrong.
We'll keep alive their memories with stories and in song.
And when the challenge comes to us, in the spirit of their day,
We must rise just like those miners did; rise up and have our say.
Yes we must rise just like those miners did, rise up and have our say.

One characteristic of lyrical invocations and celebrations of Eureka, as I have already demonstrated, is the desire to link events taking place at the time of writing with the diggers' spirited struggle in Ballarat. This is the case in relation to McKenna's song as he explains in the notes he provided for it.³³⁰

³²⁹ <http://www.eurekasydney.com/eureka40.html>, (accessed 5 March 2013).

³³⁰ <http://www.eurekasydney.com/eureka40.html>, (accessed 5 March 2013).

I wrote the song sometime around June last year; I had been reading Raffaello Carboni's account of the Stockade and its aftermath. It wasn't a planned project, but who knows where these things come from. I certainly had the current IR [Industrial Relations] laws in mind when it came to the final verse.

The story of Eureka told related in song has recently moved outside of Australia and in 2009 the US singer/songwriter David Rovics, who was touring Australia, wrote 'Song for the Eureka Stockade' in which he describes the political climate encountered by so many who joined the gold rush.³³¹

What they found on the gold fields
Was rule by brutish thugs
Discrimination and taxation
Mixed with swinging billy clubs

The gold was getting scarcer
And cops were getting worse
The diggers burned their licences
And vowed to end this curse

They swore an oath
Beneath the Southern Cross
They'd stand together
And break the licence laws

From 20 different nations
They gathered here as one
In Ballarat beneath the Southern sun

Rovics, like his countryman Mark Twain a century earlier, assesses the rebellion as a victory. Twain visited Ballarat in 1894 and wrote of Eureka, "It was a revolution –

³³¹ <http://www.eurekasydney.com/eureka42.html>, (accessed 23 March 2012).

small in size but great politically; it was a strike for liberty, a struggle for principle, a stand against injustice and oppression. It is another instance of a victory won by a lost battle.”³³² Rovics’ song continues:

The army thought it was over
And things'd go their way
But when 50,000 miners rallied
A month later on the day

The crown conceded everything
All of their demands
They'd won an end to licence fees
The right to vote and land

So here's to Joe and Charlie
Lalor and the rest
They drew the battle lines
And put crown rule to the test

The diggers may have lost the battle
But they quickly won the day
And those shots fired in Victoria
10,000 miles away

There is always a surprise waiting for discovery even in print. As I was writing this chapter I discovered a previously uncited 1894 free verse poem of one hundred and ten lines published in four regional Victorian newspapers including the *Argus*. Simply titled ‘Eureka’ it begins:³³³

Men came with hearts of hope and pitched their tents

³³² Robert Walshe, *Great Australian goldrush & Eureka stockade*, (Sydney: Literary Productions, 2004), p. 88.

³³³ *Argus* 22 February 1894.

Across the ranges of the trackless bush,
Driving the silence northward to the plains.
They wrought and wrested from the stubborn earth
Her stores of gold, smiling at Want and Care.

This poem was awarded first prize in a competition for a “Poem on the Eureka Riot” organised by the Hibernian Society. The winners were announced in the *Argus* 22 February 1894: “1st. Rev. T. J. Hyder, Charlton ; 2nd, T. Campbell Milne, Oulton, Brinsley-road, Camberwell; 3rd, John Gavan O'Reilly, P.O., Charlton.” Hyder’s poem is striking not just because of its length but because it tells the whole story of Eureka from a digger viewpoint.

Then came stern faces frowning Freedom down
Commissioners with arbitrary powers,
And force to harry all the busy field
With licence-hunting, till black blood was made,
And men, treated like brutes, showed rage as brutes.

The diggers were proud of their “moral force” in spite of all their oppression

Confined at tyrants' will these were the wrongs
That made Eureka's bloody work, and tore
The shackled liberty of manhood free.
The diggers made no open breach, though men
Had torn down kingdoms for injustice less.

Then came Scobie’s murder outside the Eureka Hotel and the collusion of the local court in allowing the publican Bentley to get away with murder.

One day a boist'rous fellow in his cups
Demanded drink, and furious words ensued
At Bentley's, the Eureka Inn, ill-famed,
And Bentley cleft the man between the eyes,

Smiting him dead, himself not held to blame.
That gross collusion, murder bribing law,
Set fire to all the miners' honest hearts.

The hotel was burned to the ground and the diggers were faced with more injustice.

Then came injustice grosser still. Three men
Were seized and tried for rooting out the plague,
And prisoned. Swift remonstrance rose
To plead before stern Hotham; but he drove
The deputies away with unwise words.
The diggers rose, and swore before Just God
To strike for Freedom. Licences were burnt,
And all Eureka burst into revolt.

As dawn was breaking on 3 December 1854 a mere one hundred and forty poorly armed diggers were to face a well trained and armed force twice their size

Next day, the third, at dawn, a sentry fired
Upon the troops advancing: bugle-blasts
Rang out, and on the soldiers rushed with cheers,
Just twice the force within the mean Stockade,
With threatening horsemen as a grim support.
A furious fire began the deadly work.
Men fell in sudden death, while Lalor urged
The remnant into holes. The bayonet charge
Was on them. Lalor fell with shattered arm,

The troopers, the “Mounted Butchers” who had so eagerly participated in the “digger hunts” to check licences and had been corrupted by their role as sly grog police in the goldfields, now did their best to finish off wounded diggers where they lay. Lalor managed to escape with the help of his comrades, unseen and bleeding from the shoulder under a pile of the slabs that had been used to build the stockade:

And loyal comrades hid him under slabs,
While shouting, swearing, in the redcoats swept,
Tearing the flimsy barrier down; and then
They smote to death the few who fought, and drove
The helpless rebels, overmatched, with blows
Into their camp, and tore the Standard down.

Lalor, a price upon his life escaped,
A one-armed man, and sheltered from the storm.
But men rose up throughout the land and forced
The bitter curse to cease, and pardon came,
And righteous laws proclaimed the Freedom found.
He who had led the right against the might

1894, the year this poem was composed, was the fortieth anniversary of Eureka and radical poetry was popular in the *Bulletin* and elsewhere, so it is not surprising that a commemorative literary competition would include a section labelled “Poem on the Eureka Riot”, or that the winning verse was published in four Victorian newspapers. I added Hyder’s poem to my online collection *Union Songs*.³³⁴ To my great surprise and pleasure in June 2012 I received an email from Hyder’s great granddaughter containing information about his life and his work in Australia.³³⁵

Today I googled “Hibernian Society and Hyder” and your much more easily readable copy of the poem popped up. For your interest Thomas Hyder was born in Dublin, Ireland in 1857. He attended the Royal Hibernian Military School from the age of 7 to 14 where he took out first prize for academic excellence in his final year. Our family story says that this red-haired Irishman attended Trinity College, Dublin but I have no proof. He was said to have obtained A Class honours there and he was a great poet, orator and very attractive to the fairer sex. He arrived in

³³⁴ <http://unionsong.com/u728.html>

³³⁵ email received by the researcher, 24 June 2012.

Sydney in 1874, married in 1881 and spent time ministering in many different places in Eastern Australia.

The songs and poetry that both reflect on and promote a popular approval of the diggers and their stand against tyranny have helped entrench that perspective on the rebellion for more than one hundred and fifty years. The survival and restoration of the original flag, its homemade design and creation and its adoption as an Australian symbol for workers' rights and justice adds another vernacular dimension to the modern day assessment of the event. The show trials and the effect on the locals who watched them eagerly day by day, locals who happily lifted each of the prisoners to carry them through town as heroes and celebrate their release, the juries who refused to convict working men on the evidence of perjurers and spies - all memorable events that seem to grow in stature and meaning in the retelling. This is the stuff of folklore and myth that encourages a belief that found itself in print in a breathless contemporaneous documentation of the rebellion as a foundation step to an independent Australia. The fact of Eureka's re-iteration in verse over a period of more than one hundred and fifty years demonstrates its potency as a symbol of the value of a tenacious insistence on rights and also the recurring need to voice the demand for rights. The ways in which the event has been celebrated in verse over time, how in this verse it has been linked to other historical moments or contexts, offer us insights into how many Australians regarded themselves in terms of class and national identity and also, their viewpoint on their own 'present'.

CHAPTER 4: LYRICS AND TUNES, SOUNDS AND SYMBOLS

WORKING CLASS CULTURE AND THE EIGHT HOURS MOVEMENT

Saturday last was celebrated as the fourth anniversary of the establishment of the Eight Hours' System amongst the operative and labouring classes in Victoria, and from an early hour in the morning it was evident to the most casual observer that something more than ordinary was astir. All the various works in the several parts of the city were suspended, and instead of the usual bustle and noise which is to be observed at these places, everything was at rest; the travelling crane stood still, the hammer and chisel lay idle, and in some cases the very works themselves had assumed a holiday dress. The new post office especially presented a very gay appearance, a number of flags and banners being suspended from various portions of the scaffolding.³³⁶

In this chapter I address the struggle of the eight hour day movement from several perspectives. I present and discuss a range of lyrical materials related to the eight hour day a number of which have, until this research study, not been examined. Since the Australian eight hours movement began in 1855 and most of the poetry and songs were written in or after 1882, I cite and examine these in the latter part of this chapter. The struggle and attainment of the eight hour day and the 'carnavalesque' celebrations occurring around this demand that often involved entire families also offers the opportunity to consider something of the sonic and visual landscape of the celebrations in particular. This can be seen in the extract cited above where the writer refers to the "gay appearance" of the post office with its decorations of flags and banners. I argue that we can gain more understanding of the working class culture that was both embedded in, and drove the campaign, from an examination of contemporaneous newspaper reports of the annual celebrations. The shearers' strike of 1891 is also linked to this discussion as in the shearers union's range of demands was a significant claim for the eight hour day in the shearing sheds. Further, the demand for the eight hour day is also closely linked to this study's earlier discussion of assumed rights.³³⁷ The ability of workers to negotiate their working conditions, including wages and working hours, was severely hampered by the legislation that made trade unions illegal, just as

³³⁶ *Age*, 23 April 1860, p. 5.

³³⁷ Somers and Thompson etc.

industrialisation was radically changing working methods and working conditions. In 1824 the abolition of the anti-union Combination Acts in Britain was one of the issues that a parliamentary Select Committee, proposed by Joseph Hume, was to consider. Colonial interest in this development is clear from a report in the *Australian* newspaper in Sydney.³³⁸

Mr. Hume commenced his labours for the session, by a motion for a select committee to inquire into the state of the laws of the United Kingdom, and their consequences respecting artisans leaving the country and carrying their skills and industry abroad; into the state of the laws respecting the exportation of tools and machinery; and also into the state of the laws and their consequences respecting the combination of workmen to raise their wages and to regulate their hours of work.

The words “combination of workmen to raise their wages and regulate their hours of work” indicate precisely what the Combination Acts were intended to prevent. Thompson points out that the resulting 1824 bill “not only repealed the obnoxious Acts, but also explicitly excluded trade unionists from prosecution for conspiracy at common law.”³³⁹ The 1824 bill saw working class organisation that had been forced into an underground, clandestine existence embrace the new freedom with widespread open industrial action and of course organisation. Wages and hours of work could now be negotiated – “trade unionism and strikes were no longer offences as such.”³⁴⁰

The Australian labour movement’s long dedication to pursue shorter hours undoubtedly represents an important and largely successful project, the effects of which are strongly felt today. The world-view that insisted on eight hours work, eight hours recreation and eight hours rest, summed up in the symbols 8-8-8, is one that perceived the exploitative nature of wage labour. The popular notion was that the employer gained profit from a clearly fraudulent exchange whereby labour was paid not for the full value it added, but rather only a fraction of that added value. This explanation of profit was, of course, one that Karl Marx famously propounded in his theories of surplus and labour value. The

³³⁸ *Australian*, 14 October 1824, p. 4.

³³⁹ E.P. Thompson, *The Making of The English Working Class*. (London, Penguin Books, 1968), p. 564.

³⁴⁰ Thompson, *The Making of The English Working Class*. p. 564.

idea pre-dates Marx however, and we can find traces of it in early working songs and poetry. One basic reason for this dogged and multi generational campaign to shorten the hours of work is proposed by labour historian Ian Turner who explains that for many workers.³⁴¹

a reduction in the hours of labour seemed more important than an increase in wages. Wage rises were commonly eroded by price increases, but a shorter working week was an absolute gain.

In its consideration of the struggle for shorter working hours this chapter also considers aspects of the politics of sound. In researching newspaper reports of the annual eight hour day demonstrations in Australia across a period ranging from the 1850s to the 1950s I have sought out reports and descriptions of the sounds that rang out in cities and towns throughout the colonies: the flapping of the banners, the melodies of the bands leading the marches, the cheering of the crowds on the pavements or hanging out of windows to watch the processions. Singing, theatre, poetry recital, feasting, dancing, applause, cheering, groaning, laughter, speech-making and competitive sports contributed to the holiday atmosphere of these celebrations. Evidence is clear that these highly organised working class demonstrations were about making the demands of marchers heard, and making sure that celebrations of the eight hour system would be remarked on by the whole of society at least once a year. These boisterous, noisy events staged by workers in Australia belong to the history of building the labour movement and the creation of trade unions and Trades' Halls as towns and cities were thrown up with their roads, schools, hospitals, universities, docks and railways, and all the infrastructure of industrialisation. The aural descriptions we find in print constitute an important aspect of industrial heritage as traditions were being both re-purposed and created to meet and assert the needs of working class movements. Traditions of banners, flags, music and song were important in the formation of the new movement and can be understood as "processes of identity and identification, as encoded and embodied forms of collective meaning and memory." As the report at the beginning of this chapter describes, a dramatic aspect of the aural landscape of Melbourne on the annual celebration of the eight hour day, was the absence of the usual busy workshop and

³⁴¹ Ian Turner, *In Union Is Strength*, p. 75.

working day sounds. These were replaced by celebratory sounds indicating a takeover or appropriation of the streets by the working population and their families. I am focusing on Melbourne and Victoria because reports of the eight hour activities there indicate a more widespread and more frequent phenomenon than elsewhere in Australia, perhaps a reflection of the status of Melbourne as the financial capital of Australia during this period.

This eight hour celebration in all its contradictory variety was politically charged; the songs and poems I discuss below suggest that activists of the eight hour movement were intent on civilising not only their industry but all places of work in the colony, the empire and the world. The very fact that each year the Melbourne daily newspapers the *Age* and the *Argus* reported these celebrations, often in surprising detail, encourages, as Danielle Thornton argues, an ethnographic reading of the material as “mediated texts which can reveal both what historical actors did, and what observers understood their actions to mean”. Workers in Australia were regularly placing their views on record in the newspapers, advertising their meetings, advertising competitions, responding to anti-union editorials and letters, creating in effect what has become today an indelible and digital archive. Much of the built environment, the result of their labour, remains in use today, including the very street and place names that were so new when the eight hour processions began. Thus we read of the early marches taking over Spring Street, Bourke Street, Elizabeth Street, and Cremorne Gardens as they wound its way through Melbourne.

Tracing the development of the eight hour day finds the historian in the hearts of Sydney and Melbourne. In October 1855 in The Rocks area of Sydney, a place whose name was coined by the first convicts, the stone masons building the Garrison Church and the Mariners Church ceased their rhythmic clang, downed tools and demanded an eight hour day.³⁴²

On 18 August 1855 the Stonemasons Society in Sydney issued an ultimatum to employers that in six months time, masons would only work an eight-hour day. However men working on the Holy Trinity Church (Garrison Church) in Argyle

³⁴² http://en.wikipedia.org/wiki/Australian_labour_movement, (accessed 21 June 2012).

Cut, and on the Mariners Church, (an evangelical mission to seafarers, now an art gallery and cafe) in Lower George Street (98-100 George Street), could not contain their enthusiasm and decided not to wait. They pre-emptively went on strike, won the eight-hour day, and celebrated with a victory dinner on 1 October 1855.

On 21 April 1856 in Melbourne a stop work and demonstration by the stone masons building Melbourne University, resulted in an agreement on the eight hour day.³⁴³ Clearly there was a momentum built following the stone masons successful agreement as three days after the Melbourne University stop work *Argus* readers would find an announcement calling for a return to work of masons building the new Parliament House as there had been a successful negotiation of shorter hours on that site.³⁴⁴

Coming only 16 months after the Eureka Rebellion and 4 months after the Victorian Constitution became effective, the Eight Hour Day also became a symbol of the rights of workers to organise to achieve their rights not only as workers, but as citizens in a democratic society.

Three days after the Melbourne University stop work *Argus* readers would find an announcement calling for a return to work of masons building the new Parliament House as there had been a successful negotiation of shorter hours on that site.³⁴⁵

TO Stonemasons and the Public in General.—Mr. Cornish, builder of the New Parliament Houses, has kindly consented to the eight hours per day at the current rate of wages, therefore all workmen are requested to resume their employment this day.

By order of the Eight Hours Committee,
GARRATT, Chairman.

³⁴³ <http://unionsong.com/reviews/888/>, (accessed 21 June 2012).

³⁴⁴

³⁴⁵ *Argus* 24 April 1856.

It is worth noting that this advertisement directly addresses the “Public at Large”, evidence that the progress of the eight hours system was not just of interest to a particular trade but rather a much broader campaign of interest to all workers. The notice is also deliberately conciliatory towards the employer as we see in the use of the words “has kindly consented.”

Newspaper reports reveal that the long agitation for an eight hour working day seized the popular imagination in Victoria, in particular, for a very long time. In the reports of the eight hours demonstrations in Melbourne we discover a copious amount of detail: the numbers of people marching or cheering from the pavements, the streets and direction the march took, the types of banners the demonstrators were carrying, the slogans on the banners or on the lips of the marchers, the feasting and entertainments at the end of the march, the music played by the bands that accompanied the demonstration and provided for the dancing at the end. Also reported are the types of dancing and the dress and demeanour of the people involved, as well as insights into the organisational aspects of these demonstrations which would raise funds to build a wing of a hospital, an example of early buildings workers being concerned about health and safety, and eventually, Melbourne’s imposing Trades’ Hall – Australia’s oldest.

On the front page of the *Argus* on 15 April 1857 there is the following notice amongst the wanted advertisements. “WANTED 1,000 SMITHS and Others at the Eight-hours Demonstration, on the 21st of April”.³⁴⁶ The day following the demonstration the *Age* reporter gave a full account of “the immense crowds” and marching participants at this first anniversary celebration.³⁴⁷

At an early hour yesterday the tradesmen of Melbourne began to assemble in Carlton Gardens, for the purpose of marching in procession to Cremorne Gardens, there to enjoy a holiday with their families, in commemoration of the eight-hours movement.

³⁴⁶ *Argus*, 15 April 1857.

³⁴⁷ *Age*, 22 April 1857.

The article evidences the fact that families were part of the movement and that it was a celebratory event, a holiday. Banners particularly caught the attention of the *Age* reporter that day:

The banners were for the most part of silk, and were beautifully painted. Those of the masons and coachbuilders amongst the most remarkable for their allegorical representations of the trades symbolized, and the movement in which they were displayed. The former in the centre displayed a triangle representing the three great divisions of the day, as contended by the advocates of the movement. The base of the triangle was symbolical of repose, the two sides representing labor and recreation.

The *Age* report continues:

The Plumbers' banner is a very handsome one, and divided into four compartments, corresponding to the four cardinal points of the compass. Three of these are occupied by figures emblematical of various processes in the trade. In the fourth is placed the Southern Cross, while the centre displays the Lion of England and the Harp of Ireland—the motto being "Hot and ready."

"Hot and ready" may seem an odd slogan today until we remind ourselves that plumbers worked with lead pipes and used molten lead and solder for sealing the joints. The reference to the "Southern Cross" also reminds us that the Eureka massacre and the Eureka flag were fresh in the memory. The report reveals that another banner depicts "a female divinity raising a wearied operative with one hand, while with the other she points to a higher destiny than that hitherto open to the aspirations of the labouring classes." The reporter remarks that it "remains to themselves, in Victoria, to realise their beautiful allegory." This comment is strikingly similar to a familiar workers' argument that social change can only come about through their own organisation and efforts. The report offers an estimate of the numbers on this celebratory march, and the families and friends lining the route:

nearly two thousand stalwart men having ranged themselves in order of march, the whole moved off to the sound of music, and amid the joyous cheers of their families and friends, who were assembled in great crowds.

We are then provided with the exact route procession took through Melbourne, a journey Melbournians can follow to this day:

Spring street to Bourke street, to Elizabeth street, to Great Lonsdale street, to William street, and along William street through Collins street, and thence to Cremorne Gardens.

We learn that “immense crowds gathered to witness so many assembled to celebrate the achievement of a great moral victory.” This sentence tells us something of the very careful organisation of the eight hours campaign in Victoria. The campaign concerned itself with carrying the employers along with the argument for the eight hour system, highlighting the moral aspect of this way of working, and asserting that it would not affect the profits of employers as long as they all agreed to it. The argument also centred on the moral advantage of workers having more time for their families and self-education. Masons in particular, it seems, were imbued with attitudes that encouraged them to think their mission was to civilise their industry and influence and also help other workers to achieve the same working conditions. As we have seen before in Victoria at this time, civil agitation can achieve democratic rights especially in the aftermath of Eureka and the backdowns by the Colonial Government. The *Age* reporter followed the celebratory demonstration to the end remarking that:

Masons were by far the most numerous of the assembled Trades, and many of them being members of the Order of Free and Accepted Masons, by wearing the scarves of that mystic brotherhood, imparted an air of gaiety to the display.

On arrival at the Cremorne Gardens the participants find there is plenty to eat since “five tables were set out with a substantial dinner, each table capable of accommodating a hundred persons.” Apart from food there is entertainment, and “the Circus, the Aviaries, and the incipient Menageries were crowded, while the Bands played for the

amusement of the crowds that promenaded the boarded space that encircles the Rotunda”. The carnival atmosphere is further elaborated as we learn that:

grotesque movements of the monkeys were highly amusing to the children, young and old, as they mimicked the Italian Brothers, who tumbled and twisted on perches elevated at a height of thirty feet above the heads of the crowd.

Lively political discussion was ever part of trade union culture and the *Age* report reveals this in its descriptions of the apparently informal discussions in the

groups of men might be seen anxiously discussing the great political question of the day—shall the people's cause be sacrificed or not ? In all these circles the determination was unanimous to stand by the O'Shanassy Cabinet.

The reference here is to the wealthy conservative John O'Shanassy who had been elected to the Legislative Assembly in Victoria as the member for Kilmore and “became premier on 11 March 1857.”³⁴⁸ He lost his premiership “after seven weeks of nominal power” on 24 April 1857, two days after the *Age* report above.

Chartism and the Eight Hours Movement

The influence of Chartism on the eight hours movement is apparent. Among the Melbourne leaders of the stone masons were a number of former Chartists, the best known being James Galloway and James Stephens³⁴⁹. Melbourne workers soon embellished their demonstrations with a gigantic banner inscribed with the words:

8 HOURS LABOUR
8 HOURS RECREATION
8 HOURS REST

Another former Chartist, Charles Jardine Don, also a stone mason, emigrated from Glasgow in 1853 arriving in Melbourne, and then joined the gold rush in Ballarat. On

³⁴⁸ <http://adb.anu.edu.au/biography/oshanassy-sir-john-4347>, (accessed 5 July 2012).

³⁴⁹ <http://adb.anu.edu.au/biography/stephens-james-4641>, (accessed 12 July 2012).

his return to Melbourne he joined the Stonemasons' Union, and became its chairman in 1858, and was prominent as a leader of the movement for the eight-hour day.”³⁵⁰

Don's activism continued with torchlight processions and revolutionary music and placards. In 1859 he won Collingwood and claimed to be the first of his class represented in 'any legislature within the British Empire.'

Don clearly made use of his youthful training in Scotland as a Chartist activist. As I have pointed out in Chapter One the main Chartist newspaper, the weekly *Northern Star*, with its very large readership incorporated songs and poetry as part of its innovative use of the vernacular. The *Argus* carried a report of Don's election speech, which is redolent of his long interest in Chartist ideas.

He said that he was there as the representative of the working man and those who sympathised with them. The working-classes had been too long unrepresented in the Assembly. Every other class had their representatives there but the working-men. The great producing interest of the colony had hitherto been excluded ; and he would ask how could they expect to get justice from a class of men who were insensible to their interests ? The Assembly had refused to listen to their demands, and had treated their petitions with sneers. That state of things must be put an end to, and universal suffrage was the means of doing it.

The use of the phrase “great producing interest” to describe the role of labour power in the economy demonstrates that this was not a new concept to Don's working class audience, but rather a popular view, an essential element in the logic of the demand for universal suffrage. Don was one of the organisers of the Victorian eight hour organisation, the foundation of which took place at a large meeting in October 1859. The *Argus* carried a multi column report of the meeting under the heading “Eight Hours Labour League.”³⁵¹

A large public meeting of operatives and others interested in the Eight-hours question was held last evening, at the Trades' Hall, Lygon-Street. The object of

³⁵⁰ <http://adb.anu.edu.au/biography/don-charles-jardine-3423>, (accessed 3 July 2012).

³⁵¹ *Argus*, 7 October 1859.

the meeting was to consider the proceedings of Mr. Williams, the coachbuilder, during the past week.

The same article reveals that members of the Coachbuilders' Society employed to build railway carriages for the government were on strike demanding the eight hour day. A feature of this strike was the attempt by the employer Williams to engage other workers to take the place of the strikers placing advertisements in the *Age*, the *Argus* and

the Geelong, Castlemaine, Ballarat, and Sandhurst newspapers for blacksmiths and woodmen. To those advertisements the Coachmakers' Society replied by advertisement, informing the workmen in these localities, and also in Sydney and Adelaide, that the strike was not a wages one, but for the eight-hours' question only.

This battle of advertisements by employer and union is revealed in detail in a report to the meeting that raised the situation where both the *Age* and the *Argus* had refused to carry the Coachbuilders' Society advertisements on the day requested, the *Argus* offering the excuse "that they could not understand the advertisement on the previous evening, but would insert it on the following morning." The *Age* had a different excuse "that it was somewhat libellous. The proprietors would, however, insert it, with a slight alteration, on the following morning." The following morning, of course, was after the event, or as the report to the meeting put it "useless."

The meeting was presented with the objects of the Eight Hours Labour League as follows.³⁵²

1. To secure to the trades now realising the advantages of the eight-hour system peaceable enjoyment of the same by every legal means necessary to its maintenance.
2. To extend the advantages of the eight-hour system to every class of labour, and to support the members of that class in all legal means calculated to obtain a recognition of their right to it.

³⁵² *Argus*, 7 October 1859.

3. To collect evidence and to disseminate information relative to the working of the system and the advantages derived from its present, and which may be anticipated from its more extended use; to assist in the formation of local leagues throughout the Australian colonies, Van Diemen's Land, and New Zealand, but more immediately in Victoria; and to maintain a frequent and regular correspondence between those local bodies and the parent association in Melbourne.
4. To procure a legal enactment defining a day's labour to consist of eight hours.

Don was an active member of the Legislative Assembly, while at the same time employed for eight hours a day a stone mason. Elected members were not paid in this period and most members had time and property enough to spare as well as a personal incentive to legislate for their own economic advantage. The *Argus* reported that Don's working class supporters managed to offer him some relief by taking up a collection and presenting him with a purse of two hundred gold sovereigns.³⁵³ Song is also referred to in the article which reveals that after the presentation "a gentleman" sang Robert Burns' revolutionary song 'A man's a man for a' that.' Don would certainly have known the song as would many of his comrades. Don's response to the presentation reveals his early life in Scotland, and his early active support of Chartism, including revolutions in Europe.³⁵⁴

When Chartism rose in England, spreading terror to the hearts of great men, and sent its monster petitions to the door of Parliament House when its wild torchlight shone on the moors of England, and illumined the faces of hundreds and thousands of men asking for the birthrights which every Englishman possessed ; when he (Mr. Don) mingled in the crash of crumbling thrones in 1848 ; when he heard of kings running away in the guise of footmen, and a Pope taking refuge in a paltry seaport near the place where he had ruled supreme for so many centuries—when he saw all this, he thought the day of the people had come; but he was mistaken. The old Adam was too strong for the young improvement that was beating in the hearts of so many English people, and the old fogies still kept their hold.

³⁵³ *Argus* 14 February 1860.

³⁵⁴ *ibid.*

This *Argus* report provides a valuable evocation of Chartist agitation at the time “when its wild torchlight shone on the moors of England, and illumined the faces of hundreds and thousands of men.” And he points to the simplicity of the Charter itself – workers “asking for the birthrights which every Englishman possessed.” Don also speaks of the making of the working class, asserting that until the worker “vindicated himself and his class, there was no hope for justice for him.” This notion of assumed rights was a large part of Chartist thinking as I have argued earlier. Among his concluding remarks, Don dicusses the payment of elected members and points again to a Chartist principle:

As for his future course, he would say that if payment was given to members, he would take it; but it was not a matter of great moment to him. He was not likely to get very far into debt, for no one would trust him, and he could earn his living as long as there was an odd job to be got. Payment of members was, however, a matter of principle, for he felt sure, however much was said against the idea, that if ever the people were to have a democratic Government, it would come from that "Corner." (Cheers.)

These reports are interesting in two ways: they provide verbatim transcripts for the researcher of the words spoken by “those from below” and thus they allow us to consider the depth of thought and feeling expressed at the time. Robert Burns’ famous song ‘A Man’s A Man for A’ That’ was written in 1794. It was published or referred to many times in Australian newspapers probably because of its humorous celebration of the poor and oppressed against the hegemonic power of the mighty. For example the song appears in full in an article about poetry in the *Australian* in 1839. The final verse promotes a vision of a world of equality and friendship that might be,³⁵⁵

Then let us pray that come it may,
As come it will for a' that,
That sense and worth o'er a' the earth,
May bear the gree and a' that.
For a' that and a' that,

³⁵⁵ *Australian*, 5 September 1839.

It's coming yet for a' that,
That man to man the warld o'er,
Shall brothers be for a' that.

Another of its verses applies a rebel dialogic in its dismissal of the pompous world of British aristocracy of the time:

Ye see yon birkie, ca'd a lord,
Wha struts, an' stares, an' a' that;
Tho' hundreds worship at his word,
He's but a cuif for a' that:
For a' that, an' a' that,
His ribband, star, an' a' that:
The man o' independent mind
He looks an' laughs at a' that.

The performance of this popular vernacular song and the espousal of the six points of the Charter, the attention to mass organisation and their democratic rules and the insistent aspiration for the betterment of the whole of society are clearly articulated. The eagerness of unions to take up the eight hour demand became a theme that spread through the whole society for generations culminating ninety years later in the 1948 introduction of the eight hour day and the forty hour week as a universal standard in Australia.³⁵⁶ When workers did become free to regulate their own hours of labour shorter hours is what they chose, regardless of employers' horror and predictions of economic doom.

In Victoria, particularly, the annual demonstrations commemorating the eight hours won by stone masons in 1856 created an atmosphere of workers' rights that encouraged others to follow. This perhaps was the original "pattern bargaining" so feared by today's opponents of workers' rights. These opponents, influenced by neoliberal economic philosophy, often use the phrase "culture of entitlement" in their ideological lexicon. As

³⁵⁶ Nationally Australian workers gained an eight hour day and 40 hour week with the approval of the Commonwealth Arbitration Court starting on 1 January 1948. See report in the *Canberra Times*, 9 September 1947.

we have seen, a vital part of working class culture has been the assertion and defence of rights. The universal appeal of these rights would influence the entire population and the entire world. The creative proposal to gain and extend the rights of labour have a universal compass that we can discern quite clearly in such an apparently reformist movement as the Eight Hours System. Where rights are won in one locality or industry, so they create an atmosphere of possibilities elsewhere. Rights can of course also be lost as the hegemonic shifts within the system occur and the employers engage in “pattern bargaining” of their own in a concerted action to push back or abolish workers’ gains for a period. Rights, it seems, are never won forever.

News of the Melbourne eight hour demonstrations was often reported at length in other colonies. For example in 1858 the *Maitland Mercury* in NSW reprinted a *Melbourne Herald* report from which the following is an extract:³⁵⁷

By ten o'clock the majority of the masons, bricklayers, and carpenters had assembled at the head-quarters of the central committee—the Belvidere hotel—from whence they marched to the vacant ground between Drummond and Lygon streets, which had been appointed the general rendezvous.

The report explains that this rendezvous was already being prepared as a union site. Again, we find detailed descriptions of badges “sashes or rosettes” and the carnival atmosphere:

The ground, on a portion of which is to be built the Trades' Hall, presented a most exciting scene. The men, most of whom were decorated with sashes or rosettes, or both, were enthusiastic, and evidently thought that the Eight Hours Revolution was fraught with more important results than that of the Three Days; the women and children laughed and skipped about, and seemed only sorry that they were not allowed to file in, the banners and flags flapped about in the wind, so that one almost pitied the banner-men who had the honour to carry them; and, which increased the "fair" appearance of the scene, several of the unemployed took

³⁵⁷ *Maitland Mercury*, 6 May 1858.

advantage of the holiday of the employed to drive a thriving trade in the sale of apples, ginger-beer, and other refreshments.

The “Three Days” in the report alludes to the “Second French Revolution” of 1830, also known as the “July Revolution” or more lyrically in French vernacular as “Trois Glorieuses.”

The day of celebration was already a holiday it seems and the planning of a Trades’ Hall was in hand on the spot where the Victorian Trades’ Hall stands today. This Eight Hour’s celebration was no temporary event, it was an event that already included the families of the unionists, whose numbers would grow for generations. A fortnight earlier the *Argus* in Melbourne carried an even fuller report of the day of celebrations under the heading ‘Anniversary Fete’, and the extracts tell us more about the festivities and banners:³⁵⁸

The demonstration made by the working classes yesterday in honor of the second anniversary of the inauguration of the Eight-hours System was of a very imposing character, the favorable state of the weather contributing not a little to the success of the affair.

In the *Argus* report we are informed about the “future Trades’ Hall” and the tunes played by the bands:

At about 11 o'clock the procession, having formed on the ground in Victoria-street set apart for the future Trades' Hall, commenced its march in the order previously agreed upon, and paraded through the principal streets of the city, halting at the Parliament Houses and Government Offices. At the former place the Marseillaise, and at the latter the National Anthem, were performed.

Choosing the Marseillaise, the song that became the rallying tune for the French Revolution, is an interesting commentary from the “working classes” of that time in Victoria, with republican sentiment a likely part of the explanation. The *Argus* reporter

³⁵⁸ *Argus*, 22 April 1858.

was particularly interested in the Plumbers' banner: "Among the banners, perhaps the most conspicuous was the Plumbers' which was of a superior size, and borne upon a fire-engine." The reporter also describes the dancing at the fete:³⁵⁹

The rotunda was overcrowded all the evening, and the dancers had to make their way through a mass of stationary spectators. This they did, however, most assiduously and good humoredly. Wherever a vacant yard of ground could be obtained there an indefatigable couple established themselves, and polkaed, schottished, or waltzed away to their hearts' content. It was most amusing to see in one corner, perhaps, a mother executing a pas des deux with a romping child, in another the father of a family dancing in the midst of a circle of applauding offspring. The scene was a very different one to that which is usually witnessed at Cremorne. It would probably be as well for the community if it were oftener repeated.

Here we can find the carnival atmosphere, the humour and energy of working class families celebrating a day they embraced as their own. The *Argus* journalist Charles Bright wrote an ode for the occasion³⁶⁰, a toast to the future Trades' Hall which was recited by the American actress Miss Provost during the evening celebrations:³⁶¹

A place where workmen may their minds engage
To useful purpose o'er the printed page
One which the tints of age may haply show
Or one which caught the ink an hour ago:-
A Hall where wives and children may be found
To listen to a concert of sweet sound,
Or hear the lecturer and quietly learn
What years of study teach him to discern:-
Science, with pleasure mingled – happy task!
Minerva speaking through a Momus mask.

³⁵⁹ *Argus*, 22 April 1858.

³⁶⁰ <http://adb.anu.edu.au/biography/bright-charles-3055>, (accessed 20 December 2013).

³⁶¹ Jeff Sparrow and Jill Sparrow, *Radical Melbourne: a Secret History*. (Vic: Carlton North, Vulgar Press, 2001), p. 212.

All those and more than these this hall will yield:
We guess the crop before we reap the files
You aid them, friends, with more than empty praise,
Your contributions will assist to raise
A people's palace on yon vacant soil
A palace built and own'd by hardy sons of toil.

The second anniversary of the Eight Hour victory also saw two of Melbourne's biggest building contractors combine to form 'Cornish & Bruce'. We have already met Cornish above as a contractor for the Victorian Parliament House, where he agreed to the stone masons request for an eight hour day in April 1856. Three years later Cornish and Bruce were behind an immigration scam designed to undermine the masons and the eight hours movement and bring down wages. This time the report in the *Argus* appears to support this attempt to derail the eight hours movement under the heading "The Rate of Wages".³⁶²

The operative masons in this colony are, it seems, soon to reap the reward of their attempts to keep up an artificial rate of wages and a Procrustean time-table. On Monday placards were posted up all about Melbourne, calling a meeting of the trade, for the purpose of considering the fact of 1,000 German masons having been engaged, and being shortly expected to arrive in Victoria.

The use of the phrase "Procrustean time-table" and the word "artificial" shows how ideologically driven the employers and their allies were to take back control of hours, part of their stated argument being that the eight hours system constituted an infringement of the rights of the individual worker. The same ideology would argue the same about unions, portraying them as anathema in a free market and a blight on the supposed "natural" order of things as construed in their economic thinking. The entry in the Australian Dictionary of Biography paints both Cornish and Bruce as ruthless and grasping employers. In the case of John Bruce we find that³⁶³

³⁶² *Argus*, 26 May 1859, p. 6.

³⁶³ <http://adb.anu.edu.au/biography/bruce-john-vans-agnew-3094>, (accessed 25 July 2012).

Bruce was determined to make a large profit from the huge contract by reducing wages and lowering the working conditions of the thousands who clamoured for employment ... in July 1858 workmen protested at payment by truck ... Demonstrations erupted into violence in 1861 when Bruce reduced all wages by 2s. a day and rioting workmen smashed machinery, assaulted overseers and made three attempts to derail trains.

Similarly, the biography of William Cornish in the ADB reveals:³⁶⁴

Throughout 1856 he was building the Houses of Parliament, a contract worth well over £50,000, but by his insistence on a ten-hour day he clashed with the trade unions who demanded an eight-hour day ... The government, anxious to have the new legislative chambers completed on time, negotiated a compromise. Cornish was given more than £1700 in compensation for the difference between wage costs of the ten-hour and eight-hour systems, despite strong evidence that his loss had been offset by a general reduction of 1s. a day in wages.

The partnership of the two men allowed them to bid for the contract for “the first thirteen sections of the Melbourne-Murray railway, to be built at a cost of some £3,357,000.” The working methods of the contracting partnership is summed up as follows:³⁶⁵

Cornish & Bruce employed more than six thousand men, and from the beginning tried to make large profits by exploiting unemployment in the colony: their irregular payments, attempts to reduce wages, and methods of subcontracting caused much discontent.

The attempt to import German stonemasons, to undercut the local hours and wages, led to some remarkable and innovative actions by the eight hours committee. The Trades’ Hall had been well prepared and had mustered the funds required to look after the German masons at Trades’ Hall while the issue was sorted out. Describing how the

³⁶⁴ <http://adb.anu.edu.au/biography/cornish-william-crocker-3263>, (accessed 25 July 2012).

³⁶⁵ Ibid.

Germans left the ship Williams, the secretary of the Masons' Association, reported back to the members.³⁶⁶

Yesterday, taking a boat, I crossed over to the ship, and distributed the circulars to the Germans on board of the vessel. I took with me a mason who speaks German, and we impressed on the men not to sign any agreement which would have the effect of compelling them to work 10 hours.

Williams' report (extensively covered in the *Argus*) continues by detailing that the "solicitors to Messrs. Bruce and Co., had visited the ship, and requested the men to sign this agreement" and that "on their refusal, their rations were stopped." The report shows that the naval water police were involved and claimed to be in charge of the new immigrants. The Trades Hall delegation was unfazed by this show of power and asked how the water policeman would respond if the delegation took charge of the men. The response was that this would be seen as "resisting him in the execution of his duty; and that, so soon as I did it, he should hoist the flag up to the peak and call for more assistance, and perhaps it would lead to bloodshed." The experience of brother Williams in terms of his understanding of the law and workers' rights is evident in the next exchange.³⁶⁷

I told him that I did not know whether his instructions were right or not; but that I had taken legal advice on the agreement, and was informed that the men could not legally be detained. He then begged of me not to cause any excitement amongst the men.

What happened next illustrates how the complex interaction of union official, the ship's captain, and above all the German immigrants took the matter out of the hands of the water policeman despite his threats of a bloody intervention:

The captain then came to me on the jetty. He said that the ship had cleared the Customs, that he had no control over the men, and could not detain them. By this time they were all gathered round us on the jetty. The policeman told them to go

³⁶⁶ *Argus*, 9 November 1859.

³⁶⁷ *Argus*, 9 November 1859.

back. Several times the men attempted to leave, and the policeman said, 'Go back; I shall not suffer you to remove from here.' ... On the policeman's endeavouring to stop them, I demanded of him his authority for detaining them. He said he had none. He asked my reason for removing them. I told him that their rations having been stopped since noon the previous day, it was my intention to remove them to the Trades Hall, and give them some refreshment.

The policeman, it seems, had lost all credibility for although he begged the Germans to stay on board “they paid no attention to him, and came off.” A letter to the *Argus* on 15 November 1859 castigates the newspaper for its support for the employers:³⁶⁸

I think your article on the German masons to-day should not pass unnoticed ... You cannot surely believe that Messrs. Cornish and Bruce are acting a proper part in bringing German labour to bear on the railway works ... Is this country to find employment and money for foreigners, while the very parties who contribute towards the work are themselves to stand listlessly on and see their bread given to others? ... I am, Sir, yours truly, November 9. EQUITY.

The Cornish and Bruce attempts to break the eight hours system in Victoria was publicised by newspapers in other colonies as can be seen in this extract from the *South Australian Advertiser* revealing that the German immigrants were in fact by no means all skilled masons:³⁶⁹

It transpired, however, that the majority of these men are labourers, colliers, and vine-dressers, and that not more than 30 of them are masons, the remainder having obtained a passage at the expense of Messrs. Cornish & Bruce through misrepresenting their actual trade.

When the Germans subsequently refused to work more than eight hours Cornish & Bruce hauled them through the courts using the Masters' and Servants Act, where they suffered fines and imprisonment for breaking their contract.

³⁶⁸ *Argus*, 15 November 1859.

³⁶⁹ *South Australian Advertiser*, 15 November 1859.

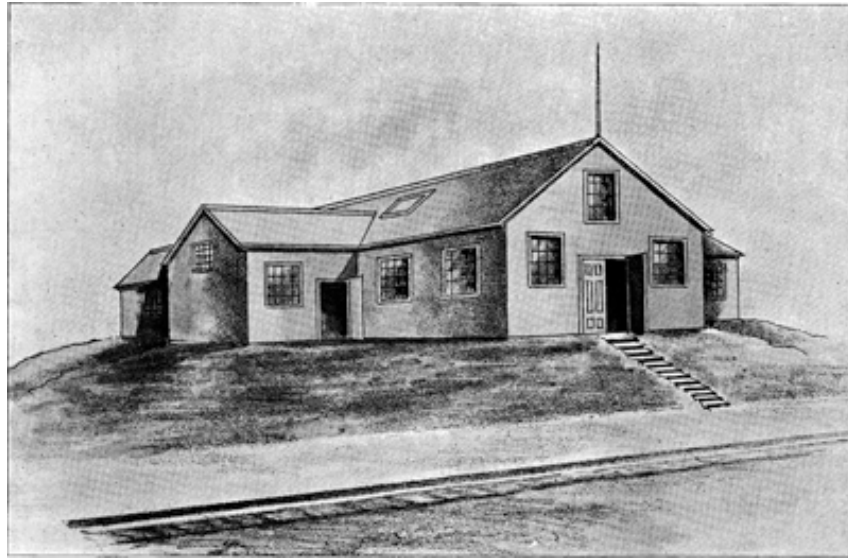


fig. 5. Trades' Hall - Melbourne 1859.

By 1859 the Trades' Hall pictured above was completed and as we have seen this corner of Victoria and Lygon streets was now a permanent union space, an acre of land, ratified by the Victorian Parliament in 1858 with the proviso that it could not be sold for profit. Like the annual demonstrations this acre of land denotes a claim by the labour movement of a place of its own. As historian Cathy Brigden argues:³⁷⁰

This claiming of space from the state, the objective of a permanent place for labour and the broader political vision for the working class, all demonstrate, at the very least, an inchoate understanding of the power of space. Demanding, and moreover securing and then retaining, dedicated space for labour sent messages to the broader community about the role of unions in the colonial society.

The Trades and Labour Council in NSW

By the 1870s there had been healthy growth in trade unions and the NSW Trades and Labour Council (TLC) had been formed in 1871. Building and ship making unions had already gained shorter hours and were eager to encourage other unions to follow their example. In 1872 the Eight Hour Conference in the Iron Trades was established. The well prepared and combined action of the unions led to industrial action in 1874 where the ironmasters conceded the eight hour day and, as John Niland points out, “the terms

³⁷⁰ Cathy Brigden, ‘Creating Labour’s Space: the Case of the Melbourne Trades Hall’ p. 131.

of settlement recognised the ironworkers' role in future work rule establishment and change."³⁷¹ Here we begin to see the shift in the balance of power in the workplace, where workers would secure the rights they had long demanded, rights to have a say. This again is an example of the long road to civilising the industry.

As the eight hours movement progressed, so pressure on the young state parliaments now more dependent on working class voters, led to legislation to support the shorter working day. Not all were in favour of course, and the long period of yearly commemorations attests to the need of the labour movement to constantly reinforce a growing determination to extend the eight hour day to all workers. Apart from Bright's ode the Trades Hall above, the earliest poem I have discovered that evokes the eight hours movement was a squib entitled 'The Police And The "Eight Hours" Law' which was published in South Australia in December 1863.³⁷²

O, have you heard the latest news
About the brave and loyal "blues"—
The Adelaide policemen!
Both night and day they pace the pave,
And teach us how we should behave—
They guard, but do not fleece men.

For six hours at a stretch they walk,
And dare not with civilians talk.
Lest Peterswald should eye them.
They dare not "cus" at either sex,
Or take a glass of double X,
Though old friends hard may try them.

...

But who'd believe it? Still 'tis true,
A regulation hard and new?
Comes into operation.

³⁷¹ John Niland, 'In Search of Shorter Hours: The 1861 and 1874 Iron Trades Dispute', *Labour History*, no. 12 (May, 1967), pp. 3-15.

³⁷² *South Australian Register* 4 December 1863.

And makes these men, so stanch and sound,
For eight hours 'stead of six go round
Their stern perambulation.

O Ayers! O Hart! O Warburton!
We're shocked at what you've been and done,
The cits all say and swear it,
We would parade you round the town,
With heads erect and eyes adown,
And see how you would bear it.

Ironic as it is, this poem highlights the currency of the debate about the push to enshrine the eight hour day in legislation. The possibility that the eight hour day might force an increase some workers' hours seems as unlikely as the existence of a policemen's union in 1863. Henry Ayres and John Hart were both premiers of colonial South Australia. Peter Egerton Warburton was an early explorer in Western Australia who became Commissioner of Police in South Australia in 1853. William J. Peterswald was Inspector of Police in South Australia.

The Melbourne-based *Australian For Home Readers* of 19 May 1866 carried a large plate of the eight hour demonstration of that year, showing the long procession of workers lined up in separate trades marching behind their banners. The street is lined with onlookers and the plate is titled 'Eight Hours Demonstration.' The same issue carries a more than column length report of this demonstration.³⁷³

The tenth anniversary of the eight hours movement took place on the 21st ult., with very, successful results. A procession started from the Trades' Hall, Lygon-street, Carlton, and marched by the usual route to the North Botanical Gardens, where a large number of people assembled. The trades banners were a conspicuous feature, both in the procession and in the gardens, where they were tastefully distributed over the grounds. The ironmoulders exhibited one for the first time, which attracted considerable attention. On one side several workmen

³⁷³ *Australian News for Home Readers*, 26 May 1866.

are represented, pouring the molten metal into a mould, and on the other two men are seen, each with his hand on a cog-wheel, and with various implements of labor about them.

The reporter is aware of the changes in the demonstration, in this case that the “ironmoulders exhibited” a banner for the first time – an indication of growing trade union consciousness in the organisation, a consciousness of the need to publicise the organisation, to show unity and encourage awareness of the labour movement as a whole. The description of the work of the moulder on the banner “with various implements of labor about them” and the “pouring of metal into a mould” indicates a pride in the skill and utility of the trade. The report also describes the cultural activities and entertainments that came at the end of the day-long celebration:

In the evening a performance was given at the Theatre Royal in connection with the demonstration. The pieces played were Goldsmith's comedy of "She Stoops to Conquer" and the burlesque of "Faust," and they went off with great success, thanks to the exertions of Miss Adelaide Bowering, Mrs Phillips, Messrs Hoskins and Coppin; and the other members of the company. After the conclusion of the comedy Mr Bennett, secretary to the committee, led Miss Adelaide Bowering to the front of the curtain, when she delivered in a most successful and admirable manner the following address ... 'We commemorate this day; the tenth anniversary of the establishment of the eight hours system in Victoria, and inasmuch as, in the minds of all thoughtful men, some reverence for the past blends with our satisfaction at the present, and with our hopeful expectations of the future, we take pride in remembering that the division of the four and twenty hours which we adopt was that prescribed by Alfred the Great, which assigned eight hours to labor, eight hours to recreation, refreshment and instruction, and eight hours to repose ; so that the wisdom of remote antiquity sanctions the principle we celebrate to day.

This report provides us with much information about the philosophy behind the movement, with many hints as to its sources. Alfred the Great, for example, was much admired by the Chartists as a venerable source of their thinking about traditional rights, predating by centuries the Norman conquest of Britain, feudalism and the Magna Carta.

The exhibitions, sports and entertainments after the demonstration are an adaption of the age-old fairs. That “dancing was carried on throughout the day, the bands being incessant in their labors” again evokes the Chartist demonstrations in Britain. The evening concert performances draw on Goldsmith, another favourite of the Chartists.

In 1874 the Victorian weekly the *Bacchus Marsh Express* published the following poem about the eight hour celebrations in Melbourne under the heading ‘Eight Hours Anniversary’.³⁷⁴

The following lines were recited at the Theatre Royal, Melbourne, on Tuesday night, 21st ult.:—

'Tis a rare throng to-night of smiling faces,
Of cankering care methinks I see no traces;
And if I read those cherry [sic.] sounds aright
Your hearts are mirrored in your faces bright.
And wherefore comes this pleasant company?
This brimming house from pit to gallery,
This goodly gathering that glads the eye,
And prompts me to inquire the reason why?
Listening the answer, comes to me a voice
Which says—" It is the day that we rejoice;
Day of thanksgiving for a victory won,
End of a struggle centuries since begun,
Long fought we for it, fierce and sharp the strife,
For Liberty is better far than life.

It seems remarkable that this poem composed for recital for the eighteenth eight hours anniversary finds its way into the local newspaper. Its conversational tone is more like a speech than a poem but it weaves a careful story “of a struggle centuries since begun”, paraphrasing the rebel slogan “liberty or death” and proposing a cultural need for the conditions won, a hegemonic victory of right over might:

³⁷⁴ *Bacchus Marsh Express*, 2 May 1874 p. 4.

And it was leave to live for which we asked,
To rest the weary frame, too much o'ertasked;
To stay the hand ere yet the day declined,
So we might give some culture to the mind.
We struggled, and we conquered, and the Right
Planted its foot upon the vanquished Might.
And men looked on, with wonder in their eyes,
A bloodless battle for a glorious prize.
The standard planted, deep within the soil,
We marked the noble victory of toil.
'Tis a brave answer, and the pride is just,
Man was not born to grovel in the dust;
For, though in labour there's nobility,

The argument that workers deserve their rest is as old as the argument that the labourer is worth his pay. Rest is regarded as having a physical, mental and spiritual dimension, the products of labour and the worth of the worker need no special laws but are assumed rights that “by custom are decreed.”

Rest, Labour's proper co-mate claims to be.
Rest for the cunning fingers and the thews
That overtasked, their functions oft refuse;
Rest, that the intellect its food may take,
And the soul off its gathering torpor shake.
For grimy hands and polished mind may be
Associate in fitting harmony.
Among the world's great men of deathless fame
Hundreds have lived, who owned a workman's name.
Rejoice we then that in this favoured land
Labour and capital go hand in hand;
That labour's rights by custom are decreed,
Strong custom, that no statute aid doth need;
That he who works, works not as once they wrought

Who spent through life their wretched strength for nought;

The poet celebrates the hegemonic shift that the eight hours campaign has wrought, a shift that “no power malign can ban”, a shift that “now shall last for ever.”

But willing-works, and as he toils the while
Light is his heart and on his brow a smile.
So much the Eight-hour system hath procured
That you enjoy, where they of old endured;
You illustrate the truth, man was not meant
For only physical development;
But all the higher nature must be free,
Soaring for ever towards infinity.
This boon, I trust, may never cease to bless
The toilers of earth with happiness;
What solid joys no power malign can ban,
That spring from out the nobler part of man.
I bid God speed, then, to your grand endeavour,
The Eight-hour system now shall last for ever.

Eight Hours Competitions and Prizes

Eight-hour writing competitions become part of the organising agenda, evidence of the movement’s interest in representing its own history. In the *Williamstown Chronicle* in 1875 we find this report of an essay competition.³⁷⁵

EIGHT HOURS ANNIVERSARY COMPETITION CORRECTION OF ERROR.

I am sorry that an error escaped my notice in the number of marks which should have been given to Walter-Mitchell in the printed list of prize-takers. In determining who should get the special prize his position was rightly put down, but his marks should have been 75 instead of 65. As this error has caused some to

³⁷⁵ *Williamstown Chronicle*, 22 May 1875.

think that Elizabeth Crane scarcely got justice, Mrs. Hodgkinson and I have gone carefully over the exercises of both again, giving in both cases the same values, and the results are as follow—

Possible or maximum, 88½.

Walter Mitchell, 75.

Elizabeth Crane, 70.

JOHN CLARK, Examiner.

An interesting feature of this report is that the essays submitted for the competition were marked out of 88½ rather than a more normal figure like 100. I suggest this is the closest a non-decimal system could come to 88.8 – a reflection on how seriously the 8-8-8 anniversary celebrations were taken at the time. In 1881 a competition for a poem about the eight-hour day was organised by the Eight-hours Demonstration Committee in South Australia. First prize went to Julian Woods, one of thirty six entrants as reported in the *South Australian Register*:³⁷⁶

As with the records of so many competitions even to the present day the winning poem raises in the mind of the collector the question: what happened to the other thirty-five? This question could be asked about all the many union competitions down the years, but at least we can claim that hundreds of such literary works must have been written even if only a handful survived through publication. The fact that any were published in the newspapers attests to an audience for such material. The published winning poem is ‘The Eight-Hours System’:

In days of yore, long gone before.
When first the world began.
From morning's light till falling night
Was toiling-time of man.

And fancy brought no better thought
Of pleasure to their breast ;

³⁷⁶ *South Australian Register*, 1 September 1881.

'Twas night, they said, not day was made
For toiling hands to rest.

But days of light, with knowledge bright,
Illume the world since then ;
Now work and rest and pleasure's zest
Adorn each day for men.

Nor from this day shall riches' sway
Forbid the toilers' mirth.
Nor shall men slave until the grave
Gives rest denied on earth.

For pleasure's hour and learning's power
Should deck all men and lands.
Not only those whose fortune throws
Their work on others' hands.

And well man knows the strength that grows
When steadfast hearts combine ;
So now unfurled through all the world
The Eight-hours banners shine.

Men equal all is now the call
That sounds from East to West ;
So equal time in every clime
For work, and play, and rest.

Eight hours to sleep in midnight deep.
Eight hours of toil a day :
Eight hours to rove in learning's grove.
For pleasure and for play.

JULIAN E. WOODS. Norwood, August 22, 1881

The poem has many interesting lines “Nor shall men slave until the grave / Gives rest denied on earth” and “Not only those whose fortune throws / Their work on others’ hands”, suggesting an egalitarian thinker who understands the exploitative nature of the capitalist system. The egalitarian argument is reinforced by the penultimate verse “Men equal all is now the call / That sounds from East to West / So equal time in every clime / For work, and play, and rest” That verse also suggests an internationalist rather than the sometimes white supremacist view. The most likely author is Julian Edward Tenison Woods who died in 1938, and would have been 21 in 1881. He was from Norwood, a well known sportsman and a leading member of a trade union.³⁷⁷

The effects of the Australian eight hours movement became, as predicted by its early protagonists, a beacon for workers in many other parts of the world. In 1891 the Scottish/Canadian economist John Rae began his paper in *The Economic Journal* in Britain with this statement:³⁷⁸

A WEEK before the May-day demonstrations of last year, at which the working men of Europe and America assembled and cried together to their governments for an eight hours day of labour, the happier working men of Victoria were celebrating the thirty-fourth anniversary of the attainment of the boon. The 21st of April was Eight Hours Demonstration Day, which has now grown to be the national festival of the colony, and drew to Melbourne last year the greatest throng of people ever seen in the city. The usual procession of the eight-hour trades - composed of 8,000 men and representing fifty separate trades - marched through the principal streets from the Trades Hall, the parliament-house of labour, on to the Friendly Society Garden's, labour's beautiful pleasure-ground. Before them was borne the old patched but venerated banner, of 1856, inscribed with the principle, ' Eight hours work, eight hours recreation, eight hours rest.' Then came the fifty trades in the order of ballot, each with its flags and music and appropriate historical and industrial tableaux.

³⁷⁷ *Argus* 1 June 1937.

³⁷⁸ John Rae 'The Eight Hours Day in Victoria; *The Economic Journal*, vol. 1, no. 1 (1891), p.15

In this evocative report Rae describes the eight hour day as a boon and contrasts the “happier working men” in Australia with the 1890 May Day demonstrations, demanding an eight hour day, in Europe and America. Rae is clearly impressed by the “the old patched but venerated banner of 1856”, and the “fifty trades in the order of ballot”, evidence working class democracy in action.

A song titled ‘Eight Hours Demonstration Song’ was published in 1882 in the *South Australian Register*. Below are excerpts:³⁷⁹

O comrades bring your banners.
And march in rank and file,
And wake the air with echoes
In true Australian style.
What though we love the shamrock,
Or Scotland's heather spray,
Or the blushing rose of England,
Our cheers shall blend today...

What is our cause, and why do we unite?
Our cause is just; thus unity is right
Eight hours to work in labour's busy mart
With supple muscle and with buoyant heart;
Eight hours to recreation, calm, refined,
To sooth the frame and elevate the mind;
Eight hours to sleep—in heav'n's own slumbers blest—
We work, we play, and reap reward in rest.

In describing rank and file unity as “true Australian style”, the unnamed poet links the notion of an Australian identity to the struggle for justice. He or she extols the selfless nature of the struggle to improve working life, and the refusal to be reluctant to take on “wealthy might” a conflict from which each participant “shrinks not”. The poet also understands the significance of the struggle for future generations, “He sows the corn

³⁷⁹ *South Australian Register*, 1 September 1882.

another age shall reap”, connecting it to the broader development of “liberties” or as this thesis argues, rights:

He seeks not strife where no good comes of strife,
Nor grasps at gold by wearing out his life.
No temper dulled by anxious plodding days,
No manner soured by harsh oppressive ways;
But, every action bright with pleasant love.
He lives his life and waits reward above.
Firm by his principles when they are right,
He shrinks not from the power, of wealthy might.

The struggle is as much for the future as for the present because:

His influence lives when he has fall'n to sleep;
He sows the corn another age will reap.
Blest is the land that owns such sons as these;
Her power will grow, her liberties increase.
Our cause is right—then to our League success
In righting wrongs where thoughtless wrongs oppress
Yea, honour to our League, long may it stand
A power for good throughout our sunbright land.

This poem appeared in the supplement of the newspaper while an article on page five is headed “The Eight Hour Demonstration, and refers to it being “the ninth anniversary of the eight hours’ movement in this colony.” South Australia had chosen September for the annual demonstration. It is significant that lyrical materials continued to be written and published about the importance of the eight hour day for over a century beyond this poem. Since the eight hours became a national standard in 1947, there has been an ongoing campaign by employers to undermine this condition. This has given rise to more recent examples of verse about working hours which I discuss later in this chapter. Following the publication of the poem above, in 1884 a full description of the annual demonstration in Bendigo appears in a three-column report the local newspaper.

Special attention is paid to a song composed and sung for the occasion titled 'The Eight Hours' Song':³⁸⁰

Mr. J. H. McColl then sang the following song, composed by himself, which was heartily applauded :-

Come let us celebrate this day,
Let joy our hearts inspire,
Let each voice sing and loudly ring
With life, and hope and fire.
A glorious cause this day is ours,
A cause that none can stay,
Let songs rewind and joy abound
On this its Natal day.
On this its Natal day.

Chorus.—For eight hours' work
And eight hours' rest
And eight hours' still to spare;
We will not rest till we obtain
The eight hours everywhere.
The eight hours everywhere.

We sing a battle fought and won—
A bloodless one indeed,
Yet gained by suffering hard to some,
By sore distress and need.
We honor those now gone before,
Who fought the good fight well,
And we will spread its blessings round,
As thus to all we tell.

³⁸⁰ *Bendigo Advertiser*, 22 April 1884.

The tradesman working at the bench,
The miner who would gain
The glittering gold in danger oft,
Shall shout the glad refrain.
And labor's sons and daughters too
Must join with heart and hand,
Until the eight hours' system rules
Through all Australian land.

McColl's song makes the case that although gained without bloodshed, the eight-hour day was the result of struggle and sacrifice. There is also the ultimate aim to universalise the system everywhere; a right gained for some must be available to all, and that can only happen if the struggle continues. The lines "And labor's sons and daughters too / Must join with heart and hand" show a growing awareness of the work of women and the important part they played in the eight hours movement, and in the wider labour movement. It is possible, although we have nothing to go on but the title, that this was the song sung in Queensland by four women at the Eight Hour Day celebration a month later, creating "a storm of applause".³⁸¹

BEAUDESERT, May 28. The carnival to celebrate the inauguration of the School of Arts at Veresdale was held on Thursday ... The singing of Mrs. and Miss Coulson, Miss Plunkett, and Mrs. Green was much appreciated. Mr. Selwyn Smith's rendering of the "Eight Hours" song could not be excelled; it created quite a storm of applause.

In Adelaide in 1887 the annual eight hours demonstration was reported. Another poem, "a poetic effusion", emerges from the detailed description. The poem, anonymously written for the occasion, was printed during the procession and handed out from a float carrying a working printing machine. This example, I would argue, demonstrates not

³⁸¹ *Queenslander* Saturday 2 June 1894.

only the high level of ingenuity and organisation involved in the demonstrations but the appetite of the campaign's constituency for verse.³⁸²

The Typographical Society was represented by a "Minerva" printing machine on which the poetic effusion of a local member was printed and distributed to the crowd, whilst several men were engaged in setting. This year the poet hid his identity under the nom de plume of "Typo," so it is not probable that the author of the eight-hours lay, which is as follows, will go down to posterity :—

Once more our Eight-hour banners fly,
The breeze toys with their silken folds,
And Labour, briefly respited,
Its Eight-hour Demonstration holds.

Not always were the sons of toil
So blest as we to-day are blest;
Not always did their lives combine
With round of toil an equal rest.

Time was when workers' rights were few;
When task was long, reward but small;
When "leagued oppression" reigned supreme,
And money dominated all.

The phrase "leagued oppression" is an evocative way of describing the power and supremacy of the rich - "and money dominated all" - in a situation "when workers' rights were few". A culture of public education is also referred to, emphasising the right to education that the labour movement demanded as an element of its eight hours philosophy. The unions and labour movement were from the start engaged in self-education (for example through the growing Mechanics Institutes and public libraries) to create a voice that demanded to be heard, an anti-hegemonic force, replete with "banners floating gay" and "freedom's flag unfurled":

³⁸² *South Australian Register* 2 September 1887.

But, with the schoolmaster abroad,
The masses slowly woke, at length,
To see that e'en for them there lay
In closer union greater strength.

Sense dawned of rights unheeded long;
Of duty both to self and power;
And Labour, with a new-found might,
Cast off its shackles from that hour.

See yon grand legend standing forth
Upon our banners floating gay—
Tis triumph's sign, and fraught with hope—
"Eight hours for labour day by day."

Wave, banners, wave, till 'neath your folds
There range the toilers of the world;
Honest in service, firm for right,
Wherever Freedom's flag's unfurled.

The hard won right to a shorter working day with time for education and rest is linked above to the greater concept of "Freedom"; again we can read a universalising sentiment in the work with its reference to "the toilers of the world". This movement may be making local demands, but it is not parochial in its world view.

1891 Shearers' Strike

I discuss the shearers' strike of 1891 and lyrical composition associated with it in Chapter Three. I return to it in this discussion of the eight hour day as this was an important plank in the shearers' platform of demands. Australian shearers in the 1890s had become a political and cultural force. In Queensland this was so much the case that the wealthy landowners decided to set up their own organisation to confront the new and rapidly growing shearers' unions - the Queensland Shearers' Union and the

Queensland Labourers' Union. The Pastoral Employers Association insisted on what they termed freedom of contract, essentially a return to the Masters' and Servants Act I have referred to before. Refusing consultation, the pastoralists demanded wage reductions and removal of all the conditions the unions had earlier won. The Queensland shearers had received a telegram on 31 January that made them aware of that the employers had levied their members to the tune of £300,000 and were organising to draft of thousands of non-union workers – scabs – to destroy the rural unions district by district. The Shearers' Union and the Labourers' Union issued all their members, some 10,000 or so, with the "Bushman's Official Proclamation", part of which reads:³⁸³

We have a right to resolve this for, disenfranchised though we are, we are the men whose labour mainly upholds Queensland. It is our toil that brings rich dividends to banks and fat incomes to squatters and profitable trade to great cities. Yet we have no votes by which we can secure laws to protect us even in our earnings and the squatting companies dream of dragooning us into submission with hordes of police protected blacklegs when we refuse to work under any conditions which profit mongers who fleece us choose to draw up in some bank parlour.

As I have stated earlier, prominent among the rights the shearers demanded was the eight hour day. On 1 May 1891 in the Queensland town of Barcaldine, workers led by striking shearers celebrated the first Australian May Day. The impressive pageantry of this demonstration for workers rights in rural Queensland was reported in the next day's *Sydney Morning Herald*:³⁸⁴

The feature of to-day has been the great demonstration made by the unionists, in which 1340 men took part. Of this number 618 were mounted. Not included in the count was the Oddfellows' band, which headed the procession. Then came the banner of the Australian Labour Federation and the men carrying samples of the trade, in which they were employed, a waggon, drawn by six horses, exhibited a group of shearers and roustabouts, the former operating upon three sheep, and the

³⁸³ *Worker*, 7 February 1891, p. 4.

³⁸⁴ *Sydney Morning Herald*, 2 May 1891

latter with brooms and a tarpot. Behind the banner of the Shearers Union walked men with shears and wands, dressed with wool. After the banner of the Carriers Union came 12 footmen and 52 horsemen. More banners followed with labourers bearing picks, shovels, drills, and all tools used by bushmen. Then came the Union Band, and behind it footmen and horsemen walking four abreast. Behind all came a shearer driving a waggon in which sat it stout woman waving a flag with "Young Australia," inscribed upon it. Four leaders rode at the head magnificently adorned with gaiters and immense blue sashes. There was a large crowd in the streets, but no enthusiasm and no sound was heard until the procession reached the Union Office, when cheers were given for the union. Afterwards the whole party returned to the main camp.

Other reports claim that the Eureka Flag was carried by the leaders, who were wearing immense blue sashes, and that the crowd cheered as a section of the procession celebrated the eight hour day. In this demonstration we can find the precursors of the Australian Labor Party (ALP), under the banner of the "Australian Labour Federation" (ALF). The defeats of unions at the time convinced many in the labour movement that a political party was required to ensure that workers gained in terms of franchise and representation in government. The 1891 strike particularly showed that the combined might and resources of an employer dominated government with the employers' organisation and funding presented a formidable enemy. Further, the employers were seen to have made the laws, to have control of the courts. They monopolised the power to commandeer the public rail system for their purposes, as well as the army and police and were resolved to do anything other than sit down and negotiate with organised workers. In my online research I have recovered two songs, previously unknown, that were composed during the shearers' strike in my online searches. According to letters to the editor of the *Worker* they were both composed for the Charters Towers O'Callagan Opera Company by John Plumper Hoolan. The song below was published in 1924, thirty three years after composition, and was originally performed in a special play written to raise funds during the 1891 strike.³⁸⁵

³⁸⁵ *Worker*, 10 April 1924, p. 4.

Your brave defenders are engaged in battle's stern array,
They're going into the bush to fight for glory, not for pay;
On shearers and on rouseabouts we'll make the bullets pour,
We're Queensland's standing army, and we're ordered on to war.

Chorus.

To the war, to the war; we'll all go marching to the war;
When the drums are beating and the sheep are bleating
and all the little lambs go "Baa, baa, baa!"
Then a-tramping, a-stamping, and a-ramping with a rush,
We'll guard against stray bullets at the war out in the bush.

There's no one knows what we can do when we go to the West,
But we can give a guarantee to do our very best;
We'll keep our bellies full of grub; its orders and the law
Of Queensland's bold defenders when they're - marching on to war.

Among the squatters' mutton we will promise to succeed;
We'll grease our chops with fine fat lambs of pure merino breed;
So let the trumpet sound again, we hear the battle roar.
We'll glory gain in hatfuls when we're fighting in the war.

So sling your best leg forward, boys, and buckle on the gun,
For scabs and blacklegs roll along; there'll soon be whips of fun;
Though every shearer in the land with bullet holes we'll bore,
For none can stand before us when we're fighting in the war.

With deeds of cruel carnage, with battles lost, and won,
You'll shed a tear of sympathy for every mother's son;
For every way-worn sodger who perished in his gore
When out as scab-protectors in that cruel sheep-skin war.

The warlike preparations to deal with the strike are evocatively summed up in the phrase "cruel sheep-skin war." The fact that the song was published thirty three years

after it was composed reminds us how dangerous such songs could appear in the mind of vengeful and litigious authority. According to the *Worker* the play raised £100 and undoubtedly this deeply scornful song would have found an appreciative audience in Charters Towers. The second song from the 1891 shearers' strike, titled 'The Daydawn of Labor', was published in the *Worker* a number of times the earliest being in 1925³⁸⁶:

(Air: "Marching to Georgia")

Oh listen to the distant sound that spirit wings have borne,
Bidding all awaken to the breaking of the dawn.
Sons of toil arising to welcome the bright morn
Ushering in the daydawn of Labor.

Chorus:

Arise, arise and usher in the day;
Arise, arise and battle for fair play.
Down with every obstacle, the unions lead the way;
And up with the standard of Labor.

Onward we are marching, onward let us roll;
Spread the gospel freely, boys, spread from Pole to Pole.
Throw your lives in with it, it's salvation to the soul;
And cast in defence of your labor.

Land of full and plenty, O land of liberty;
Land where honest sons of toil will never bend the knee
To purse-proud, mocking masters in meek humility;
So fight in defence of your labor.

Perhaps this song was performed in the same play mentioned above. It is interesting that neither song appeared in the *Worker* at the time of the strike, possibly the draconian emergency laws would have precluded that. It is also interesting that they were

³⁸⁶ *Worker*, 5 November 1925, p. 3.

published in the 1920s when the *Worker* was reflecting on the 1891 shearers' strike and its significance as an influential part of labour movement and ALP history.

The demand for the eight hour day was an important element of the shearers' strike platform and a number of Australian shearers' songs and poems date from this period of organisation and struggle. Although the songs are not always explicitly about the eight hour day itself, an examination of them provides rewarding insights into the working culture and attitudes towards the employers at that time. Some, like Paterson's popular 'Waltzing Matilda', deal poignantly with the defeat of the strikers. A recurring trope of even the mildest shearers' songs is the lack of deference to the squatters or pastoralists. The theme is often the high level of skills of the shearer, the prowess of the gun shearer, the spree at the end or the fantasies of vastly improved shearing conditions invoking perfumed rams, electric fans, and a German band for the evening dances. In Victoria, where the pastoralists would find much of their scab labour and bring them to Queensland by special trains, with the support of the NSW and Victorian State Governments, two remarkable cultural items bookend the 1891 strike. The best known shearers' song, 'Click Go the Shears', was published in December 1891 six months after the strike, while Tom Roberts' famous painting "Shearing the Rams" was completed and exhibited in Melbourne in May 1890. The historic interest in both the painting and the song has ensured their depiction on Australian stamps.



fig. 6. Shearing the Rams Stamp³⁸⁷

Despite their status in the present-day as cultural icons it was not always the case – particularly for Roberts' painting. The critic in the *Argus* in Melbourne, writing

³⁸⁷ 'Shearing the Rams', Australia Post Stamp, issued 1974.

apparently on behalf of the National Art Gallery which had chosen not to buy the painting, was profoundly disturbed by the artist's choice of shearing as a subject and writes:³⁸⁸

The smack of provinciality is as exceptionable and as distinctly a note of inferiority in art as in society... The literal fact must pass through a transforming medium of human genius. To exactly copy a sheep-shearing is to invite us to look on at sheep shearing, and not at a work of art. We do not go to an art-gallery to see how sheep are shorn.

The critic ignores the obvious compositional elements of the painting while dwelling on the shearing activity. What Roberts does show in his painting is an interest in working lives. To accomplish the art-work he spent two shearing seasons drawing the activities that industrialised hand shearing entailed at that time in Australia. The shed is organised and observed but the people at work are foregrounded. The self-organisation of workers in their unions is not explicit, but can be read into the painting. Shearing and shearers were big news in Australia at the time. Roberts responded to his critics, describing himself as a “a worker with the brush” and the scene before him of factory like organisation:³⁸⁹

So, lying on piled up wool-bales, and hearing and seeing the troops come pattering into their pens, the quick running of the wool-carriers, the screwing of the presses, the subdued hum of hard, fast working, and the rhythmic click of the shears, the whole lit warm with the reflection of Australian sunlight, it seemed that I had there the best expression of my subject, a subject noble enough and worthy enough if I could express the meaning and spirit-of strong masculine labour, the patience of the animals whose year's growth is being stripped from them for man's use, and the great human interest of the whole scene.

The scene in the painting is also present in the iconic song published eighteen months later. Roberts writes in his letter that had he been a poet he might have:³⁹⁰

³⁸⁸ *Argus*, 28 June 1890.

³⁸⁹ *Argus*, 4 July 1890.

³⁹⁰ *Argus*, 4 July 1890.

described the scattered flocks on sunlit plains and gum-covered ranges, the coming of spring, the gradual massing of the sheep towards that one centre, the woolshed through which the accumulated growth and wealth of the year is carried; the shouts of the men, the galloping of horses and the barking of dogs as the thousands are driven, half seen, through the hot dust cloud, to the yards; then the final act, and the dispersion of the denuded sheep.

The song we now call 'Click Go the Shears' does in fact cover much of the territory described by Roberts. There has been an on-going debate and interest in the origin and first publication of the song among folklorists,³⁹¹ and generally it was accepted that the song was first published in 1946, until my research in 2013 demonstrated its much earlier provenance of 1891. The song was published in the Melbourne newspaper, the *Bacchus Marsh Express*, with the title 'Bare Belled Ewe'. The fact that it has lain hidden for one hundred and thirty two years is testament again to the significance of the digitisation of Australian newspapers. The song was previously known in fragmentary form and the most complete version, the one that became standard, was published by the collector Dr. Percy Jones in 1946. Below is the original version the 'Bare Belled Ewe',³⁹²

(Tune "Ring the bell watchman.")

Oh, down at the catching pen an old shearer stands,
Grasping his shears in his long bony hands ;
Fixed is his gaze on a bare belled ewe,
Saying " If I can only get her, won't I make the ringer go."

It was the second verse that became the chorus to the song in the fragments recalled by bush singers that folklorists collected it from. It soon gave the song the title as we know it today:

³⁹¹ Keith McKenry, 'The Great Australian Folk Song That Wasn't', *Quadrant*, vol. 53 no. 3 2009, (p. 30-36)

³⁹² The *Bacchus Marsh Express*, 5 December 1891.

Click goes his shears; click, click, click.
Wide are the blows, and his hand is moving quick,
The ringer looks round, for he lost it by a blow,
And he curses that old shearers with the bare belled ewe.

At the end of the board, in a cane bottomed chair,
The boss remains seated with his eyes everywhere ;
He marks well each fleece as it comes to the screen,
And he watches where it comes from if not taken off clean.

The "colonial experience" is there of course.
With his silver buckled leggings, he's just off his horse ;
With the air of a connoisseur he walks up the floor ;
And he whistles that sweet melody, "I am a perfect cure."

The song demonstrates the common trope of the colonial ignoramus. The colonial experience man, sent out to the colonies to learn the empire's business, was a favourite butt of shearers who compared their skills in the industry with the concomitant lack of skills of the observer from Britain:

"So master new chum, you may now begin,
Muster number seven paddock, bring the sheep all in ;
Leave none behind you, whatever you do,
And then we'll say you'r fit to be a Jackeroo."

Jackaroos and new chums are usually young trainees learning on the job. As they gain experience they move to more skilled work:

The tar boy is there, awaiting all demands,
With his black tarry stick, in his black tarry hands.
He sees an old ewe, with a cut upon the back,
He hears what he supposes is--" Tar here, Jack."

"Tar on the back, Jack; Tar, boy, tar."
Tar from the middle to both ends of the board.
Jack jumps around, for he has no time to sleep,
And tars the shearers' backs as well as the sheep.

So now the shearing's over, each man has got his cheque,
The hut is as dull as the dullest old wreck;
Where was many a noise and bustle only a few hours before,
Now you can hear it plainly if a pin fall on the floor.

The shearers now are scattered many miles and far;
Some in other sheds perhaps, singing out for "tar."
Down at the bar, there the old shearer stands,
Grasping his glass in his long bony hands.

Saying "Come on, landlord, come on, come!
I'm shouting for all hands, what's yours--mine's a rum;"
He chucks down his cheque, which is collared in a crack,
And the landlord with a pen writes no mercy on the back!

The colonial outsider is only one target of shearers' irony – similarly landlords of outback pubs, are another favourite target of shearers' chagrin, especially ones who short changed the shearers or tampered with the quality of the drink:

His eyes they were fixed on a green painted keg,
Saying "I will lower your contents, before I move a peg."
His eyes are on the keg, and are now lowering fast;
He works hard, he dies hard, and goes to heaven at last.

This ending of the song was to be reworked by its shearers singers into the more larrikin and less pious "he works hard, he drinks hard, and goes to hell at last". In the *Bacchus Marsh Express* the original version of the iconic song was signed off:

"C. C. Eynesbury, Nov. 20, 1891". We do not know who C.C. is, however, Eynesbury was the name of one of the largest sheep stations in Victoria and according to a heritage

evaluation may have had brick quarters for the shearers.³⁹³ A report in the *Launceston Examiner* mentions the going rate for shearers on the property: “At Mr S. T. Staughton's, M.L.A., Eynesbury Estate, near Melton, the agreement is 12s per 100, with board.” This suggests that the board offered was superior to many other Victorian stations, where shearers finding their own accommodation were getting 16s a hundred.³⁹⁴



fig. 7. Click Go the Shears Stamp set.³⁹⁵

Returning to songs and poems specifically composed about the eight hour day, in 1896, for the fortieth anniversary of the Melbourne celebration of the day, Hamilton MacKinnon wrote his ‘Ode to the Eight Hours’ Pioneers’:³⁹⁶

This day, just forty years ago,
The well-fought fight was won
By true hearts set in steel-wrought frames,
Through whom bright Freedom shone.

All honour to their glorious names,
Which ne'er shall be forgot
While life blood thrills through grateful hearts
Enjoying their favoured lot.

In this Victoria, our dear land,
The first that dared be free,
To show the world what freedom meant

³⁹³ <http://www.onmydoorstep.com.au/heritage-listing/833/eynesbury>, accessed 5 June 2113.

³⁹⁴ *Launceston Examiner*, 26 October 1894, p. 3.

³⁹⁵ ‘Click Go the Shears’, Australia Post Stamp Set, issued 1986.

³⁹⁶ W. E. Murphy, *History of the Eight Hours' Movement* (Melbourne: Spectator Pub. Co, 1896).

In new lands 'cross the sea.

And honour too to those who've held,
Through all the years since then,
Steadfastly to the Cause they won,
And proved themselves true men.

A tear for those who've passed away
From out this faithful band;
Their fight being fought, they now take rest
In God's own peaceful land.

MacKinnon's poem was published in a special edition of 'The History Of the Eight Hours' Movement' presented to delegates of the 1906 'Jubilee Session'. This reprinted book came with a protected colour frontispiece of "the original banner of the Eight Hours System, unfurled at Melbourne, Victoria Australia. 1856." This reproduction of the old banner does not hide the obvious signs of mending and patching that kept it intact for half a century, suggesting a respect or veneration for its provenance.



fig. 8. Reproduction of original Eight Hours Banner.³⁹⁷

Songs referring to the eight hour day endure. In one of his early bush song collecting field trips in the 1950s the folklorist John Meredith met the shearer Duke Tritton, who

³⁹⁷ W. E. Murphy, *History of the Eight Hours' Movement* (Melbourne: Spectator Pub. Co, 1896).

had in his repertory a song about an immigrant to Australia, a song he recalled hearing in the streets of Sydney in the early 1900s. Tritton not only remembered and sang the song, titled 'The Shores of Botany Bay', but had himself added to it a final verse that commemorates the eight hour day. The song tells the story of an Irish bricklayer who is fed up with working all hours and falls out with his employer and decides to emigrate to Australia encouraged by better working conditions like the eight hour day. Tritton was a strong unionist, a member of the AWU, and wrote a number of songs and stories about his work and life.³⁹⁸

Oh I'm on my way down to the quay
Where a big ship now does lie
For to take a gang of navvies
I was told to engage
But I thought I would call in for a while
Before I went away
For to take a trip in an emigrant ship
To the shores of Botany Bay

Chorus
Fairwell to your bricks and mortar
Fairwell to your dirty lime
Fairwell to your gangway and gang planks
And to hell with your overtime
For the good ship Ragamuffin is a'lying at the quay
For to take old Pat with a shovel on his back
To the shores of Botany Bay

For the boss came up this morning
And he said "Well Pat hello
If you do not mix that mortar fast
Be sure you'll have to go"
Of course he did insult me

³⁹⁸ John Meredith and Hugh Anderson, *Folk Songs of Australia and the Men and Women who sang them*. (North Sydney, Ure Smith Pty Ltd, 1967), p. 171.

I demanded all my pay
And I told him straight I was going to emigrate
To the shores of Botany Bay

And when I reach Australia
I'll go and look for gold
Sure there's plenty there for the digging
Or so I have been told
Or I might go back into my trade
Eight hundred bricks I'll lay
In an eight hour day for eight bob pay
On the shores of Botany Bay



fig. 9. 1885 Melbourne Wharf Labourers Union metal token:
showing the three eights – 888 - of the Eight Hours movement.

The three eights, '888' the numbers often intertwined, became a potent symbol of the movement and can be seen to this day on the pediments of many old Trade Halls. Like many gains in working conditions the eight hour day was often lost, "and frequently had to be regained."³⁹⁹ Perhaps the eight hours movement is best considered as a long term and unfinished project. It was posited by its pioneer advocates as a way of ensuring workers could have time to educate themselves, to be a way of overcoming mass

³⁹⁹ Graeme Davison, J. B. Hirst and Stuart Macintyre. *The Oxford Companion to Australian History*. (Melbourne: Oxford University Press, 1998), p. 210.

unemployment, and as a more natural, family friendly way of assurance of rest and for leisure. The eight hour project was a rights claim – a desire to have a voice in the way labour was organised and administered. As well as celebrating its existence, masses of workers were involved in the demonstrations that demanded it as a right enshrined in law.



fig. 10. Trades Hall Melbourne 1906

The rights claim also began to embrace women workers and the unemployed. In 1898 the *Inquirer & Commercial News* in Perth carried this report of the Adelaide eight hours demonstration⁴⁰⁰

SOUTH AUSTRALIA.

Adelaide, September 2.

Yesterday's Eight Hours demonstration passed off quietly, but the large numbers of the unemployed marred the general effect of the proceedings.

If the unemployed joining the celebration could prove an embarrassment for the organisers from Trades Hall, they were also slow in coming to terms with organised women workers. In Victoria in 1909 domestic workers were becoming unionised and had happily joined the fifty third anniversary eight hours demonstration⁴⁰¹

⁴⁰⁰ *Inquirer & Commercial News*, 8 September 1893.

⁴⁰¹ *Age*, 27 April 1909.

Since last year's procession about a dozen new unions have been formed, and half of these were represented yesterday, comprising the stage hands, the stage supernumeraries, the vaudeville artist, the oven and stovemakers, cold storage hands, gardeners and nurserymen, artificial manure workers, and last, but not least, the domestic workers.

Two years later women members of the Candle, Soap and Starch Makers' Union and the Matchmakers Union were reported to be among the new unions who joined in the 1911 eight hours demonstration in Melbourne⁴⁰²

Attractive young women the matchmakers (not the matrimonial union makers) appeared to be. They sat in a drag, all smiles and badges. Not far behind them were representatives of the lady members in the Candle, Soap and Starch Makers' Union, pretty girls, sitting under strings of silver globes, like enormous beads, and attired in white frocks, with pale blue sashes, and red badges.

World War I and the Depression

During the war wages were pegged while prices inflated and ten years after the war wages had still hardly changed. For a further ten years until the next war wages went backwards as unemployment began to climb through the depression. The unemployed lived as best they could on the dole. Still the eight hour day was remembered and celebrated and for the 79th anniversary Brisbane's *Courier Mail* carries this report of the 1935 Melbourne demonstration, showing a growing attendance in the later years of the depression.⁴⁰³

EIGHT HOURS DAY PROCESSION

Largest in Melbourne for 10 Years

MELBOURNE, April 1.

The Eight Hours Day procession was held through the streets of Melbourne today. It was the largest demonstration for about 10 years, and many thousands of

⁴⁰² *Argus*, 25 April 1911.

⁴⁰³ *Courier Mail*, 2 April 1935

unionists, including a large percentage of unemployed, took part in the march. The procession was a most orderly one, and there were no disturbances.

A retrospective of the eight hour marches in the *Argus* in 1934 indicated the importance of the annual celebrations in the tough time of unemployment and depressed wages. The newspaper reported the following incident involving the notorious Melbourne anarchist activist Chummy Fleming when the celebrations were at their height:⁴⁰⁴

The demonstration reached its peak period in 1890. That year the procession brought together one of the biggest crowds ever seen in the city. During the afternoon Lord and Lady Hopetoun visited the gardens, and His Excellency was presented with an illuminated address. One Fleming, representing the unemployed, unfurled a calico sign for Lord Hopetoun's benefit, on which was painted "Feed on our flesh and blood you capitalist hyena; it is your funeral feast". There was a disturbance, but the calico sign was taken from Fleming, and the Governor was not put out.

Apparently the Governor later gave Fleming a case of champagne, which he, being a non drinker, donated to his unemployed comrades.

1948 – The Forty Hour Week

Ninety-three years after the masons' downed tools in the Rocks in Sydney in 1855, Australian workers finally achieved an eight hour day and a forty hour week with the grudging approval of the Commonwealth Arbitration Court.⁴⁰⁵

TUESDAY, SEPTEMBER 9.

40-HOUR WEEK.

AFTER due inquiry during which the views of all sections of Australian administration and industry were put forward, the Full Bench of the Commonwealth Arbitration Court has granted a 40-hour week to commence as from the first pay period in 1948. The decision of the Arbitration Court was by no means achieved without an extensive

⁴⁰⁴ *Argus*, 24 February 1934 p. 9.

⁴⁰⁵ *Canberra Times*, 9 September 1947.

struggle by the labour movement. Every advance of the eight hour system was result of organised and concerted action by workers across generations and this landmark decision was no different. The Amalgamated Engineering Union (AEU) led the direct action with their 1946 demand for increased wages. Ignoring deregistration and lock-outs the “metal trades dispute was one of the high points of post-war militancy”. The gains by the metal trades flowed on to workers in other industries. The Commonwealth Arbitration Court hearings were accompanied by “strikes over a wide range of issues in transport, on the waterfront, and in many other industries”.⁴⁰⁶

The question of working hours and the working week is still current, and constantly under threat. It is worth noting some of the lyrical compositions that have focussed on this in the recent period. These songs serve as a reminder of the long history of the struggle and as a warning about the consequences of forgetting that history. For example, the pioneers of eight hour day, Galloway and Stephens, are represented in a commemoration display on the walls of the Victorian Trades Hall and in 1985 former school caretaker and songwriter Clem Parkinson to compose a song in their honour ‘Galloway and Stephens’:⁴⁰⁷

Who were the men who led the fight that won the eight hour day?
The men to whom we owe a debt we never can repay
Their names will live forever though they lie beneath the clay
Twas no one else but Galloway and Stephens

Chorus

It was Galloway and Stephens who pioneered the trail
Who led the band of working men determined to prevail
And so we stand together as their names we proudly hail
And shout "hurrah" for Galloway and Stephens

Back in the dark satanic days - a time when life was bleak
The workers toiled from dawn to dusk for 60 hours a week

⁴⁰⁶ Ian Turner, *In Union Is Strength: A History of Trade Unions in Australia 1788-1974* (West Melbourne, Vic: Thomas Nelson, 1976), pp. 100-102.

⁴⁰⁷ <http://unionsong.com/u135.html>, (accessed 21 June 2012).

Until they said "We'll make a stand - no time for being meek
We'll put our trust in Galloway and Stephens"

They were the honest working men the history books ignore
To tell instead of emperors and jingoistic war
And crooked politicians, worthless monarchs by the score
We'd trade them all for Galloway and Stephens

Perhaps the most recent song about the eight hour day is 'Bring out the Banners', written by teacher and songwriter John Warner during the Maritime Services Union (MUA) dispute in 1998. The song references the victory of the eight hour day as a victory for unity and links this to a concomitant need for unity in the present with the MUA in its struggle with its employer and the federal government.⁴⁰⁸

In faded photo, like a dream,
A locomotive under steam
Rolls with the ranks of marching feet
And union banners on the street.

Chorus
Bring out the banners once again,
You union women, union men,
That all around may plainly see
The power of our unity.

I've seen those banners richly made
With symbols fair of craft and trade,
The union's names in red and gold,
Their aspirations printed bold.

Boilermakers, smiths and cooks,
Stevedores with cargo hooks,

⁴⁰⁸ <http://unionsong.com/u034.html>, (accessed 14 July 2012).

Declare their union strong and proud,
Rank on rank before the crowd.

They won the eight-hour working day,
They won our right to honest pay,
Victorious their banners shone,
How dare we lose what they have won?

Today, when those who rule divide,
We must be standing side by side,
Our rights were bought with tears and pain,
Bring out the banners once again.

Warner's song, written in 1997, gained special currency during the 1998 'Patrick Dispute' where one part of the Australian ports duopoly, urged on and bankrolled by the Howard Federal Government, attempted to smash the Maritime Union of Australia (MUA). The song weaves the story of unions through their banners and demonstrations, linking the past to the present and exploring a long cultural heritage that helps explain and sustain the movement. The song also argues that rights and conditions are not simply congealed into laws and regulations, they are cultural entities that have to be nurtured to remain intact, in face of a relentless corporate desire to wind them back.

In 1998 Warner wrote a song 'The Eight Hour Day' to the tune of the well-known shearers song 'Bluey Brink'. Again the message is to hold fast to workers' rights to a healthy division of the working day, part of a parcel of rights that includes the right to organise and bargain collectively as a counter to the growing corporate control of the economy and concomitant pressure on workers to abandon rights for which earlier generations have argued, organised and battled:⁴⁰⁹

Come all you workers and hear what I say,
They're trying to plunder the eight-hour day,
Won by our forbears in a bloody campaign,

⁴⁰⁹ <http://unionsong.com/u053.html>, (accessed 25 July 2012).

So rise up and be in the struggle again.

Chorus:

So stand up united, let no one betray
Our right and our children's - the eight-hour day.

Individual contracts were made for the fool,
If business divides us then business can rule,
If we let the government back what they say,
It's a twelve-hour shift and no penalty pay.

This system they're making's a ticket to hell,
Working weekends and Christmas and New Year as well,
No time for the needs of our children and wives,
If we let productivity measure our lives.

It's a user-pay's system as I have heard tell,
They're using us hard, so they'd better pay well,
Business and government walk hand in fist
And it's only in union we can resist.

So come all you workers and fight this abuse,
Let overtime hours be our right to choose,
Fight to regain a fair penalty pay,
And grip like a bulldog the eight-hour day.

The lyrical material that workers were inspired or encouraged to compose is an important feature of working class culture that can be traced over as long a period in Australia as in any other country. The speeches, the banners, the slogans, the bands and entertainments, the fetes and the marching through the towns and cities of Australia to mark the eight hour day together with the poems and songs cited in this chapter contribute to a cultural tradition. The songs and poems of the eight hour days celebration indicate that it is a project that has embedded itself deeply into the national egalitarian ethos. The vast archive of digitised newspapers allows us to discover many

important features about the eight hours movement; descriptions of the marches and celebrations in particular tell us what kinds of music were played on these occasions. The slogans on the banners, the cheering of the bystanders lining the route of the procession, are all noted down. The sonic atmosphere is revealed, as are the names of the unions taking part in the processions. As the movement grows so more unions take up the mantle that was pioneered by the building trades, led by the redoubtable stone masons whose members included individuals who were to become the first working class members of any Australian parliament. The eight hour movement proved a great communicator of union ideas that began in the debates of union meetings in urban hotels and eventually moved to the great union offices of the Trades Halls. Labour movement ideas were informed by a tradition of assumed rights that came into conflict with the free trade ideology that served the interests of local capitalists and the new markets opened up by imperial conquest. Australia was itself such a conquest, stolen from the original inhabitants and built on the forced labour of working class convicts caught up in an unjust legal system. This was a system in which the working class had no say, but about which, as we have seen, had much to say.

As the Australian eight hour movement grew so did the confidence of workers in their counter-hegemonic project, and their own vision of the future. The lyrical material composed to celebrate and publicise the vision of the movement often found its way into the newspapers of the time. From the material in this chapter we can see how important this movement was to the unions and their supporters and the larger public towards whom the lyrics are directed. The annual celebrations were a most public affair attracting crowds of bystanders, onlookers as well as participants. Lithography and later photography illustrate the newspaper reports. Sounds of these celebrations are large enough to fill the streets, and reports of them can be found in the newspapers. Then there is silence, an absence of the workaday sounds of industry and traffic that are witness to an annual organised takeover of the streets that could not be denied. On this day the worker is visibly and sonically in charge of the urban environment built by workers. Even the choice of which state edifice shall be met with a revolutionary tune and which will be faced with a show of patriotism is organised and deliberate.

As the movement grows we can see how things have changed. Women, once relegated as emblematic figures on the banners and floats or as onlookers are now marching as

members of their union. The demand for universalisation of suffrage rights becomes a legal possibility, one that is successfully instituted decades earlier in Australia than in the imperial centre. Sometimes, it seems, the “tyranny of distance” has its rewards.

The working songs and poems extolling the eight hours movement began as early as the second anniversary of the building unions’ historic success in Melbourne. At the same time there was a claim of space by workers on the corner of Lygon and Victoria streets, a space where eight hours of the day could be used for education, concerts, and meetings, a space from which union campaigns could be organised and from which new unions could be founded. This is the space where the imposing Victorian Trades Hall stands today, known in the vernacular as the peoples’ palace, a historic building that still fulfils its original purpose. It may have dropped the word literary⁴¹⁰ from its original name but it does include a library and a bookshop. As Julian Woods, the sportsman, journalist and union organiser explains in his prize winning verse in 1891:

Nor from this day shall riches' sway
Forbid the toilers' mirth.
Nor shall men slave until the grave
Gives rest denied on earth.

For pleasure's hour and learning's power
Should deck all men and lands.
Not only those whose fortune throws
Their work on others' hands.

And well man knows the strength that grows
When steadfast hearts combine ;
So now unfurled through all the world
The Eight-hours banners shine.

...

⁴¹⁰ Trades' Hall and Literary Institute was the original name of the Victorian Trade Hall see *Argus*, 3 October 1857, p. 6.

Eight hours to sleep in midnight deep.
Eight hours of toil a day:
Eight hours to rove in learning's grove.
For pleasure and for play

CHAPTER 5. AUSTRALIAN RAILWAY SONGS AND POEMS

THE MIGHTY BUSH TETHERED TO THE WORLD.

Industrialisation in its earliest period in Britain was dependent on water. Water wheels powered the looms of the first industrial towns, and it was by water that finished goods were ferried to market, and raw materials to the factories. To complement rivers and expand the waterways great canals were created for the slow moving floating cargoes. The labourers who built the canals were called navigators, a word soon shortened to “navvies”. The same navvies built the railway tracks, tunnels and bridges for steam engines, themselves, were voracious consumers of water. This soon put an end to canal building in the economic necessity to move goods and people faster and cheaper. In this chapter I examine the creative culture of navvies, fettlers, train drivers, firemen, guards, ticket collectors, station masters, porters, inspectors and all the trades and clerical staff that were required to build, maintain and run railways in Australia, from the 1850s to the present day. Historian Lucy Taksa writes about the cultural contribution of railway workers:⁴¹¹

The culture that emerged was consequently built upon traditions which were associated with the workplace. And, the significance of such traditions for working people were reflected not only in the actions which workers undertook to protect them. Working people also left a record of their perceptions, experiences and struggles in their poems and songs.

In this chapter I also refer to lyrical material published about the railways that illustrates a broad popular interest in them. Railways and steam engines in particular touched the popular imagination around the world in a way that makes them especially potent symbols of the industrial revolution. This imagination can be discerned in stories, in paintings, in films and in verse. In Australia the combination of railways and steam ships dramatically changed transport times and economic possibilities and in Henry Lawson’s evocative phrase about his times ‘The mighty bush with iron rails is tethered to the world.’⁴¹²

⁴¹¹ <http://asslh.org.au/hummer/no-17/working-class-culture/>, (accessed 17 April 2012).

⁴¹² Chris Kempster, (ed), *The Songs of Henry Lawson: With Music* (Ringwood, Vic: Viking O’Neil, 2007), p. 50.

As one of the most obvious elements of the industrial revolution railways affected the transport of goods and passengers dramatically: with them came innovative signaling systems that would include telegraph and later the telephone. As William Lines argues railways were particularly important in the empire-driven colonisation of Australia:⁴¹³

After the gold rushes and the Land Acts of the 1860s, colonial governments assumed responsibility for providing the infrastructure, particularly railways, necessary to consolidate the permanent European occupation of rural Australia. Without government guarantee, private capital spurned the initiative to open unsettled or sparsely settled country. To the Australian ruling classes, government existed to afford all possible assistance to private capital—that is, to themselves.

As it was, many of the early privately financed railways, especially those outside the cities, rapidly faced financial collapse and were then taken over by the State Governments. So the railways soon found their way into political careers and government budgets. Graeme Davidson writes that in the late nineteenth century railways were not only very large-scale employers of the workers required to build, run and maintain the lines, but they were also the recipients of “approximately half of all government expenditure”.⁴¹⁴ A brief history of Australian railways might begin with the fact that the first passenger lines were financed in the 1850s by private companies, with the different colonial administrations choosing different gauges for the lines that connected their most productive and populated towns to the ports. By the end of the nineteenth century the Colonial Governments had taken over the different railway systems. In the bargaining over Federation Western Australia had put on the negotiating table a Trans-Australia Line that would link the state to the rest of Australia. Nation building and railways were inextricably connected. Australian railway workers and their unions have also long been intimately involved in the development of the industry as an interview with Sydney railway workshops fitter Ken Stokoe describes. Stokoe discusses

⁴¹³ William Lines, *Taming the Great South Land: A History of the Conquest of Nature in Australia*, (Sydney: Allen & Unwin, 1992) p. 109.

⁴¹⁴ Graeme Davison, J B. Hirst, Stuart Macintyre, Helen Doyle, and Kim Torney (eds) *The Oxford Companion to Australian History*. (Melbourne: Oxford University Press, 1998) p. 543.

the campaigns by rail unions in the immediate post World War 2 period to “resurrect the railways” after a long period of neglect during depression and war: ⁴¹⁵

We had campaigns to resurrect the railways, because frankly they went into shocking neglect through the war. There they were, run off their legs, and no maintenance, and then after the war, it fell apart under us, we had what we called rust bucket campaigns, we had a situation for a long time where these carriages, and you know they carry nearly, well not nearly all, but a big proportion of Sydney to work. They were being repaired with brown paper. The holes in the sides, rust holes and that sort of thing, were covered with brown paper that was glued on and then paint sprayed over and away they'd go.

Railway unions also play an important part in the history of Australian railway songs. Railway songs and poems account for the largest number of working songs relating to a particular industry and workforce in Australia. This reflects the size of the railway industry in Australia, an industry that was for a time the largest single employment sector. Other factors contributing to this were the continuity of railway employment in families often spanning more than two generations, and the large number and variety of trades and skills involved in the industry. Today's Rail Tram & Bus Union (RTBU) can trace its genesis back to the formation of the Locomotive Engine Drivers Association of Victoria in 1861, making it one of Australia's oldest unions, and possibly the oldest railway union in the world..

Sources

There is no anthology of Australian railway songs. As with other chapters in this thesis, one source of lyrical materials focusing on railways across a historical continuum, or those created by rail workers about their work experiences, can be found in newspapers. Another significant source for this study is the collection of railway songs and poems compiled by Sydney railway electrician and rank and file organiser Brian Dunnett. Dunnett's research, conducted in the 1970s, involved searching through railway union

⁴¹⁵ Combined Railway Unions Cultural Exhibition Committee. *Railway Voices An Oral History of Life on the Railways*. (Redfern, N.S.W.: The Combined Railway Unions Cultural Exhibition Committee, 2001), track 13.

magazines and journals like "Railway Union Gazette" and "The Railway and Tramway Officers' Gazette" and railway workshop publications such as "Magnet" and "Eveleigh News". The lyrical material he collated contributed to the online research and collection archive 'Australian Railway Songs.' The archive represents a portion of Dunnett's collection. Together with those songs and poems I have researched for the study they comprise over two hundred songs. The earliest example is arguably a composition for a brass band to commemorate the opening of the Sydney to Parramatta line in September 1855. The composer was W.H. Paling, later famous for his music shops. The 'Sydney Railway Waltz' is a musical evocation of the steam train in motion. Dunnett's pioneering research initially led to the publication of a small collection of songs and poems on cassette titled 'Trains of Treasure' in 1984 later reissued later on CD.⁴¹⁶ While most of the thirty one poems and songs on the 'Trains of Treasure' CD are the work of railway workers, a number of them are compositions by recognised Australian poets, including the convict poet, Francis MacNamara, Henry Lawson, himself for a time a Sydney railway worker, Will Lawson, and John Manifold. Two contemporary poets, John Dengate and Denis Kevans, also contribute verse. The earliest poem in the collection cited above is 'For the Company Underground' a verse petition by MacNamara, one of three petitions he composed while assigned to the Australian Agricultural Company (AACo) as a shepherd – discussed in Chapter Two.

Coal and steam engines go together as a report in the *Sydney Gazette* argues:⁴¹⁷

In an infant colony like ours, it is impossible not to regard this event with feelings of mingled exultation and hope; for, when we view the opening of coal works on so extensive a scale, in combination with the (now certain) addition to the number of our steam vessels, and the probable increase of other machinery, who can venture to say, to what extent these benefits may not ere long be carried?

Although it would be another twenty years before passenger railways were built, the steam age was already evident in the colony with steam ships and stationary steam

⁴¹⁶ Various artists, *Railway Voices* (Surry Hills, N.S.W.: Combined Railways Union's Cultural Exhibition, 1986). and Various artists, *Trains of Treasure* (Surry Hills, N.S.W.: Combined Railways Union's Cultural Exhibition, 1986).

⁴¹⁷ *Sydney Gazette*, 17 December 1831, p. 2.

engines powered by coal. An early example of the erection of a steam engine for grinding wheat was reported in the *Sydney Gazette* in 1815.⁴¹⁸

The Building and Steam Engine recently erected at Cockle Bay, by Mr Dixon (an experienced Engineer and free settler from England), having been reported ready to commence its operations in the grinding of wheat.

In 1861 twenty steam engine drivers formed the first Australian railway union - the 'Locomotive Engine Drivers Association of Victoria'.⁴¹⁹ In creating a union they were a decade ahead of railway workers in the more advanced industrial metropolitan centre of the British Empire.⁴²⁰ In addition to the engine drivers, railway workers involved in manufacture and repair of steam locomotives rolling stock were members of a variety of unions covering trades like boilermakers, tin smiths, black smiths, fitters and turners and electricians. Navvies, stone masons, bridge builders, bricklayers and sleeper cutters, cleared the way through bush and mountains, blasting tunnels and spanning ravines to construct the permanent way. Many of these workers were also members of unions.

Throughout the twentieth century, state owned railway workshops were major employers of labour and customers of the largely private producers of steel and engineering tools and other products. These workshops trained the apprentices in a myriad of trades creating a government subsidised craft education for private industry reluctant to shoulder the cost of training its own future workforce. Long after the convict era massive railway workshops like Eveleigh in Redfern and Chullora in Western Sydney became centres of cultural and political activity. The Eveleigh workshops have since been transformed into a cultural and arts centre marking the heritage value of the buildings and commemorating those spent much of their working life there. The transformation of hundreds of former such workplaces into museums, art galleries and places of cultural and recreational value has become a familiar phenomenon throughout the older industrialised world.⁴²¹

⁴¹⁸ *Sydney Gazette*, Saturday 3 June 1815, p. 2.

⁴¹⁹ <http://www.rtbuvicloco.com.au/history.html>, (accessed 5 January 2012).

⁴²⁰ The Amalgamated Society of Railway Servants was formed in Britain in 1871.

⁴²¹ <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=4801108>, (accessed 5 January 2012).

While not as complete as the Eveleigh facilities, Chullora demonstrates the changing patterns and fortunes of railway administrations through the twentieth century culminating in the collapse of the workshop system. Chullora contains elements from all stages of railway development from 1916 to 1988 completing the story of locomotive construction commenced at Eveleigh.

Songs and poems provide us with many insights into the working lives in the railway workshops, often with a strong dose of humour. Witness this pithy verse about Eveleigh in Redfern NSW, 'He Understood', published in the Eveleigh Loco Shop Committee magazine *Eveleigh News* in 1950:⁴²²

A man stood at the pearly gates,
His face was worn and old
And meekly asked the man of fate,
Admission to the 'fold'.

"What deed can you account for
To gain admission here?"
"Why I worked at Eveleigh Loco
Until my dying year."

The gate swung open sharp,
As St. Peter touched the bell,
"Come in," he said "and take a Harp,
You've had enough of 'Hell'.

Like Frank the Poet, in 'A Convict's Tour to Hell', the old worker in this verse is a 'fit' person for Heaven. In this case 'hell' is the railway workshop.

The first NSW railway company encouraged immigration to Australia of hundreds of navvies and their families to Sydney, as the future builders of the railways. In 1855 a *Sydney Morning Herald* reporter describes the inaugural railway passenger trip from

⁴²² <http://railwaysongs.blogspot.com.au/2008/11/he-understood.html>, (accessed 15 April 2013).

Sydney to Parramatta in excited and precise detail. The article is significant as it also reveals that five hundred “railway labourers had been brought out to this colony” to build the important line. Many of these workers soon joined the gold rushes in NSW and Victoria. In the celebratory dinner in Sydney following the return journey of the train to Parramatta, the final of many toasts was drunk with great cheers to “the Navvies” involved in the construction of the line, suggesting an attempt to pay due respect to their work. The detailed description of timings in the report reveals a popular interest in rail as a superior and faster way to travel at a time when the only other way to Parramatta, and intermediate towns, was by river or the notoriously poor road.⁴²³

Although not publicly opened, the accomplishment of a railway to Parramatta was decided on Saturday last. The train, with upwards of 60 passengers, went there, and came back with perfect success and safety. The train started from Chippendale precisely at one o'clock. In less than a minute it got into full speed, and it arrived at the Newtown station in about 5 minutes. The Petersham bridge was passed exactly at eight minutes past one, and the viaduct at Long Creek was crossed at nine minutes past one. The junction of the Liverpool-road was made in 12 minutes, and the Ashfield station was reached in 12½ minutes, Cutt's public-house was passed at 22 minutes, and Homebush at 23. The whole distance to the terminus at the junction of the Liverpool and Dogtrap roads, at the entrance to Parramatta, was accomplished in 39½ minutes. The return trip, including a stoppage at the Newtown station, was performed in 47 minutes.

It is worth recalling that Peter Lalor, of Eureka fame (see Chapter Three), an immigrant from Ireland and an engineer rather than a navvy, first found employment as an engineer on the Geelong to Ballarat railway until he was lured as a digger to the gold fields, like so many others, as a digger, in 1853. Later, as a member of parliament in Victoria he also held the position of that state's Inspector of Railways. Historian Ian Turner notes that he was later forced to stand down “when legislation was passed prohibiting civil servants from sitting in parliament. Lalor may have been the first railway man to have been elected to parliament in Australia, although he was certainly not the last. The most famous example is the Bathurst engine driver Ben Chifley who

⁴²³ *Sydney Morning Herald*, 20 August 1855.

became Labor Prime Minister from 1945 to 1949. Chifley had in 1920 been one of the founders of the Australian Federated Union of Locomotive Employees (AFULE).

Australian Railway Verse

Early songs about railway work focus on the railway navvy. For example, 'The Tweed and Lismore', was composed in the 1890s. Dennis Rowe, archivist at Newcastle University, speaks of the construction that is the subject of the song, and the way that gold rush diggers became employed as railway workers:⁴²⁴

... after the goldrush, there was an oversupply of labour in the colonies, a vast number of navvies, or miners moved northwards from Victoria, up into NSW, and for many, many years afterwards, those Victorian miners, in fact formed the backbone of the labour force on the construction. The construction of the Lismore-Tweed Line followed on from the completion of the Great Northern Railway in 1889.

The song takes the popular form of a come-all-ye ballad and begins with a description of the itinerant nature of the work.⁴²⁵

I am a navvy that's worked everywhere,
East, west, north and south I vow and declare,
Such terrible misfortune I ne'er had before,
As we had on that railway, the Tweed and Lismore.

Chorus

Laddie Fol the Diddle eril Ol, eril Ol aye.

The navvies, on contract, were faced with conditions that denied them pay in times of rain and floods,

⁴²⁴ <http://railwaystory.com/voices/voices4.htm>, (accessed 6 March 2012).

⁴²⁵ Piper, Andrew and Brian Dunnett. *Train Whistle Blowing: Celebrating 150 Years of Australian Railways and the Culture It Has Inspired* (Armidale, N.S.W.: University of New England 2005), pp. 10-11.

When we came to Bexhill 'twas on a fine day
No money, no marbles nor nothin' to pay.
It came on to rain, and we lay on the floor,
By the side of that Railway, the Tweed and Lismore.

It came on to rain and it rained with a will
The flood nearly covered the whole of Bexhill,
Such shiftin' of camp sure I ne'er saw before,
As we had on that Railway, the Tweed and Lismore.

After the floods comes the need to clear the land to make way for the railway line and the physical stress of this kind of labour is described very clearly:

I first got a job with an axe in me hand
From lopping and chopping I scarcely could stand,
Me bones they did ache and me arms they were sore
From working like blazes upon the Lismore.

Following the clearing job there is a contract for horses and drays that leaves nothing for wages after the cost of feed for the draught animals.

I next got a job with me horses and drays
The chaff it was dear boys, as so was the maize.
Two and sixpence a day they would give and no more
And they run us to the devil upon the Lismore.

The song makes it apparent that despite the arduous and poorly paid work there is a ready fresh supply of labour from Queensland to the north:

If one thing was in it our credit ran high,
If not then I'm sure that all luck might have died.
The people from Queensland come down be the score,
Seeking work on that railway, the Tweed and Lismore.

Margaret Bridson Cribb, recorded an interview with veteran labour activist William Morrow, one of her informants for her oral history research into the Australian Railways Union (ARU). Morrow came from an old railway family and describes his early experience of working with navvies, work he began as a child labourer.⁴²⁶

I went to work when I was very young, about ten years of age, as a 'nipper' in the lifting gang; that is, lifting the rails, and carrying the water for the men to drink and boiling their billies. At 16 I was a man because I'd been mixing with them all the time, and I was in charge then of straightening the rails, after the lifting gang had finished with them, to make them straight for the train. The conditions they lived under were very primitive.

Morrow's early work experience with the navvies led him to begin organising and in the Depression to be elected as Secretary of the Tasmanian Branch of the ARU in 1936. Although his opposition to compulsory conscription saw him expelled from the ALP, he was later readmitted and in 1946 was elected to the Australian Senate as a Labor Senator for Tasmania. In the interview with Bridson Cribb, Morrow speaks about the relationship between working conditions and the way organising success sometimes adversely can affect rank and file militancy, reflecting on his own work experience and corroborating the narrative about harsh conditions we find in the 'Tweed and Lismore' song.⁴²⁷

If anything bad goes on long enough, people will revolt against it. The result of that revolt was trade unionism. ... In the end, the organisation won a lot of reforms from the employers. We had no holidays, no sick pay, no compensation, nothing like that at all. In fact, sometimes you'd work on Sunday for nothing in the early days. They won so many reforms and put the workers in a much better position, but the rank and file lost that militancy because they no longer had the real hardships.

⁴²⁶ Bridson Cribb, Margaret, 'The A.R.U. in Queensland: Some Oral History', *Labour History*, no. 22, (1972), p.16

⁴²⁷ Margaret Bridson Cribb, 'The A.R.U. in Queensland: Some Oral History', *Labour History*, No. 22, (1972), p.19

If the earliest railway composition was Paling's 'Sydney Railway Waltz' for brass bands (the brass band itself being an important aspect of working class culture), the earliest published Australian railway poem probably comes from Victoria. 'The Old Chum's Musings' was written by George Wright in 1853 and was "Suggested by the commencement of the Geelong and Melbourne Railway, Sept. 20, 1853." The poem discusses the impact of the railway project on the ancient landscape, and significantly on Indigenous people:⁴²⁸

Not long ago, and down the Barwon's stream,
The sable swan led forth his graceful fleet.
Not long ago, our hills and valleys green,
Were all untrodden save by savage feet.
No ploughman's song the dawning's stillness broke;
No fowler's gun the woodland echoes woke;
Nor forest monarch bowed beneath the bushman's stroke.

Not long ago, the tawny Native stood
In naked majesty on yonder hill;
All—all was his: the mountain, plain and wood—
The fair green solitude, so calm and still.
No anvil's clang was heard at break of day;
No white wing'd vessels floated on the Bay;
But fresh from God's own hand our lovely country lay.

We came-the pioneers. Fence after fence
Narrow'd the limits of the black man's home.
He saw all vain would be his best defence;
And, scowling, watch'd the living tide roll on.
The Anglo-Saxon wave that drove him back
Mile after mile, till on the foeman's track
He found—a grave— ('tis all we left the black.)

⁴²⁸ Marjory Pizer, *Freedom on the Wallaby* (Sydney, Pinch Gut Press, 1953) p. 41.

There is in these three verses a relatively rare description of the destruction of nature and the original owners of the continent in order to make way for the “pioneers” and the railway – “Now we came the pioneers, Fence after fence / Narrow’d the limits of the black man’s home” in an invading “wave that drove him back” leaving only an early death and a grave “all we left the black.” Clearing the bush, shooting game and felling the monarchs of the forest changed the sonic atmosphere in the ploughman’s early morning song, the blacksmith’s hammer and anvil and the fowler’s gun ... all this sanctified by “God’s own hand” in “our lovely country.” A poem under the same title, a version reworked by J. Rogers, was published in Gippsland in 1881 with changed and added verses:⁴²⁹

Not long ago the tawny native stood
In naked majesty on yonder hill.
All, all, was his! The mountain, plain, and wood,
The fair green solitude all calm and still.
No anvil's clang was heard at break of day,
No white-winged vessels floated on the bay;
But fresh from God's own hand our lovely country lay.
Be ours a free unfettered Press, the Plough, the Rail.

Ah yes! The Rail! Prepare the iron way,
Tear up the rock, and prostrate lay the wood,
Drive through the mountain, and make no stay
For Thomson, M'Allister, or Latrobe.
Let tunnel pierce the hill; arch o'er the stream;
Lay the long rail across the verdant green
And wake to roar and echo of whirling wheels and steam.

Remove the sand bar! Open Gippsland to the world!
'Tis a prayer sincere. Our worthy representatives are doing their best,
And the Honorable Mr Bent has promised to provide refrigerating cars.
Gippsland will yet arouse from its slumbers,

⁴²⁹ *Gippsland Times*, 7 September 1881.

And become the most flourishing spot of Victoria.
We have the land, the beautiful sparkling streams, coupled with a magnificent
climate.
It's with God's blessing, &c. What can we want more?
We came—the Pioneers, and narrowed the limits of the black men's home.

They die away. This Heaven decrees for the sons of toil!
No warlike tribes survive, their fields to spoil.
Heaven bless our country. Inscribe "Gippsland" on the scroll of fame.
Be her's [sic] the golden dust, the fleece, the beef, and grain,
May every virtue thrive all vice decrease,
And may we prosper in a land of plenty and of peace.

Like the original version of the poem, this remake clearly aligns the development of railways (urged on by the “free unfettered Press”) with the opening up of the country for the white settlers, pioneers, the sons of toil at the expense of the original owners all with “God’s blessing &c.” Despite the admission of ruthless theft the pious hope is that “every virtue thrive” and “all vice decrease.” The belief that imperialism is a system ordained by God is evident in these verses. Later generations would find it hard to throw such ideology off, although the industrialised slaughter of World War I severely dented its hold, as vast numbers of opposing troops of young men were blessed by the “sky pilots” of religious orders that promised heaven.

In 1865 the *Cornwall Chronicle* in Tasmania published ‘Railway Rhymes’ by “Young Hudson.” The poem mocks those who scoffed at the very idea of a railway, wary of the speculative nature of financial schemes so often associated with early railways. But it provides an idea of the kinds of popular discussion taking place about industrial projects, including savings banks and railways, at that time⁴³⁰

In spite of each smooth-spoken knave,
Post-office Saving Banks we'll have,
And open out the country round,

⁴³⁰ *Cornwall Chronicle*, 17 May 1865

By well made roads and bridges sound;
And further, townsmen, be it known,
We'll have a railway of our own,
Our western interests to connect,
Cheap, independent, and direct.
And not like supple slaves be sold,
By crafty knaves for British gold—
Whose name is gammon, motto, self—
Their only object power and pelf.

The Post Office Savings Banks referred to in the work had been proposed in Tasmania (and other Australian colonies) since 1861 and after years of petitions and public meetings were in 1865 legislated to begin operation in three years time. The continued delay is castigated in the Launceston newspaper the *Cornwall Chronicle* explaining how important Post Office Savings Banks were for workers in Tasmania:⁴³¹

It is melancholy to reflect that while the labouring populations of the adjoining colonies are reaping the benefits derivable from deposits in Post Office Savings Banks, this community is to be debarred by the Legislature from so great a privilege for the next three years. What have the laboring men of Tasmania done, that they should be prohibited from placing their savings under the safe keeping of the Government?

‘Railway Rhymes’ continues:

A Carrying Company, indeed!
The project never can succeed;
Whoever made the proposition
Needs a strait-jacket or physician.
Some snivelling leaguer all aghast,
In wrath exclaims—don't ride so fast;
And know'st thou not who wields the pen,

⁴³¹ *Cornwall Chronicle*, 23 September 1865.

Becomes a prophet now and then;
On borrowed capital who stands,
And mortgages his house and lands:
All past experiences declare—
He cheats himself and robs his heir.

Six years later the completed Launceston and Deloraine Railway was celebrated with a parody of the popular contemporary American Civil War song “Marching Through Georgia”. The song was published in February 1871 in what was a commemorative booklet of mostly glee songs, ‘The Railway Songster’. None of the songs in the booklet provide information about authorship, and this song is the only one set in Australia. Another song, ‘Joseph Jones’, is set in London. The songbook informs us that it was ‘sung by Mr. Evans, SS “Tasmania.”’⁴³²

Oh, hear the railway whistle boys: it’s [sic] notes are shrill and clear;
Just jump into the carriage, there’s nothing you may fear,—
And let your voice re-echo as you shout it through the air,
The Launceston and Deloraine Railway.

CHORUS—Hurrah! Hurrah! for the men that worked so hard
Hurrah! Hurrah! for I’m the Railway Guard.
You’d like to know the stoker, so I have brought his card
On the Launceston and Deloraine Railway.

The Farmers they will bless them when they hear the joyful sound
Of the Launceston and Western rolling o’er the ground;
And the native youths, God bless them, some work at last have found
On the Launceston and Deloraine Railway.

Again reference is made in the song to financing matters relating to the railway line. For example, there is a reference to “a bubble” and the government “bill” along the way.

⁴³² <http://handle.slv.vic.gov.au/10381/176757>, (accessed 12 May 2012).

They gave us lots of trouble, boys, before we passed the Bill;
The main line was a bubble boys, our fondest hopes to kill;
But now they've got the double boys, although against their will,
By the Launceston and Deloraine Railway.

CHORUS–Hurrah! Hurrah! the Debentures they are sold,
Hurrah! Hurrah! for the use of England's gold,
For soon we will repay them and those that shares do hold
In the Launceston and Deloraine Railway.

This chorus reminds us that in those times loans were generally paid back – and in this case the infrastructure is secured by the state. The question of central state requirements is also addressed in final verses of the song:

Tenders have been accepted, and the work will soon begin,
And soon we'll feel the benefit of the Melbourne Company's tin;
Yes, every shop in Launceston good stock must now lay in.
For the Launceston and Deloraine Railway.

So let's return our thanks to them who love the native youths.
And who, to gain some work for them, have stood such vile abuse
But crowned their efforts with success, which soon we will adduce
By the Launceston and Deloraine Railway.

CHORUS–Hurrah! Hurrah! for the men who helped us through;
Hurrah! Hurrah! for the gallant Railway crew!
And every one whose motto is the never fading blue
And the Launceston and Deloraine Railway.

This song, although it is not written from a worker's perspective certainly pays respect to the labour involved in the building of the railways. In this it is unlike so many official memorial plaques and statues of the industrial era that are silent on this critical detail of the built environment. As the report of the Sydney to Parramatta line referred to above demonstrates, the newspapers of the time often provide this kind of historical

information about the building of industrial Australia, making them an important archive, and in a way becoming memorials of a kind themselves. We can also find in this material an important use of poetry and song to communicate information about infrastructure projects as in the verse ‘Rambling Thoughts’ following, published in the *Bacchus Marsh Express*. The poem explicitly calls on poets to extol industrialisation in their works, “to sing industry’s song”:⁴³³

Oh, poets, sing some joyful songs
Of glorious victories won;
Sing of nations all united
Who live and love as one.

Sing of the wondrous telegraph,
Which brings with lightning speed
News from remotest nations,
That all who wish may read.

Sing of the thousand spinning mills,
Which weave a tiny thread,
And weave over countless thousands
All by industry's tread.

Sing of the monster palaces
That glide across the sea,
With thousands of brother families
To homes of liberty.

Sing of grand locomotive engines
Which o'errun the fleetest steed,
And which easeth men of burdens
Without pain of labour's tread.

⁴³³ *Bacchus Marsh Express*, 14 May 1870.

Oh, may science onward progress,
And peace reign in every land;
Soon may all nations be as one,
A noble brothers band.
Y. E. C.
Blackwood, April 22, 1870.

‘The Iron Steed’ published in the *Maitland Mercury* in 1872 captures something of the romance of the railways and the excitement of the sonic atmosphere they created in the age of steam. The provenance of the poem is uncertain but given the use of phrases such as “it flies by village and moor”, it is possible that this poem is not originally an Australian composition.⁴³⁴

Along we rush with a perilous speed,
And over the points we bound
Hurrah! hurrah! for our iron steed,
As it flings the fire-sparks round ;
As it bravely pants and proudly breathes,
And tosses about its vapour-wreaths.

Onward it goes with a fearless sweep,
But strong are its whirling wheels;
Away, away, by the mountain steep,
Till its massive burden reels;
A giant that will not flag or tire,
With its breath of steam and lungs of fire.

Away it flies by village and moor,
By many a quiet town,
From every bridge, with a startling roar,
How it hurls its thunder down!
By rivers and meadows, and placid streams,

⁴³⁴ *Maitland Mercury*, 3 August 1872, p. 5.

It flies, and into the tunnel screams.

Aloft it scatters its fiery trails,
Like lightning its pulses beat;
In sweltering noons, through furious gales,
We can hear its iron feet;
Along the gorge, or wherever it be,
Deep in the city, or fronting the sea.

Hurrah! for our courser, fleet and strong,
In its daring race with time:
It thrills the blood as it leaps along,
With a mighty step sublime;
And the world its power and service claims
In return for its ravenous feast of flames!

The descriptions of the steam engine are anthropomorphic, a feature we find in many of the lyrical evocations of the steam era in railway folklore. Steam engines in particular were often awarded special names by railway workers, for example ‘Green Giant’ for the 3801. In this poem there are descriptions of the awe-inspiring sounds and sparks of the iron horse with “its breath of steam and lungs of fire” as it bounds along with relentless energy.

By the end of the 19th century all the railways that had been built in Australia were under state control as the need for them as basic industrial infrastructure and their role in relation to secure employment became more significant than the uncertainty of their profitability. State railways were to become the largest employer of workers in Australia, and remained for several generations the major trainer of apprentices in many trades. It seems that railways entered the blood of the people working in them, and that the industry itself was often regarded as a family affair. This attitude is summed up in a 1905 poem, ‘Our Railway Men’ written by W. Cornford, Junior, Per-way Department, Goulburn. ‘Per-way’ is a shortening of “permanent way” the official term for the

railway lines. William Cornford was a railway worker in the Goulburn Railway Workshops.⁴³⁵

Take from our officials, who manage all affairs
Right down to the platelayer, who spikes the iron chairs
As each and every one, are railway servants true
For as the dawn of day breaks forth, they must their duty do
Take first our sub-inspectors, who travel o'er the road
And then the operators, who must thoroughly learn their code
And now the loco pumper, who supplies the engines' water
The one who handles samples, for on his cap see 'Porter'

Working on the platform are the junior and the Pro.
And the worthy S.M., who them their duties show
They examine carriages, and punch the ticket too
If you ask the reason, 'It's just to pass you through'
The man who drives the engine, in his hands are lives
The guard, he watches careful over husbands and their wives
With parcels and their luggage his brake it is well stacked
When running cheap excursions his carriages are packed

Now let us think of fettlers out in the rain and snow
They have to watch the road, to let the traffic go
Next we take the shop hands, always on repairs
The booking clerk he issues the tickets for the fares
Temperance should exist in us, great and small
Punctuality is a thing we should not forget at all
Civility, the masterpiece, it makes a railway man
Gives joy to the travelling public - exercise it all you can

Cornford's poem provides us with a succinct overview of the web of interrelating and interdependent railway occupations and their connections to those who travel the line.

⁴³⁵ Published in 'The Federated Amalgamated Government Railway Employees Association Journal', 1905.

In a way it reads like the copious rules and regulations of the railways. It is also evidence of the extensive training occurring in the government industry which had its own training colleges. Railway careers usually began in the physical grades with opportunities to advance to more skilled levels. The “worthy S.M.” is of course the Station Master. Like Napoleon’s army, every boy who entered the industry was encouraged to imagine himself having a railway commissioner’s hat in his kit.

Railway poetry also provides insights into the ways rigid hierarchical inequalities were built into the industry and how those ‘lower down the scale’ regarded this. ‘Leave Passes’, a poem by “Demo” published 1906 in the journal of the Amalgamated Society of Railway Employes [sic.] the *Victorian Railway News* in 1906 highlights these inequalities and questions, for example, the difference in holiday passes issued to different grades of workers.⁴³⁶

Tell me the difference kindly, the why and the how and the where,
Is the difference in the passes allotted to you and the 'Sir'?
Is the cut of the clothes the grade-line that makes the distinction so great?
Twixt the worker on leave and the 'Clerk Sir', who are checked at the barrier gate?

Not only holiday passes but the varying lengths of holidays that accrue to different grades of workers come under the poet’s scrutiny:

A month on leave has ‘Sir Rupert’, whilst Jimmy the porter has days,
Up to ten, and he thinks himself lucky, tho' luck seldom comes in his ways.
A pass for himself and the ‘missus’, he is off second class to the sea,
With a shilling or two in his pockets, to spend on bananas and tea.

Then there is the matter of the type of carriage that the different ranks are allotted:

While 'Rupert', ensconced in a carriage, with the cushions right up to his chin,
Is settled in comfort for Sydney, with a journal and lashings of tin.
it strikes me the difference in passes would lead to confusion and shame

⁴³⁶ *Victorian Railway News*, 2 August 1906.

If the way they picked out the distinction was planned on a different game.

“Demo” suggests a novel way of picking “men of distinction” for the better conditions, as a way of introducing some equality:

And a difficult matter they'd find it (excuse me, I hope I'm not rude),
If they looked for the men of distinction when all of them were in the nude.
Could they pick out the 'Sir' from the toiler, from the curl and the cut of his hair?
You may laugh, but you'd find the distinction were hard to define and declare.

And I'm thinking, and thinking quite soundly, were the clothes put away in the shop,
That the toilers would be on the cushions, and with passes for first be on top.
But there it's a matter of 'culchaw', where quality don't get a place,
So the toiler rides second forever, with a second-class smile on his face.

As the poem was published in the *Victorian Railway News*, one can assume that “Demo” is a railway worker. The poem’s perspective is clearly that of a worker and differs in this respect from much of the newspaper verse cited earlier. The writer is concerned with fairness, equality, and ultimately rights. He speaks to, and on behalf of, his co-workers. The ideas in this humorous poem resonate with Henry Lawson’s much grimmer ‘Second Class Wait Here’, written in 1899, which includes these scathing verses:⁴³⁷

At suburban railway stations - you may see them as you pass
There are signboards on the platform saying 'Wait here second class'
And to me the whirr and thunder and the cluck of running gear
Seems to be forever saying, saying 'Second class wait here'

Lawson invokes the age-old distain of class systems from slave to feudal and to industrial capitalist:

⁴³⁷ Chris Kempster, (ed.), *The Songs of Henry Lawson: With Music* (Ringwood, Vic: Viking O'Neil, 2007), p. 150.

Yes, the second class were waiting in the days of serf and prince.
And the second class are waiting - they've been waiting ever since,
There are gardens in the background, and the line is dark and drear,
Yet they wait beneath a signboard, sneering, 'Second class wait here'.

I have waited oft in winter, in the morning dark and damp,
When the asphalt platform glistened underneath the lonely lamp,
And the wind among the poplars, and the wires that thread the air,
Seemed to be forever snarling, snarling 'Second class wait here'.

The poet invents a Dickensian sounding employer “Grinder Brothers” whose factory has its own platform on the suburban line, providing grinding conditions that leave him feeling like a slave deprived of all hopes of a better world:

Out, beyond a further suburb, 'neath a chimney-stack alone
Lays the works of Grinder Brothers, with a platform of their own;
As I waited there and suffered, waited there for many a day,
Slaved beneath a phantom signboard, telling all my hopes to stay.

Ah! a man must feel revengeful for a boyhood such as mine.
God! I hate the very houses near the workshop by the line;
And the smell of railway stations, and the roar of running gear,
And the scornful-seeming signboards, saying 'Second class wait here'.

We are left to reflect that there is Heaven where there “are no class compartments” in the train “with death the driver” that will liberate all from the rigid class segregation of those signboards. ‘Heaven’, as we have seen earlier, is a recurring trope - a mythical place where workers and not their oppressors are welcome - in a number of the poetic works discussed in this study. ‘Heaven’ in the continuing dialogue about rights, is the site where the battle is finally won in the sense that class distinctions no longer operate:

There's a train with death the driver, and it's ever going past,
And there are no class compartments and we all must go at last
To that long white jasper platform with an Eden in the rear;

And there won't be any signboards, saying 'Second class wait here'.

Lawson had been a railway worker, and when he and his mother lived in Sydney he was apprenticed to the railway carriage building firm Hudson Bros. His uneasy relationship with railways and the effect they were having in Sydney and the bush is evident in the poem above. Manning Clark writes that Lawson was torn between the idea of progress that the railway stood for and the Australia “which the railway gradually destroyed”:⁴³⁸

1917 Railway Strike

In NSW the 1917 Railway Strike during World War I gave rise to the following verse ‘Song of the Strike’ composed by “RUFUS (on strike)” and published in the *Australian Worker*:⁴³⁹

Tramp, tramp, tramp! Can't you hear the marching feet,
As the sturdy sons of labor come swinging down the street?
With manly step and bearing, and faces shining bright,
They have taken up the gauntlet in the battle for the right.
...
In the van are labor's heroes who've fought and shed their blood
To save our daunted freedom being trampled in the mud.
They can hear their comrades calling, from far across the sea,
As we fight in France for freedom, fight to keep our homeland free.

These verses suggest the feeling among soldiers posted overseas that led the majority of them to vote no in the war-time referenda that aimed to bring in conscription. The conscription issue split the nation with much of the labour movement opposed to conscription and most politicians, business leader and the newspapers remaining in favour of it. The heroic efforts of soldiers in the increasingly unpopular war is allied here in the refusal of railway workers and their labour movement allies to quietly accept the hegemonic attack on working conditions by employer and government at home.

⁴³⁸ Walter Stone, (ed.), *The World of Henry Lawson* (Sydney, Lansdowne Press, 1974), p. 14.

⁴³⁹ *Australian Worker*, 6 September 1917.

We have fought the German Tyrant, and have written Austral's name
In imperishable letters, high upon the scroll of fame;
But our blood was spilt for nothing and our sacrifice were in vain
If our own dear Australia is bound by Serfdom's chain.

So Courage comrades Courage, stand together, one and all,
For united we shall conquer, but divided we shall fail.
And with grim determination see that freedom's flag still waves
For the true sons of Australia, never never, shall be slaves.

Throughout the war workers were constantly faced with evidence that the arbitration system would do nothing to raise wages in order to meet rising prices, while war time profiteering in business was obviously rampant. They had seen senior Labor Party leaders like William Morris Hughes desert the cause of labour to advance their political ambitions.

In 1917 the NSW Government was determined to use the war-time situation to undermine the unions. This government of “Liberals-plus-Rats” as the *Worker* reporter R. J. (Robert John) Cassidy describes it, bypassing the arbitration system, forced the contemporary American “Taylor System” on the Eveleigh Railway Workshops in the Sydney suburb of Redfern. The carpenter poet R.H. Long’s contemporaneous ‘The Taylor System’ provides an illuminating insight into a worker’s response to its dangerous and anti-social aspects. The poem was published in the magazine of the radical Free Religious Fellowship:⁴⁴⁰

This slavish system that is framed to guard
The anti-social forces that would ban
Love and compassion in the heart of man—
This cult of speed that leaves men maimed and marred,
Their sole memorial a callous card,
That bids the swift and virile worker plan

⁴⁴⁰ R.H. Long, ‘The Taylor System’, *Fellowship* vol. 4, no. 3, (October 1917). p. 46.

For self alone, and pitilessly scan
His weaker fellow from the race debarred.

Give us a gospel that we all may preach,
Based on the love of brother unto brother.
Make us efficient not to overreach,
But pity, love and succour one another.
Let us be human, seeking social ends,
Not mere machines for making dividends!
—R. H. L.

As we can see, Long is concerned about the dehumanising effects of the Taylor System, under which the cult of speed “leaves men maimed and marred” and the relentless completion in the workplace pressures individuals to take more risks. Long proposes instead a gospel of cooperation and friendship “Let us be human, seeking social ends/not mere machines for making dividends!” *Fellowship*, the Free Religious Fellowship journal, describes itself as “a monthly magazine of undogmatic religion and social and literary criticism.”

As contemporaneous article from the *Worker* discusses the political situation in NSW at the time:⁴⁴¹

The underlying cause of the big strike in New South Wales was the Arrogance of the Boss—an arrogance that was the quite inevitable result of the Liberal-plus-Rats' victory at the polls last March. No sooner was that victory proclaimed than an uncompromising and impudent hostility to Unionism became everywhere manifest. An anti-union pressure was exerted from every point of the compass.

Historian Lucy Taksa argues there is little doubt that the railway strike was engineers by the NSW Government. It was a direct offensive to undermine workers rights and “traditional norms.” All attempts at negotiation were ignored, shattering any notion of

⁴⁴¹ *Worker*, 23 August 1917.

an impartial government or arbitration system and reminding workers where the sources of power really lay:⁴⁴²

the government's unresponsiveness was perceived as an affront to the principle that traditional industrial norms would be protected through the ameliorative intervention of an impartial state ... this belief underpinned the extension of the strike for it was in the context of the government's intransigence that the daily processions began to attract between fifteen and forty thousand people.

As the strike became broader and spread throughout NSW the government brought in non-union workers to do the work of the strikers:

the dismissal of striking railway and tramway employees on grounds of misconduct and the encampment of strike breakers in the Sydney Cricket Ground and later at Taronga Park were seen as further examples of the government's policy to 'smash trades unionism'.

The Sydney Morning Herald reported:⁴⁴³

NEGOTIATIONS END

STRIKE COMMITTEE ILLEGAL

An emphatic pronouncement was made yesterday by the Acting Premier declaring that the Government would refuse to enter into any further negotiations with representatives of the strikers for a settlement of the strike.

"All strike committees are illegal," says the Government, "and will be dealt with as illegal bodies." A new volunteers' camp has been started at Taronga Park (the new Zoo).

The story of the strike-breakers encamped in the zoo was reported by Cassidy in the *Worker* as follows "A crowd of volunteers came down from the country (a large batch of them, appropriately enough, being compounded in the new Zoo at Taronga Park)."

⁴⁴² Lucy Taksa, 'Defence Not Defiance': Social Protest and the NSW General Strike of 1917', *Labour History*, no. 60, (May, 1991), p.21.

⁴⁴³ *Sydney Morning Herald*, 25 August 1917.

Cassidy later embellished the story of the volunteers stationed in the zoo in his poem 'The New Exhibits', imagining the original inhabitants leaving their home in protest against the new arrivals. By September 1917 this poem had reached New Zealand and was published in the labour movement newspaper the *Maoriland Worker*:⁴⁴⁴

A portion of Taronga Park, where the new Sydney Zoo is, has been set apart for the volunteers who are down from the country to endeavour to break the strike.

"Say, what are these exhibits called?", the monkey asked her mate—

"Those bipeds that the keeper has admitted through the gate?

A longing undeniable the problem to discuss

Have I—oh, tell me what they are, who come to live with us?"

"Your question is a poser, and my answer's humpty-doo,

For I likewise am puzzled much", said monkey Number Two.

"I've eyed them up, I've eyed them down, I've viewed them near and far—

But twist my tail if I can guess, what brand of beast they are."

Then went the Ape inquisitively behind a pile of rocks,

And put her question to a seer—to wit The Ancient Fox.

"Oh Mr. Fox" the monkey asked, "I come to learn from you

Particulars concerning those new tenants at the zoo",

The Fox he wunk a knowing wink, peculiarly a seer's.

"Oh they," he said, "are what are called, the rural volunteers.

And curious folk they are at best—the cussedest of all:

God gave them legs—and yet—how strange!—they each prefer to crawl!

"God gave them eyes with which to see; but bitter facts remind

My comprehension stubbornly, that most of them are blind!

God gave them each a brain to use—but this you wouldn't guess,

They get their thinking done for them, by Bulging Bellies Press!

⁴⁴⁴ *Maoriland Worker*, 26 September 1917.

"God gave to them a backbone each (but right against their wish)–
They much prefer to emulate the spineless jelly-fish!
God gave them strength with which to help the weak who call for aid–
It was, I think, the one mistake that ever Heaven made!"

"I thank you much" the monkey said, "I felt most strangely queer–
As though impelled to vomiting, whenever they came near:
It isn't fair to our good name, to either fox or ape,
So when the night enfolds the zoo, I'm making my escape!"
–R.J. Cassidy, in "Australian Worker."

It is interesting that the poem was published in New Zealand but the fact is that Australian radical newspapers had international connections just as did "Bulging Bellies Press." Long after the defeat of the workers in the six week 1917 general strike, the story of the scabs camped in the zoo lives on in this poem. Its sense of humour provides an excellent example of the ethos of Australian workers in the face of injustice and overwhelming force arraigned against them. Despite the war-time austerity no expense was considered too much to weaken an organised workforce. It took years for victimised railway workers to get their old jobs back, and those who did manage to return found they had lost all the seniority associated gained with their length of service. When Jack Lang became NSW Labor Premier in 1925 he ordered that the victimised workers be compensated. Ben Chifley the former sacked railway driver and union organiser who became Prime Minister in 1945 remarked:⁴⁴⁵

All that harsh and oppressive treatment did as far as I was concerned was to transform me, with the assistance of my colleagues, from an ordinary engine driver into the Prime Minister of this country.

Many of the cultural aspects of the labour movement and its supporters were displayed in their unity in demonstrations, mass meetings, leaflets, posters, cartoons and, as we have seen, poetry. Probably the largest working class demonstration held during war-

⁴⁴⁵ <http://railwaysongs.blogspot.com.au/2013/04/song-of-strike-of-1917.html>, (accessed 26 December 2013).

time converged in the Sydney Domain. Historian Lucy Taksa argues that the Domain “played a crucial role” in mobilising as it had done earlier. Mass rallies had been held in the Domain “during the 1890 strikes, the conflict over Conscription during World War One and the General Strike of 1917, to mention but a few.”⁴⁴⁶ The Domain was a space “where workers could publicly champion their common interests and mobilise their pre-existing bonds and networks for working-class protest.”

The reasons for the 1917 strike in relation to changing working class politics that followed in its wake, included the radicalisation caused by the economic hardships suffered by workers combined with the stress of war and conscription as Robert Bollard notes:⁴⁴⁷

One of the ways in which the war fed into radicalisation was through dramatic assault on working-class living standards. The war had initially been accompanied by a surge of unemployment, and, when that abated, by rampant inflation; the rise in the price of basic food was particularly steep. The industrial unrest that began in Broken Hill in 1915 and surged through the coal strike of 1916 is most easily explained as a reaction to a particularly potent combination of economic distress with a particularly potent crisis generated by the war and conscription.

Railway families

Railway verse is notable for its themes of family and marriage. The family nature of life for many railway workers is related to the isolated places where they were required to live; the need to make connections in new townships was naturally facilitated by meeting up with other railway families. The importance of family ties go some way to explain cultural views that were expressed in verse and song. For example ‘The Lonely Fettler’ composed by Jim Gordon extends a warm welcome to any suburban fettlers who might take a trip outback, “you’ll get a family greeting”.⁴⁴⁸

⁴⁴⁶ Lucy Taksa. 'Defence Not Defiance : Social Protest and the NSW General Strike of 1917', *Labour History*, no. 60 (1991), p. 123.

⁴⁴⁷ Robert Bollard and Rob Bollard, 'The Active Chorus: The Great Strike of 1917 in Victoria', *Labour History*, no. 90 (2006), p. 77.

⁴⁴⁸ *Retired Rail and Tramwayman*, April 1940.

We're just three lonely fettlers located right out West,
Midst heat and sand and desert we try to do our best;
Each morn at six you see us with shovels, bar and jack,
All day long through heat and dust, we toil along the track

Our camp is on a sandhill, there's nare a soul to meet,
'Cept for a weary swagman who wandered off his beat;
Just twice a week arrives a train with our supplies,
Just old corn beef and taters, some bread, and jam and flies.

You've got the lot the guard says, then gives the rightaway,
That train's our only visitor till our next ration day;
So listen all you fettlers who've never been outside the old suburban,
Any day—come pop along our outback way,

You'll get a family greeting, be sure you will not rust,
For water is so very scarce, you'll eat your pound of dust;
Just keep your courage growing and keep your chin well up,
Then life will be worth living, for full will be your cup.

Again, we can see the yearning for family connection in 'The Staff Clerks Lament' composed by "Hoosit", a recruit from the bush . In the poem the writer dreams of getting married and taking up farming on the Tweed to grow potatoes. Much of the poem is borrowed word for word from Banjo Paterson's famous 'Clancy of the Overflow' published in 1889. It is repurposed in the *Railway and Tram Officers Gazette* to describe the dream of a railway clerk:

I am sitting in my dingy little office, where a stingy
Ray of sunlight struggles feeble down beneath the buildings tall:
And the stuffy air and 'gritty of the 'dusty Pitt Street city
Through the open windows floating, spread foulness overall.
And in place of lowing cattle, I can hear the fiendish rattle
Of electric trams and motors making hurry down the streets;

And the language uninviting of the office typist skiting
Comes fitfully and faintly, through the ceaseless check off sheets.
The hurrying clerks all daunt me, and their pallid, faces haunt, me,
As they shoulder one another in their rush and nervous haste;
With their eager eyes and greedy, and their stunted forms and weedy;

The poem ends with the one completely new verse, keeping the rhythm but not quite Paterson's style:

For clerks they have no time to grow they have no time to waste.
Now, just a while I'll tarry, ere I go away to marry
And have a turn at farming, where they sow the shining seed;
Instead of the eternal sheets and cheques infernal,
I'll be bagging up potatoes on the Tweed.⁴⁴⁹

Oral histories recounted and also recorded by historians including Patsy Adam-Smith demonstrate that railway workers' memories are full of stories about their own and other railway families, part of the reason perhaps that there are so many songs and poems associated with the industry. Growing up as a child in railway family in the depression. Adam-Smith records her experiences in her autobiography. She describes her own family's railway journeys where the guard, on seeing the family railway pass, would try to find them "the best seats possible, with windows for us two girls", and when the family relocated "from Briagalong to Waaia".⁴⁵⁰

The guard jerked his thumb for us to follow him out into the corridor and led us to the first-class section, which was never crowded. There we sat for the rest of the journey, stiff, uneasy, our poor cases conspicuous among other valises on the racks above our heads.

On another occasion the guard told the family that there was,⁴⁵¹

⁴⁴⁹ *Railway and Tramway Officers Gazette*, April 1918.

⁴⁵⁰ Patsy Adam-Smith, *Hear the Train Blow: Patsy Adam-Smith's Classic Autobiography of Growing Up in the Bush*. (Melbourne, Vic: Nelson, 1981), p 83.

⁴⁵¹ Adam-Smith, *Hear the Train Blow*, pp. 83-84.

another railway family on the train. We all trooped along the corridor to look for them ... to say you were a navvy or the family of a navvy on the line was a passport into companionship.

1930s Depression - Jumping the Rattler

As in the USA, during the depression many unemployed in Australia used the railway 'unofficially' as a means of travelling the country looking for work. Several songs and stories tell of the unemployed jumping aboard freight trains to find work during the depression years and some of them were published by Australian newspapers at the time. For the 1980s oral history project 'Railway Voices' railway worker Art Creasy recalled his own experience of jumping freight trains.⁴⁵²

In those days there were so many people carrying the swag. Some were riding freight trains, some would be pushing prams, all their belongings on the thing, and some of the bicycle bums would be wheeling bicycles and all that, but I was strictly a bloody train jumper. And of course you'd meet good coppers and bad coppers. Sergeant Small, he would've been the best known copper there was in bloody Australia. Every hobo knew about him ... they'd say, "Keep away from bloody Quirindi". You'd have to by-pass Quirindi because he'd bloody pick you up. He'd charge you with anything.

Included in the collection of those songs uncited since their initial publication in newspapers and journals that I have brought together for this thesis is a wry song from Queensland, author not known, that links railways, hoboes, police and the justice system, titled 'How I Took The Bait'; it was first published in the *Northern Miner* in 1933. The writer is heading from Charleville to the Darling Downs, a distance of around five hundred and fifty kilometres.⁴⁵³

I went broke in Western Queensland
In Nineteen Thirty One.

⁴⁵² <http://railwaystory.com/voices/voices11.htm>, (accessed 9 May 2012).

⁴⁵³ *Northern Miner*, 26 August 1933.

Nobody would employ me
So my swag career begun.

I came in via Charleville
And through the western towns
I was on the western railway,
Destination - Darling Downs.

My clothes were getting ragged
The boots were worn quite thin.
And while I was camped in Mitchell
A goods train shunted in.

As the depression deepened more and more workers found themselves on the track searching for work. Riding a goods train was one way of avoiding the wear and tear of constant tramping:

And as I sat there watching
Inspiration's seed was sown;
I thought of the Government's slogan
"Use the Railways which you own."

The rightaway was given.
Her departing time was nigh,
I gathered my belongings
And took her on the "fly."

Those prepared to test the government slogan "railways which you own", had to jump aboard the train as it slowly moved off and while the guards were busy at the rear in their own van.

By this time, it was nightfall
Everything was going well.

But my story's not completed yet
I have some more to tell.

I heard the engine whistle.
And, on looking out, could see
We were drawing into Roma:
That was quite plain to me.

At each station there would be attempts to discover any stowaways. Creasy tells us above that in Quirindi, in Northern NSW, a certain Sergeant Small was known for his ambushes, posing as a hobo to catch his prey. This Queensland song describes the Roma policeman using the same entrapment technique:

The train stopped in the goods yards
I kept my head bowed low.
When a voice spoke, "Any room there mate?
I answered "Plenty 'bo."

'bo is a shortening of the borrowed American word hobo, a word known from films and popular Country and Western songs or IWW songs.

"Come out of that me noble bhoy,"
A copper's voice did bawl,
"I've trapped you very nicely lad;"
You've ridden for a fall.

The use of bhoy and laddie in the verse suggests a policeman with an Irish accent while "Beak" is prison slang for a judge and his mention of rattler craze indicates another American influence.

"And now you're caught, me laddie,
I think I'll have my say :
You've broken a railway by-law
So come along this way."

The "Beak" was very kind to me
He gave me fourteen days.
Said he, "Now this might teach you
To change your 'rattler' craze."

So, if you're broke, take my advice,
I'll tell you whet I think:
Keep off those railway goods trains;
They're a short cut to the "clink."

‘How I Took The Bait’ was also published in two other Queensland newspapers, the *Townsville Daily Bulletin* and the *Charleville Times*. As the depression was coming to an end Tex Morton the County and Western balladeer recorded a similar song ‘Sergeant Small’ which is also set in Queensland and was released in 1938.⁴⁵⁴ The New Zealand Dictionary of Biography describes the recording and adds that it “was possibly the first banned disc in Australia.” The recording was banned in NSW because a policeman with the same name has objected to its publication in court. It was very popular and remained available in the rest of Australia.⁴⁵⁵

Riding down from Queensland on a dirty timber train,
We stopped to take on water in the early morning rain,

I saw a hobo coming by he didn't show much fear,
He walked along the line of trucks, saying any room in here.

Then I pulled the cover back saying throw your blankets in,
He dropped his billy and his roll and he socked me on the chin.

Chorus

I wish that I was fourteen stone and I was six feet tall,
I'd take a special trip up north, to beat up Sergeant Small.

⁴⁵⁴ <http://railwaystory.com/song/018.htm>, (accessed 9 May 2012).

⁴⁵⁵ <http://www.dnzb.govt.nz/en/biographies/5m59/morton-tex>, (accessed 9 May 2012).

He took me to the gaol house, he got me in the cells,
I realised then who he was, it was not hard to tell.

I've worked for Jimmy Sharman, and at fighting I'm no dunce,
But let me see the fellow, who can take on five at once.

The song tells us that this is a goods train, “a dirty timber train” stopping to fill up the steam engine’s boilers - “to take on water”. It mentions the popular travelling boxing showman “Jimmy Sharman”.⁴⁵⁶ Morton’s use of the American hillbilly musical form to create what is essentially an Australian protest song was probably connected to his own understanding that the form or genre was widely used in the 1930s to voice dissenting working class opinion.⁴⁵⁷ Morton had successfully performed in the United States and recorded there. He came to Australia from New Zealand in 1932 aged 16 and “jumped trains, busked, steeplejacked, boxed for Jimmy Sharman, did motorbike stunts in sideshows around The Wall Of Death and painted the Harbour Bridge.”⁴⁵⁸

Australian Railway Songs - Post World War 2

If class segregation was a theme of railway verse, for later generations so was gender segregation. The political upheavals of the 1960s and 70s included a major attempt by unions to tackle the question of equal pay for women workers. Union campaigns also opened up a remarkable change in views about the kinds of work women could do. Women began to work at trades formerly unavailable to them such as electricians, plumbers, builders’ labourers, carpenters, crane drivers and steel fixers. In this period of second wave feminism women in Sydney became bus drivers and in Melbourne tram drivers. Janet Oakden was the first woman to attempt to become a train driver in Sydney. In 1976 Wollongong journalist and broadcaster Pip James wrote the ‘The Ballad of Janet Oakden’. The song describes the opposition Oakden had to overcome in her mission to become a driver:

⁴⁵⁶ <http://adb.anu.edu.au/biography/sharman-james-jimmy-8398/text14747>, (accessed 9 May 2012).

⁴⁵⁷ Vincent J Roscigno, and William F. Danaher. *The Voice of Southern Labor: Radio, Music, and Textile Strikes, 1929-1934*, (Minneapolis: University of Minnesota Press, 2004).

⁴⁵⁸ <http://www.markholden.net.au/theholdens/index.html>, (accessed 9 May, 2012).

Let me tell you 'bout a woman, Janet Oakden is her name
She came here from England, just to drive a train
She started as a steward, and why I cannot tell,
When she tried to join a union, the men all ran like hell.

Chorus

Janet Oakden, Janet Oakden
You should be very proud,
With the odds stacked against you,
Your spirit was not cowed-

The union said 'We'll help you, but let us make this clear,
The railway wives won't like to see their husbands placed so near.
The feminine temptation a woman would present,
You must have separate quarters, so morals won't get bent.'

They raised up great objections why she can't drive a train,
'You can't lift up the engine, or undertake the strain,
Of toting all the fireman's gear upon your fragile back,
What happens if your nails should break, your make-up start to crack?'

But Janet was too wily, for all those doubting men;
She took herself to drivers' school, and answered back again,
Now she can be a driver, and fill a driver's shoes,
This courageous woman has earned the right to pay her union dues.

In an interview with Oakden broadcast on the ABC Radio's feminist 'Coming Out Show' in 1976, she describes the need for courage in the face of the opposition she faced:

Coming Out Show: Do you think that if you get in, that other women will follow, there'll be hordes of women, or have you had any indication from other women?

Janet Oakden: I've had several who said that they would like to be drivers and indeed they've said there've been a couple who want to be guards and even conductors, but they're just not sort of game to take on a two year fight like I have done. It's been quite an emotional bashing as you can understand. They're not game to take on the fight. It's impossible to predict one way or the other. But I think there will definitely be others to follow.

Although Oakden was optimistic about more women entering the industry as drivers, guards and other roles, and despite equal opportunity's legal status today, it is estimated that "In NSW for example, there are 2770 train drivers and only thirty one of them are women. Of the 2070 track workers on the permanent way, only four are women."⁴⁵⁹ Women rail workers still yearn to become drivers it seems as an interview with Nikki Edson, a railway guard, reveals; "If I could keep Newcastle as my depot I'd love to be a driver. Its great fun, something I'd really like to do, as long as I can be close to home and my family and friends."⁴⁶⁰ If becoming a train driver has proved more difficult for women so has becoming a rail union official. However, this is changing as the 2004 election of Joanne McCallum to the Rail Tram and Bus Union (RTBU) National Vice-President demonstrates. In an interview McCallum recalled her reasons for becoming more involved with her union:

It also became obvious that not enough women were actively involved in the union. It was very male dominated, and not particularly welcoming for most women, so I hoped that if I became more involved then this might also encourage other women to get involved, and it has.

Railway culture today

Railway song and poetry remains a focus for the RTBU, with its links back to the founding engine drivers' union in 1861 and the union continues its involvement with many aspects of railway culture. In 2012 it supported the initiative of retired railway worker Brian Dunnett to hold an international railway film festival in Sydney.⁴⁶¹ The

⁴⁵⁹ Jim Haynes, and Russell Hannah. *All Aboard!: Tales of Australian Railways*. (Sydney: ABC Books for the Australian Broadcasting Corporation, 2004), p. 232.

⁴⁶⁰ Peter O'Connor, *On Wooden Rails*, p. 228.

⁴⁶¹ <http://www.eveleigh-railway-film-fest.com/>, (accessed 10 May, 2012).

union also supports Dunnett's initiative for the annual "Music Train" that carries performers and their audience to the Illawarra Folk Festival. Songs continue to be written about railways and their importance and in 2009 the RTBU ran a song competition with a prize of \$1000. More than thirty songs were written for the competition. The winner was John Hospodaryk with his topical 'Don't Close The Depot Down',⁴⁶²

Two thousand trucks across the Great Divide,
Two thousand truckloads of fuel that will ride
Upon the road when there's a train that can bring it safely to your town,
Safely to, safely to your town.
So all I ask of you is don't you, don't you close that depot down,
Don't you close, don't you close that depot down.

We gotta let that rolling stock stay upon the rail,
It's rolled a hundred years, it has never failed.
Don't wanna see them trucks crowdin' up the whole highway,
Whole, whole, whole highway,
So all I ask of you is don't you, don't you take that train away,
Don't you take that, take that train away.

The writer is concerned with the long safety record of rail transport versus road transport, the first largely publicly owned and the latter in private hands. The carnage on the road involving trucks and cars is a recurring concern relating to heavy vehicle use on publicly funded roads. As the trucks progressively crowd up "the whole highway", rail use is often shunned by private companies on the grounds of economics, yet the economics they employ in their arguments rarely takes account of the cost of the wear and tear on the roads let alone the incalculable social cost of often horrific accidents. Meanwhile the public expenditure on roads increasingly outstrips the funding of rail. Further, there are the pressing twenty first century global warming carbon dioxide concerns.⁴⁶³

⁴⁶² <http://railwaysongs.blogspot.com.au/2009/01/dont-close-depot-down.html>, (accessed 10 May, 2012).

⁴⁶³ *ibid.*

Carbon footprints are truckin' up 'n' down the road,
Up 'n' down, up 'n' down the road.
One of these days one of them rigs you know is bound to explode,
How can we bear such a heavy load!

Just as several songs I have cited in this study, written in the nineteenth and early twentieth century, focus on issues of privatisation versus public ownership, this contemporary song notes that governments continue to privatise the infrastructure that politicians are no longer willing to take responsibility for, labour is increasingly contacted out and valuable public assets are handed over to the private sector. But the song, like its antecedents, is not only description. It is engaging in political discourse as an argument about rights – the demand for the right to work:

They're layin' off the workers, I heard it on the news,
'Cos private contractors is what they wanna use,
You know we gotta get together, people, spread the news all around,
All around, spread the word around. We must demand that they don't,
they don't close that depot down,
They must not close, close that depot down.

The examples of poems and songs relating to railway culture that I have presented above represent a fraction of the several hundred items that have been gathered together by researchers over the past quarter of a century. While there is, to date, no comprehensive publication of this material as a collection, an attempt to archive them exists in my research blog 'Australian Railway Songs'⁴⁶⁴. On that site over two hundred and fifty songs and poems are available for study, along with articles and newspaper extracts that portray the industry for a period of close to one hundred and sixty years. The lyrical material archived on the site represents a significant heritage of an industry and its workforce. It offers useful historical evidence about working lives and conditions. It also provides evidence of the ways cultural production by rail workers has become imbricated in political discourse. Most of the material has been published in

⁴⁶⁴ <http://railwaysongs.blogspot.com.au/>, (accessed 2 April 2013).

union journals, labour movement newspapers and leaflets and a number have also been reported in newspapers.

Australian railway working songs and poems comprise a considerable corpus and constitute an important component of the culture and politics associated with the Australian labour movement over a long period of time. In many ways the railways offer a microcosm of Australia at work as so many different trades and skills have to be coordinated in order to run a railway. Yet the cultural artefacts, the songs and poems that provide insight into railway history, are fragments that are often difficult to evaluate. In the case of railways the task of discovering and collecting the songs and poems associated with the industry has largely been the labour of railway workers with the assistance of those interested in industrial history and folklore. My perspective is that this lyrical material is an important component of working class culture. It offers us the opportunity to explore the nature of working class community self-expression, cultural and political views that draw on a long tradition, always in the face of changes or forces that tend to erode or undermine the creation and maintenance of a permanent defense organisation – the union movement. Australian railway working songs and poems amount to a considerable corpus and constitute an important component of the culture and politics associated with the Australian labour movement over a long period of time.

CHAPTER 6. SONGS AND POEMS OF WAR AND DEPRESSION IN AUSTRALIA

One of the aims of this thesis is to foreground many of the newspaper reports of songs, poems, speeches, sounds, badges, flags and banners associated with the labour movement in Australia. When working songs in particular receive notice it is much more likely to be through the work of folklorists rather than historians. That the Australian labour movement's own economic and political goals were at odds with the those of the ruling class is reflected in the radical poetry of the depression as it had been by the radical verse of World War I, and earlier by the radical verse of the 1890s as discussed in Chapter Four. One of the major links is the recurring trope of assumed rights that is apparent in the transported culture of the first convicts as discussed in the Introduction and Chapters One to Three. I argue that there is a fragile continuum of song and verse – and that some of these songs echoed through the depression years and have resurged again in recent times.

An early twentieth century example of this radical verse comes from the pen (or actually the typewriter) of the militant coal miner, steel worker and Salvation Army member Josiah Cocking. Cocking was writing from 1911 to the 1950s, never under his name but under a number of creative pen names. An example of his militant stance can be seen in his anti-war poem 'Dandelion Bitters' – written in 1915:⁴⁶⁵

By "Dandelion"

Fling out the flag, let it flap and rise,

On the breath of the eager air.

— Francis Adams.

We have flung the flag; see! it flaunts and waves in the light of the Southern
Cross;

'Neath the gaudy rag are a million slaves, 'neath the heel of our Owner's Boss!

For a hundred years we have wiped the sweat from our faces, in field and mine;

And of blood and tears we shall wipe them yet if our forces we don't combine!

⁴⁶⁵ *International Socialist*, 18 September 1915.

Shall we fear our foes ; and remain content to be hewers of wood and stone?
Shall we toil for those till our lives are spent, or produce for ourselves alone?
Shall we listen yet to the cry of "creed" or of "color," or "flag," or "race,"
Shall we bleed and sweat to supply the need of the authors of our disgrace.

Shall we cultivate, in these Austral States, at the Labor mis-leader's call,
An insensate hatred of "foreign" mates, when together we stand or fall?
Shall we shoot or hang ev'ry man that's black, or affront ev'ry man that's brown?
To appease the Gang on our bended back who divide us to keep us down?

Let's respect each man, be he black or tan, and discard stupid racial pride,
Let's adopt the plan to despise and ban only those who are black inside!
Must the workers live in depths of Hell? Shall we never attempt to rise?
Should we want, and give to the drones who dwell on the mountains of Paradise?

Let us join our hands round the whole wide earth, and unite with a nobler aim
Let us bravely stand with all men of worth and this fact to the world proclaim:
That we mean to fight in our solid might (not with bombs, but with active
brains),
For the reign of Right, and for Justice bright, and for freedom from wage-slaves'
chains!

To the drones and kings—and all useless things—we shall proffer the pick or
pen;
And no man will sing "God preserve the king," but "God save all our fellow-
men."
And we mean to keep what we make and reap, from the Line to the Polar Skies;
And the word shall leap o'er the rolling deep, that The World is our Final Prize.

The quote at the head of Cocking's poem is from Francis Adams' poem 'Fling Out the Flag' commemorating Eureka. As I discussed in Chapter Four Eureka, as a site of struggle, continued to resonate through the shearers' strike of 1891 and into the depression and beyond. Cocking's reference to Eureka offers another example of its

potency as a symbol of resistance, in this instance, the organised opposition to the World War 1. Whatever hegemonic argument from “authors of our disgrace” who invoke allegiance to “creed color, flag,” or “race”; the anti-war movement will place on the record its own arguments for a different way of ordering society. Class analysis here counters the jingoism encouraged by “Labor mis-leader's call”, the call perfected by former Labor leader W. M. Hughes. The poet proposes instead “Let's respect each man, be he black or tan, and discard stupid racial pride, / Let's adopt the plan to despise and ban only those who are black inside!” and finally “For the reign of Right, and for Justice bright, and for freedom from wage-slaves' chains!”

For the next thirty years, through the 1930s depression and World War 2, Cocking continued to compose and publish verse embodying the anti-capitalism, anti-war and anti-racist themes he explores above. Much of his work is published in the miners' journal *Common Cause*. I examine more of Cocking's creative output in Chapter 7, which concentrates on the lyrical works of four worker poets. *Common Cause* was a significant publisher of workers songs and poems. When Australian diggers who fought in WWI returned home with promises of being welcomed to a “land fit for heroes”, a composition by an unnamed poet describes the reality in a verse titled ‘What I Fought For’ in 1923. Rather than the promised welcome the poet describes how they found instead the same class war on workers as had existed before they left, this time wrapped up in a threatening “King and Country” jingoism:⁴⁶⁶

The daily papers tell me there's a "crisis" in the East!
 (Last week I lost my job—I'm out of work;
 And now I'm wearied hundred for a bit to eat, at least.)
 They tell me I'll have "trouble with the Turk"!

They tell me that the King was cheered by London's starving poor!
 (The hunger must have turned each battered head)
 The kings are far too busy with the "Crisis in the Ruhr"
 To care about the dying and the dead.

⁴⁶⁶ *Common Cause*, 15 June 1923.

The papers say the King looked splendid in his diamond crown!
(I heard to-day Jim Casey burst his heart.)
And now I read to-day the German mark is tumbling down.
(My landlord tells me I must pay my part.)

Here we get a glimpse of the economic effects of World War I and the impact of the Treaty of Versailles on the German economy and, the beginnings of the hyperinflation that would destroy the Weimar Republic, ushering in Hitler and the Nazis.

They tell me I'll have trouble with the Bolsheviki breed!
(To-day my grocer turned me from his door.)
They say the League of Nations is alive and full of seed.
(My little wife lies sick upon the floor.)

The papers say that Tush-muk's tomb's ablaze with flowered gold,
That my soldier-brother's grave is not forgot.
(Today I pawned my coat for food, and now I'm feeling cold.
Christ! Jack, you did not die for what I've got.)

The Prince grows still more democratic, so the papers say!
The bloody war grows bloodier to me.
I've crises here aplenty : I've got to go away
To fight again for that democracy.

Just five years after the “war to end all wars” the world is faced with all kinds of crisis, national, economic, political and personal. Prince Albert (later King George VI) gets married, the French invade the German Ruhr to enforce the draconian WWI reparations, Billy Hughes is replaced by Stanley Bruce as Australia’s prime minister, the civil war in Ireland ends, Mussolini and his fascist party march into power in Italy, hyperinflation begins in Germany and the six hundred and twenty four year old Ottoman Empire is coming to an end. The poem above gives us a returned soldier’s summary of 1923, counterpoising the world events with his own difficulties. “What I Fought For” views the world not from the heights of power but from a down to earth standpoint, one that has no confidence in either the promises or the solutions offered by the rulers of the day.

Common Cause provides the historian with an important archive of lyrical material concerned with such independently considered matters, a union voice, or a world where organized workers will demand a much greater say in the way things should be.

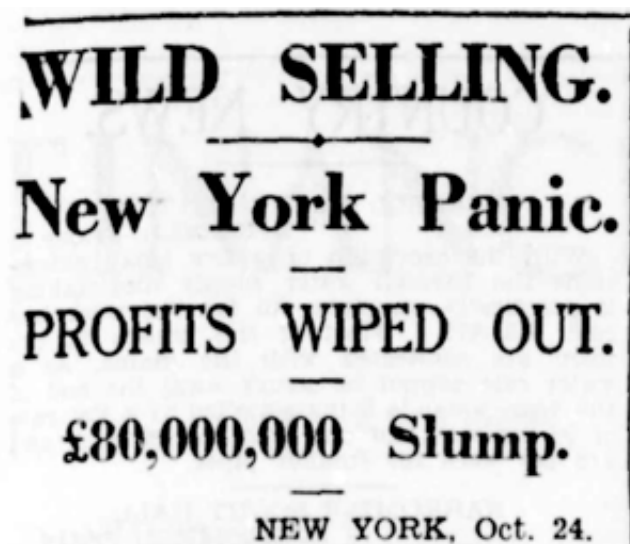


fig. 11. *Sydney Morning Herald* headline.⁴⁶⁷

Many accounts of the Great Depression of the 1930s pinpoint the “New York Panic”, as reported above in the *Sydney Morning Herald* as the beginning of the world wide economic slump that would last for a decade. The word ‘depression’ was not used at the beginning of the crisis. Newspaper reports suggest that governments, bankers and capitalists regarded the slump as temporary glitch, strangely unconnected with the failings of the economic system, that it was the result of an apparently unaccountable panic of millions of small investors and irrational speculation.

A day earlier than the report above, on the other side of Australia, the Perth-based *Daily News*, reported the same story under the banner “Wall Street Panic”⁴⁶⁸

All records for frenzied trading were broken in New York with a day's sale or approximately fourteen million shares, with billions of dollars of quoted values eliminated, and shares dumped overboard for whatever they would bring.

⁴⁶⁷ *Sydney Morning Herald*, 26 October 1929.

⁴⁶⁸ *Daily News*, 25 October 1929.

This report is followed by the headlines “Official Statement” and “No General Decline”, together with an “official” explanation for the astonishing events:⁴⁶⁹

Treasury officials made a statement that the recession of the stock market was a purely technical reaction and not due to any general decline of business conditions, which, on the whole through out the country are good. Officials believe that speculation in Wall-street has been carried to nonsensical lengths. Easier money for commerce is expected when the market deflation is completed.

Arguably the most destructive economic crash for generations was ushered in by intense speculation followed by largely useless attempts to calm things down with official statements while imposing the hegemonic medicine of economic expenditure prescriptions that would only exacerbate the situation. The depression losses in the United States ultimately were ultimately three times as much as they had spent on its financial contribution to the First World War. By 1931 close to a third of the workforce, thirteen and half million workers, were unemployed. By 1932 the organised unemployed protesters would be characterised by General Douglas MacArthur as a “foreign enemy” as he moved to clear war veterans from Washington using tanks and fixed bayonets and burning down the tent city they had built at Anacostia Flats.⁴⁷⁰ The American economist John Kenneth Galbraith argued that the 1929 stock market crash that began in the United States was caused by a number of factors, including the increasing wealth gap between rich and poor and the uncontrolled speculation encouraged by Wall Street in which a number of banks simply switched to outright embezzlement.⁴⁷¹

The fact was that American enterprise in the twenties had opened its hospitable arms to an exceptional number of promoters, grafters, swindlers, impostors, and frauds. This, in the long history of such activities, was a kind of flood tide of corporate larceny.

⁴⁶⁹ *Daily News*.

⁴⁷⁰ <http://www.loc.gov/exhibits/treasures/trm203.html>, (accessed 16 July 2013).

⁴⁷¹ Galbraith. *The Great Crash, 1929* (Boston: Houghton Mifflin, 1955), p. 195.

Writer Len Fox describes the effects of the crash in Australia:⁴⁷²

It threw millions out of work, forced countless families out of their homes, and dragged millions of men, women and children down to near starvation levels while factories lay idle and food was being destroyed.

The writer and poet Dorothy Hewett wrote a poem about the depression in the 1950s that became widely known and recorded in the Australian Folk Revival from the early 1960s, when it was set to music by Mike Leyden. Hewett based her poem on stories about the depression in Newcastle she heard from the activist Vera Deakin.⁴⁷³

For dole bread is bitter bread
Black bread and sour
There's grief in the taste of it
There's weevils in the flour

The combination of World War I and the 1930s depression that followed seemed to many to be further proof that capitalism was incapable of preventing either of these social disasters. That war and economic depression were linked was certainly widely recognised by the time the depression had morphed into World War 2 in 1939. This recognition can be seen in an article in the *Canberra Times* reporting the findings of the Queensland Bureau of Industry and Statistics under the banner 'War and Depression'. The report compares the financial cost of the two estimating the total cost of the four years of war for the major belligerents to be "£28,515 millions sterling expressed in present-day purchasing power" while the cost of the ten year depression in "the United States, Great Britain, Canada, Australia, Germany and Holland alone, the Great Depression caused a loss of £24,000 millions." The report concludes that the figures:⁴⁷⁴

emphasise strongly that the world must avoid a post-war depression and that both war planning and peace planning must cover the economic as well as the political

⁴⁷² Len Fox (ed), *Depression Down Under* (Sydney, NSW, Hale & Iremonger, 1992), p. 8.

⁴⁷³ Dorothy Hewett and Merv Lilley, *What about the people* (National Council of the Realist Writers Groups, 1953), p. 71.

⁴⁷⁴ *Canberra Times*, 14 October 1939.

field. Indeed if there is a basis of truth in the contention that economic differences are a direct cause of wars, one means where by future wars may be averted is by building an economic as well as a political peace.

The emphasis on economic planning in a world coming out of depression and entering another world war shows that not only the labour movement was addressing these concerns at that time. It was not at all the kind of analysis reported in the major newspapers during either depression or World War I. There is an implicit understanding in the Report that planning cannot be left up to the “free market” and that “economic differences” may in fact lead to war. Among the economic differences of that era can be counted the draconian war reparations forced on Germany by the Treaty of Versailles⁴⁷⁵. The British economist John Maynard Keynes argued that the Treaty was an attempt to ensure that.⁴⁷⁶

the economic system, upon which she [Germany] depended for her new strength, the vast fabric built upon iron, coal, and transport must be destroyed. If France could seize, even in part, what Germany was compelled to drop, the inequality of strength between the two rivals for European hegemony might be remedied for generations.

Keynes’ argument against the Treaty at the time was that there was danger in the winners pushing their advantage too far, that impossible economic burdens can lead to further disaster as they did twenty years later. One of the most insistent supporters of the Treaty was Australia’s William Morris Hughes, who at the Versailles conference of 1919, aligned Australia with those nations demanding heavy reparations from Germany.⁴⁷⁷

Large sections of the Australian labour movement had opposed conscription and had protested against the continuation of the war in the process seeing it as only beneficial

⁴⁷⁵ The Treaty of Versailles was signed on 28 June 1919.

⁴⁷⁶ John Maynard Keynes, *The Economic Consequences of the Peace* (London, Macmillan, 1919) p. 34.

⁴⁷⁷ http://www.nma.gov.au/primeministers/william_hughes, (accessed 17 July 2013).

to capitalist monopolies.⁴⁷⁸

The Political Labor League in NSW, the Political Labor Council in Victoria, and the State Labor-in-Politics Convention in Queensland all demanded that the Australian Government urge the allied governments for a peace based on just, equitable, and democratic terms. At the 1918 Perth Federal Conference the Labor Party declared itself for a peace policy.

The Australian carpenter and poet R.H. Long is described in the Australian Dictionary of Biography as a member of:⁴⁷⁹

the Victorian Socialist Party and the Free Religious Fellowship. Long's literal-minded devotion to the 'brotherhood of Man' was such that he kept a coiled chain in his workshop above the familiar injunction to 'Workers of the World'.

Long summed up the labour movement's view of the Versailles Treaty as sowing the seeds of a future war in this terse verse:⁴⁸⁰

Alas! is this the vision and the dream
For which so many noble natures bled?
Is this the goal, this bitter Marahstream
That mocks the living and betrays the dead?
Is this the draught Humanity must sup,
Draining the very dregs of War's foul cup?

Industrial Workers of the World

The Industrial Workers of the World (IWW) was founded in 1905 in Chicago as a radical challenge to the existing mainstream unions in the United States and their craft-based membership. The IWW agenda and the popularity of IWW songs were boosted by both revolutionary socialism and the 1930s depression. The most famous song was

⁴⁷⁸ Joe Harris, *The Bitter Fight; A Pictorial History of the Australian Labor Movement* (St. Lucia, Qld., University of Queensland Press, 1970) p. 259.

⁴⁷⁹ <http://adb.anu.edu.au/biography/long-richard-hooppell-7224/text12507>, (accessed 18 June 2013).

⁴⁸⁰ Harris, *The Bitter Fight*, p. 256.

“Solidarity Forever”, which became the unofficial anthem for unions in many countries including Australia. The songs of the IWW, “Wobbly” songs, were published in many editions around the world in a red covered booklet with the unsubtle subtitle “To Fan the Flames of Discontent.” Many of the songs were parodies borrowing their tunes from popular hymns and songs of the 19th century.

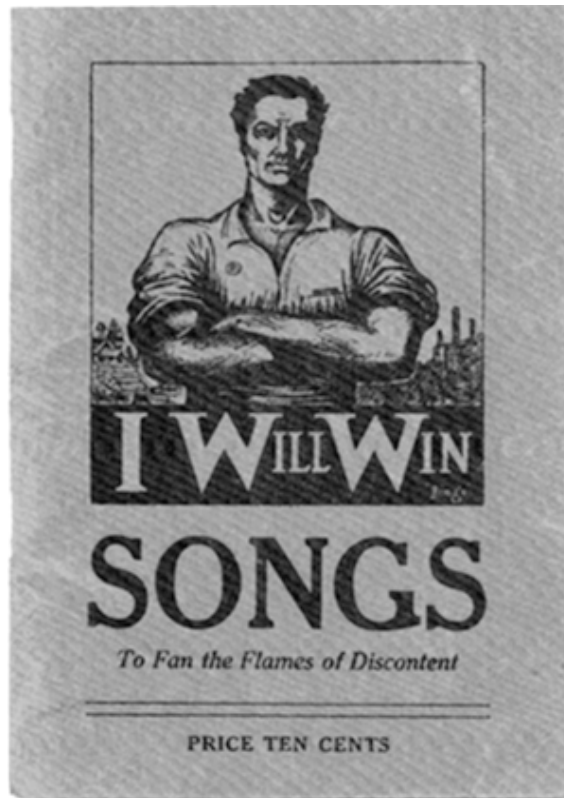


fig. 12. Early IWW songbook

The selection of lyrical material in this chapter demonstrates that the influence of IWW songs, in particular, is clear for a long period from the World War I through to the present day. One of the most famous IWW songs recasts the popular American song ‘The Ballad of Casey Jones’ written about the heroism of Johnathan Luther “Casey” Jones the US locomotive driver or engineer whose dramatic death on the footplate in 1900 made him a national figure.⁴⁸¹

Come all you rounders if you want to hear
A story about a brave engineer
Casey Jones it was the rounder’s name

⁴⁸¹ <http://cylinders.library.ucsb.edu/mp3s/0000/0636/cusb-cyl0636d.mp3>, (accessed 31 October 2012).

On a 6-8 wheeler boys he won his fame

Chorus:

Casey Jones mounted to the cabin

Casey Jones with his orders in his hand

Casey Jones mounted to the cabin

And he took his farewell trip to that promised land

The heroism ascribed to Jones in the song was not borne out by the investigation of the crash, which pointed to a reckless build-up of speed to make up for lost time. The labour movement had long argued, from bitter experience, that such speed-ups led to accidents and deaths at work. The IWW song ‘Casey Jones the Union Scab’ was written by Swedish immigrant to America Joe Hill, and became even more famous than the original and soon spread across the globe. Hill wrote his parody in 1911 following a nationwide strike of 40,000 railway workers in the San Pedro (S.P.) line. He reverses the heroism of the original song and paints Jones as a “union scab” who refuses to take part in a strike along with his fellow workers. Jones is the kind of worker the Wobblies famously described as a “Mr. Block” or a “bone head.”⁴⁸²

The Workers on the S.P. line to strike sent out a call;

But Casey Jones the engineer, he wouldn't strike at all;

His boiler it was leaking, and its drivers on the bum,

And his engine and its bearings, they were all not of plumb.

Chorus:

Casey Jones kept his junk pile running;

Casey Jones was working double time;

Casey Jones got a wooden medal,

For being good and faithful on the S. P. line.

Where the original balladist saw bravery and heroism, Hill emphasises the poor condition and lack of maintenance of a “junk pile”, and the undermining of safe

⁴⁸² Green, Archie, and Judy Brannman. *The Big Red Songbook* (Chicago: Charles H. Kerr, 2007) pp. 103-104.

working conditions for the sake of the company's token of approval - the "wooden medal".

The Workers said to Casey, "Won't you help us win this strike?"
But Casey said, "Let me alone, you'd better take a hike."
Then someone put a bunch of railroad ties across the track,
And Casey hit the river with an awful crack.

Casey Jones' predictable ending in a crash leads him to heaven but in an ironic twist - a well organised heaven led by the "Angels' Union":

Casey Jones hit the river bottom;
Casey Jones broke his blooming spine;
Casey Jones was an Angeleno,
He took a trip to heaven on the S.P. line.
...
The angels got together, and they said it wasn't fair.
For Casey Jones to go around a'scabbing everywhere.
The Angels' Union No. 23, they sure were there,
And they promptly fired Casey down the Golden Stair.

Casey Jones went to Hell a'flying.
"Casey Jones," the Devil said, "Oh, fine;
Casey Jones, get busy shovelling sulphur,"
That's what you get for scabbing on the S.P. line.

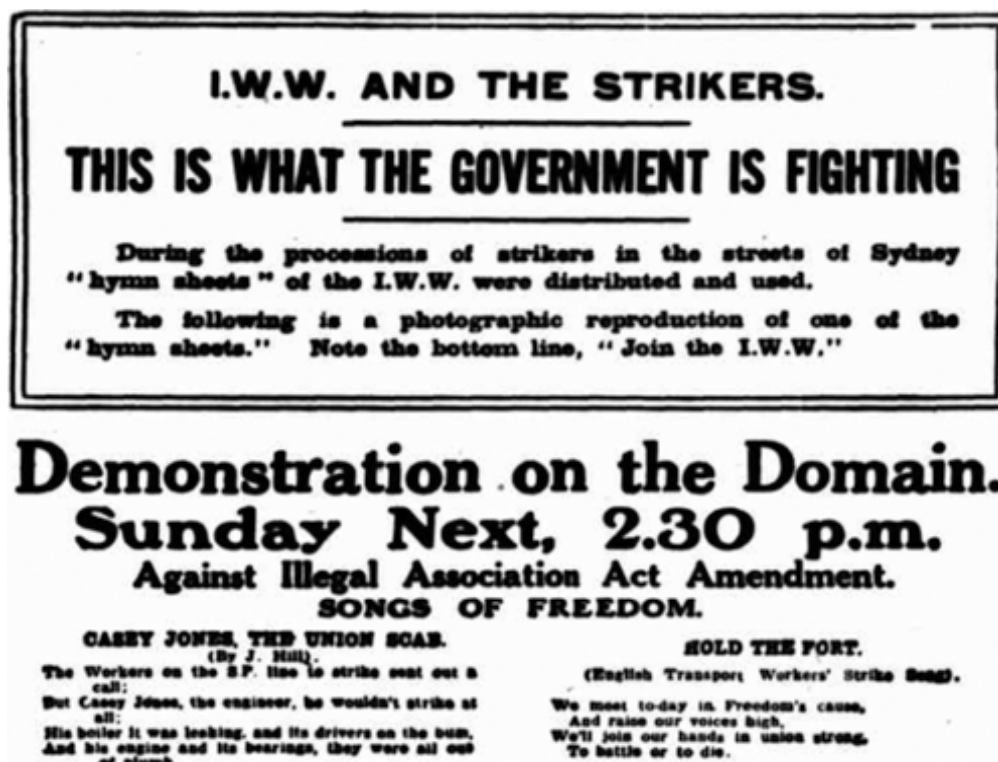


fig 13. *Queanbeyan Age and Queanbeyan Observer* graphic.⁴⁸³

The humorous and irreverent song may seem an unlikely candidate to be published in the newspapers but was certainly viewed as important evidence by some of those engaged in attacking the IWW. The *Queanbeyan Age and Queanbeyan Observer* of 21 August 1917, for example published this box above. The box with its guidance notes is followed by a photographic reproduction of an IWW song sheet that was handed out during the 1917 NSW Railway Strike (the general strike discussed in Chapter Five).

As well as Hill's 'Casey Jones the Union Scab' there are three other songs on the sheet, 'Solidarity Forever' (composed in 1915 by IWW journalist Ralph Chaplin), 'Hold the Fort' and 'The Road to Emancipation'. Chaplin's 'Solidarity Forever', is undoubtedly the most widely known IWW song in Australia where it has since the 1930s depression achieved the status of an unofficial anthem for unions and the labour movement.

Under the strident banner headline below Hill's song 'Casey Jones the Union Scab' was

⁴⁸³ *Queanbeyan Age and Queanbeyan Observer*, 21 August 1917.

also published in full on the other side of the continent in the Perth newspaper the *Daily News* in November 1917.



fig. 14. *Daily News* headline.⁴⁸⁴

In fact, the entire song was read out in court by the prosecutor as evidence in a conspiracy case against eleven IWW members.⁴⁸⁵

Accused were charged with having, between January 1 and October 11, at Perth and elsewhere, conspired between themselves, and other persons in New South Wales and Victoria, to carry into execution an enterprise having for its object the raising of discontent and disaffection among the subjects of the King, and with having promoted feelings of ill will and enmity between the classes of the community.

As well as the song, the evidence produced in court included four IWW stickers which the prosecution again read out as part of its critical evidence:

⁴⁸⁴ *Daily News*, 21 November 1917.

⁴⁸⁵ *Daily News*..

"A six-hour day will create 25 percent, more jobs. That will mean less unemployed, more wages, and a decent life. It means leisure. That's what the I.W.W. is after."

"The I.W.W. stands for a shorter work-day, bigger wages, dungarees for the boss, and work for the politician."

"Bed bugs and bosses get their living in the same dirty way, by sponging on others. Turn 'em out to work by reducing the hours of labor and the output."

"The workers of Australia will own Australia when they, organise to take it. Organisation is power. Power is the way to freedom. Join the I.W.W."

The prosecutor makes a point of highlighting the irreverent nature of the song in his comments about it to the court, either not understanding or deliberately ignoring the humorous nature of the verse:⁴⁸⁶

Sir Walter James said that they could see the spirit of that verse, which meant that because a man stuck to his work, something happened by which he broke his back, and the I.W.W. men were gloating over the fact.

A feature of IWW propaganda was its apparent public approval of sabotage as part of the industrial arsenal of the labour movement, and in the second verse above we can see it used as part of the comic effect of the song. It was this verse of the song that was specifically cited by the state prosecutors of the IWW, as part of the campaign to outlaw the organisation. Yet, as historian Verity Burgmann argues, the IWW had a carefully restricted notion of sabotage:⁴⁸⁷

It might mean the destroying of raw materials destined for a scab factory, the spoiling of a finished product, the disarrangement of machinery, working slow, giving overweight to the customers and pointing out defects in goods, using the best of materials where the employer desired adulteration, and the telling of trade secrets. It was not intended to inconvenience the consumer, only the capitalist.

⁴⁸⁶ *ibid.*

⁴⁸⁷ Verity Burgmann, *Revolutionary Industrial Unionism* (Melbourne, Cambridge University Press, 1995), p. 140.

An interesting ideological aspect in the 1917 conspiracy case is the way that “class war” was raised in the headline of the newspaper report, just as the labour movement was arguing that the laws against the anti-conscription meetings and demonstrations, and to outlaw the IWW were clear examples of a ruling class war against workers and unions. As is the case in 21st century Australia the phrase “class war” appears in newspaper headlines almost exclusively to describe workers’ actions, while the unceasing class war against workers is ignored. The hegemonic aspect here is very clear, the deadly state conspiracy to conscript more young men for the war is worked up to a crescendo in the attempt to stem the growing opposition to the war, and imprison workers and their supporters - using the “injustice within the law” of wartime and any other draconian legal provisions, including leftovers from ancient laws that were framed for the purpose of transporting so many working class ancestors to forced labour in Australia. The headline from the *Daily News* cited above is typical of the time.⁴⁸⁸

To flesh out the nature of this supposed “conspiracy to raise the class war” the prosecutor read some extracts from the IWW newspaper *Direct Action*.⁴⁸⁹

The following, Sir Walter went on, was an extract from "Direct Action," June 23, 1917:—"Workers of Australia, get up and start doing things. The workers of other countries are on the move; let us move with them! Our conditions are anything but what they should be, for the hours are too long and the pay too short to permit us to live as human beings should live. There are two classes in Australia, as in all other countries, where the capitalist mode of production operates and which enables one class to live in idleness, whilst the other must work hard and long for a bare subsistence—and sometimes not that. The ruling class uses two-thirds of labor's products (capital) by re-investing it in purchasing new and more modern machinery, and in buying up other natural resources, such as coal mines, forests, oil fields, etc. This means that they are gobbling up all the resources of the world with that which labor has produced, and using it to further enslave and exploit the workers. The most peculiar part of the matter is that when the wealth producers ask for more of that which they produce with their own hands and activities, the

⁴⁸⁸ *Daily News*, 21 November 1917.

⁴⁸⁹ *ibid.*

ruling class put up a howl that can be heard from the North Cape to the Bluff, to the effect that the workers are going to rob them of the interest on their capital."

This concise vernacular summary of the radical view of capitalism relayed in the prosecutor's "educated" accent must have been something to wonder at in the court. The exhortation from the start - "Workers of Australia, get up and start doing things. The workers of other countries are on the move; let us move with them!"—indicates a spoken rather than a written voice. There is also the working-class humour in Hill's song that contrasts with the ritualised court language of authority and pomp. The reciting of it in court by the bewigged and gowned to an audience that included the eleven Wobbly "conspirators" dressed in ordinary clothes and wearing, for the occasion, "conspicuous red ties" conjures up a potent example of Bakhtin's argument about the dialogic nature of language and his evocation of public spaces and the carnivalesque.

It is worth noting that the state sponsored attacks on the IWW in Australia closely follow the pattern of the attacks on the organisation in the United States. In a recent paper Hester L. Furey comments that in the "mid-teens to late teens" of WWI:⁴⁹⁰

Many IWW men were in fact made to kiss the flag, tortured, and in some cases lynched by self-appointed or police-recruited vigilantes. In the Sedition trials of 1918, the Palmer Raids, and the anti-Red trials and deportations of the early 1920s, the U.S. government effectively shut down the IWW's lyric inventiveness on this and related topics, as hundreds of men were imprisoned and the organization's funds depleted under the burden of multiple defenses.

IWW songs like 'Solidarity For Ever' and 'Casey Jones' are good examples of the way that radical verse enters the culture of the labour movement, sometimes across the world in translation. This indicates an abiding use for this lyrical material that is so commonplace that it rarely commands scholarly attention. Such lyrical material was both composed with enthusiasm in the labour movement and taken up and sung or recited with the same enthusiasm. As well as the IWW's *Direct Action* other labour

⁴⁹⁰ Hester L. Furey, 'IWW Songs as Modernist Poetry', *The Journal of the Midwest Modern Language Association* vol 34, no. 2, 2011, pp. 62-63.

movement newspapers and union journals played an important part in publishing songs and poems during World War I and the depression years that followed.

The songs and poems, like the banners, flags, badges and emblems of the labour movement, suggest a continuum that energised generations of organisation. Katherine Hepworth⁴⁹¹ argues that official emblems are carriers of an embedded discourse and ideology that has largely been ignored by researchers. Her thesis proposes that to better understand the power relations that produce such emblems she has adopted a discursive method to both create an archive of such emblems and subject them to this method. As we have seen in earlier chapters, workers wearing badges and emblems proclaiming their union membership have often faced hostile employers who insist on their own “official” emblems and dress codes. As Hepworth suggests we can discern dialogic discourse, power and ideology in apparently innocuous and apolitical symbols.

Women’s Opposition to Conscription - Songs and Poems

In October 1917 when the feminist Adela Pankhurst was arrested in Melbourne under the Unlawful Associations Act, for speaking out against conscription and the inflated cost of food, she served four months in gaol.⁴⁹² The *Worker* published the anonymous verse ‘The Cause of the Poor’, a poem credited to the Melbourne *Socialist*. It is a powerful protest against Pankhurst’s trial and the vindictive sentence she received:⁴⁹³

Adela Pankhurst, what have you done?
Meddled with poison? Handled a gun?
Robbed on the highway? Looted at large?
Here is the verdict; here is the charge ;
Nine months' jail from Notley Moore.
Openly pleading the cause of the poor.

Flouted the law ? Is the ocean in fault

⁴⁹¹ Kathleen Hepworth, ‘Government Emblems, Embodied Discourse and Ideology: An Artefact-led History of Governance in Victoria, Australia’ (PhD, ... 2012)

⁴⁹² <http://adb.anu.edu.au/biography/pankhurst-adela-constantia-9275>, (accessed 17 July 2011).

⁴⁹³ *Worker*, 11 October 1917.

That soils the beach whoever cries "Halt"?
William of Bendigo, could you control
That ocean of pity, a good woman's soul?
Nine months' prison from Notley Moore.
(Adela, why did you plead for the poor?)

Pimps, politicians, and food profiteers
Wait for the verdict with anxious ears.
Priestess of truth versus men of the mire,
Hearts of clay versus heart of fire.
Nine 'months' silence from Notley Moore.
(The law's far above the cause of the poor.)

The poem has an asterix against “Notley Moore, describing him as a “Police Magistrate”.

McIndoe prosecutes; Moore's in his place.
Hand up the Bible; call up the case.
She was heard to declare, not a mile from the House,
No child should be starved to fatten a mouse.
Nine months' quod from Notley Moore.
(Don't worry the House with the cause of the poor.)

The “House” is the Victorian State Government, “quod” is one of numerous slang words for incarceration.

Moore had a mother, a sister perhaps,
Mac. may be married, like commoner chaps.
God pity women—maid, mother, and wife—
Keep them from want all the days of their life.
Nine months in Pentridge from Notley Moore.
(Hominy's cheap—tell that to the poor.)

Hominy, a grain mash or porridge, had been served to prisoners in Australia from the convict days onwards. Pentridge is Melbourne's high security gaol.

Anzac soldiers, What do you think?
When brave little women are dragged off to clink?
You that were wounded in Liberty's name,
How do you like your country's shame?
Nine months' clink from Notley Moore.
(Win-the-War Hughes hasn't time for the poor.)

"Win-the-War Hughes" one of the many nick-names applied to wartime Prime Minister W. M. Hughes.

Free-born Australians, bow down and fear,
Down on your knees to the food profiteer!
Speak in a whisper; women can shout.
It's none of your business to get them out.
Nine months' jail from Notley Moore.
(Adela, why did you mention the poor?)
—Melbourne "Socialist."

This powerful counter-hegemonic lyrical protest calls for the attention of the Anzac soldiers and free-born Australians to the sentence imposed on Pankhurst as punishment for her principled opposition to the war. Her opponents include a list of exploiters and benefactors of the wartime restrictions on defensive action by workers and their organisations: "Pimps, politicians, and food profiteers/ Wait for the verdict with anxious ears./ Priestess of truth versus men of the mire,/ Hearts of clay versus heart of fire." Pankhurst's harsh sentence in Pentridge is the logical hegemonic response from the likes of "Win-the-War Hughes" and his advocacy of the draconian legislation devised to cripple the anti-war movement. That the author of the poem is unknown or hidden suggests an understandable wariness of 'authority' at the time, a desire for anonymity.

Towards the end of 1917 the *Worker* published 'Referendum Song'. The song is composed by the miner E. J. Ludlow of Clifton an Illawarra mining township. Ludlow advocated the use of poetry as a tool in the introduction he provided for the song:⁴⁹⁴

When elections were held in England songs used to be sung illustrative of the political propensities of the times or of the candidates. Thereby many people were drawn to take interest in the political meetings who otherwise would not have troubled. Now, every vote counts, and everything would be welcome which would draw the people out to hear the truth. Hence the following, which can be sung to the tune of "Tipperary" (with apologies to the author). It might be sung at anti-conscription meetings.

Up to mighty Melbourne came this order one day,
"Please conscript the workers, else they'll soon be holding sway;
Send them forth to go and fight for the land they do not own,
And let them fight for the gold that they will never, never own."

It's a long way to conscription,
It's a long way to go;
It's a long way to conscription,
For the people voted "No."
Goodbye, dear old Melbourne
And your conscript crew,
It's a long, long way to conscription,
For the people are true.

The Poems of Lesbia Harford

Just as the IWW and Ludlow grasped the significance of lyrical material in relation to political discourse, so too did the feminist poet Lesbia Harford. Harford was a highly educated lawyer who was attracted to the rebelliousness of the IWW and worked as a seamstress in a textile factory: she composed her own special kind of lyrical protest

⁴⁹⁴ *Worker*, 6 December 1917.

verse. Harford is notable for her very original modern style and she excels parody. Perhaps referring to the defeats of the IWW and labour movement in 1917 she writes:⁴⁹⁵

I was sad
Having signed up in a rebel band,
Having signed up to rid the land
Of a plague it had.

For I knew
That I would suffer, I would be lost,
Be bitter and foolish and tempest tost
And a failure too.

I was sad;
Though far in the future our light would shine
For the present the dark was ours, was mine,
I couldn't be glad.

Harford's verse, is certainly better known and more widely published today than it was in her lifetime. The Australian Dictionary of Biography describes the way she composed and sang her verse, and the accidental destruction that claimed her notebooks:⁴⁹⁶

Lesbia transcribed her poems into notebooks in beautiful script; she sang many of her lyrics to tunes of her own composing. Some she showed to friends or enclosed in letters. She was first published in the May 1921 issue of *Birth*, the journal of the Melbourne Literary Club.

In April 1918 Harford composed 'Today is Rebels' Day'.⁴⁹⁷

⁴⁹⁵ Les Murray, *Hell and After: Four early English-language poets of Australia* (Manchester, Carcanet, 2005), p. 111.

⁴⁹⁶ <http://adb.anu.edu.au/biography/harford-lesbia-venner-6562/text11285>, (accessed 16 November 2013).

⁴⁹⁷ Les Murray, *Hell and After*, p. 121.

Today is rebels' day. And yet we work –
All of us rebels, until day is done.
And when the stars come out we celebrate
A revolution that's not yet begun.

Today is rebels' day. And men in jail
Tread the old mill-round until day is done.
And when night falls they sit alone to brood
On revolution that's not yet begun.

Today is rebels' day. Let all of us
Take courage to fight on until we're done –
Fight though we may not live to see the hour
The Revolution's splendidly begun.

The date of the verse suggests the Russian Revolution, news of which “shook the world” at the end of 1917. “Men in jail” refers to Harford’s IWW comrades remaining imprisoned, having to “Tread the old mill-round until day is done”, for daring to do their part to end the war. Imprisonment with hard labour and the tread-mill were among the harshest punishments available to the authorities at the time.

At the end of July 1918 Harford composed another poem with direct reference to the war, anticipating the celebrations of the armistice that was signed on 11 November that year:⁴⁹⁸

The people have drunk the wine of peace
In the streets of town.
They smile as they drift with hearts at rest
Uphill and down.

The people have drunk the wine of peace,
They are mad with joy.

⁴⁹⁸ Murray, *Hell and After*, p. 123.

Never again need they lie and fear
Death for a boy.

Lies and fearing the death of the boy soldiers, conjure up the oppressiveness of the incessant manic atmosphere of wartime propaganda. Harford was unusual in many ways, and had been awarded a law degree in a time when that was rare for a woman. She was middle class but her political conviction saw her join the ranks of manual workers, working as a factory and later as a domestic servant.

Les Murray writes of the militant seamstress-poet:⁴⁹⁹

In 1918 she moved to Sydney to live with the family of an imprisoned IWW member and help support them. She worked as a factory machinist and then as a domestic servant for the Fairfax family of newspaper proprietors.

...

In poetry her political ideals allowed her consistently to avoid the dead Victorianisms which afflicted Australian poetry well into the twentieth century.

Harford's poems about work and her need to compose lyrical verse to do justice to those who work, the "unsung", includes the following:⁵⁰⁰

I must be dreaming through the days
And see the world with childish eyes
If I'd go singing all my life
And my songs be wise

And in the kitchen or the house
Must wonder at the sights I see.
And I must hear the throb and hum
That moves to song in factory.

So much in life remains unsung,

⁴⁹⁹ Murray, *Hell and After*, p. 99.

⁵⁰⁰ Murray, *Hell and After*, p. 126.

And so much more than love is sweet.
I'd like a song of kitchenmaids
With steady fingers and swift feet.

And I could sing about the rest
That breaks upon a woman's day
When dinner's over and she lies
Upon her bed to dream and pray

Until the children come from school
And all her evening work begins.
There's more in life than tragic love
And all the storied, splendid sins.

The poet also writes about her domestic work at the Fairfax estate and mansion in a poem titled 'Miss Mary Fairfax':⁵⁰¹

Every day Miss Mary goes her rounds,
Through the splendid house and through the grounds,

Looking if the kitchen table's white,
Seeing if the great big fire's alight,

Finding specks on shining pans and pots,
Never praising much, but scolding lots.

If the table's white, she does not see
Roughened hands that once were ivory.

It is fires, not cheeks, that ought to glow;
And if eyes are dim, she doesn't know.

⁵⁰¹ Marjory Pizer (ed.), *Freedom on the Wallaby*, (Sydney, The Pinchgut Press, 1952), p. 136.

Poor Miss Mary! Poor for all she owns,
Since the things she loves are stocks and stones.

The “stocks and stones” refers to the large properties Mary Fairfax lived in and her shares in “John Fairfax & Sons Ltd, publishers of the Sydney Morning Herald.”⁵⁰² Harford’s poetic account of her employment with the Fairfax family provides a fascinating insight into life for those who live ‘downstairs’.

In ‘A Strike Rhyme’ we find her pithy and succinct commentary about a successful strike where she does not hide her unwavering support for the workers involved:⁵⁰³

The strike's done.
The men won.
The ships sail the sea
To bring back
What we lack,
Coal, sugar, tea.

And I'm glad,
Though I had
Rather never use
Tea and spice
And what's nice
Than see the men lose.

The strike referred to by Harford is probably the one that was the subject of a letter from Sydney published in the 1919 in the Lismore newspaper the *Northern Star*.⁵⁰⁴

The seamen's strike is always about to be called "off," but never is. An acceptable agreement was arrived at by conference, but mistaken loyalty, which has been the

⁵⁰² <http://adb.anu.edu.au/biography/fairfax-mary-elizabeth-10144/text17913>, (accessed 16 November 2013).

⁵⁰³ Murray, *Hell and After*, p. 127.

⁵⁰⁴ *Northern Star*, 5 August 1919.

sole cause of the prolongation of the deadlock, obstructed. The Melbourne men refuse to return to work until Walsh, their desperado secretary, is released. This would mean an unequivocal victory for lawlessness over law.

Walsh “the desperado secretary” is the Seamen’s Union secretary Tom Walsh who was married to Harford.

Paddy Collins - Sydney Street Poet

Patrick Francis Collins, Sydney’s best-known street poet, sold his compositions for forty years – “from at least 1894 to 1934”.⁵⁰⁵ Some of his verse passed into oral tradition, including ‘Phar Lap’ and ‘The Death of Les Darcy.’ Many of his poems extolled Australians at war, and a number were concerned with disaster ranging from a warehouse fire in Sydney to railway and shipping accidents. He also took up social and political issues, including the anti-conscription movement and the imprisonment of the IWW members and the 1921 murder of the radical Broken Hill union leader and MLA Percy Brookfield. Brookfield was prominent in the nationwide campaign that demanded the release of twelve imprisoned IWW members and convincingly argued that their trial and gaoling was itself a conspiracy by the state, the police and the judiciary. After three years this argument was largely confirmed by a judicial investigation.

On the release of ten of the twelve IWW prisoners in Sydney in August 1920, the *Sydney Morning Herald*, reported the release under the heading “IWW MEN CHEERING CROWDS AT TOWN HALL”. The report begins:⁵⁰⁶

The Town Hall was packed last night, when the Sydney Labour Council gave a reception to the ten I.W.W. men—Hamilton, Besant, Moore, McPherson, Teen, Fagin, Glynn, Larkin, Beatty, and Grant—who were recently released from gaol. Many hundreds were unable to obtain admission. Before Mr. Howie (president of the Labour Council) took the chair the city organist (Mr. Ernest Truman) rendered selections on the grand organ. When the I.W.W. men came onto the platform there was a storm of cheering, which lasted several minutes. Then the whole

⁵⁰⁵ Hugh Anderson, *Paddy Collins : A Sydney Street Poet* (Melbourne, Red Rooster Press, 2010), p. 1.

⁵⁰⁶ *Sydney Morning Herald*, 7 August, 1920.

audience rose and sang the "Red Flag," a lady accompanying on the piano. Suspended from one of the galleries was a bannerette inscribed "Welcome to the martyrs."

Again we learn about the atmosphere of the gathering in the report – the “storm of cheering” the banners and the singing of the ‘Red Flag’, The report of the martyrs welcome included speeches from union leaders who had been involved in the release campaign:

Mr. A. C. Willis (general secretary of the Australasian Coal and Shale Employees' Federation) said the I.W.W. men were not in gaol for any crime; they were in gaol because they were pioneers of new ideas calculated to disturb the equanimity of the capitalist class. (Applause.) ... The new order of things was coming, whether they liked it or not, but whether it came peacefully or with violence would depend on the amount of intelligence and ability of the working classes to direct the forces behind them. (Applause.) The workers should use their intelligence so that when the crash came, as it must come, they would be prepared for an orderly change instead of chaos. (Applause.)

Collins the street-poet took up the story in his own style, in his ballad titled ‘The Release of the I.W.W. Men’:⁵⁰⁷

Rejoice! You fellow working men,
Your comrades are set free,
Who have suffered for these long years
In want and misery;
Locked up within grim prison walls
Surely an earthly hell,
The anguish that they have endured
None but themselves can tell.

⁵⁰⁷ Anderson, *Paddy Collins*, p. 64.

Collins pays special attention to the police spies on whose evidence the prosecution case relied, evidence the Judge allowed despite the proof aired in court of their own criminality.

Sent there by crawling perjurers
Who made up a false tale,
Now Scully and the Goldsteins too
Ought to be sent to gaol;
No one is safe whilst they're about
To mix with honest men,
What they have done for greed and gain
They'd do the same again.

For men like those who'd sell their souls
To do a dirty job,
Should meet you when the night is dark
They kill you for five bob;
How can those wretches be content?
How can they sleep at night?
It cries to God for vengeance sure
And He will do what's right.

Collins advocates that the “crawling perjurers” be imprisoned and calls for support for those freed by “Judge Ewing” - who headed the 1920 IWW Commission after a long campaign from the labour movement and its allies.

Now that they are with us once more
Let's help them with our might,
To cheer and make them strong again
The workers' cause to fight;
Success to all who did work hard
To cause those men's release,
May Judge Ewing live for many years
In happiness and peace.

Following Ewing's Royal Commission report the *Sydney Morning Herald* drew the astonishing conclusion that he was lacking experience and declared that:⁵⁰⁸

The I.W.W. cases were re-opened because the Labour leaders, taking advantage of their accidental possession of power, preferred to yield to noisy and passionate agitation rather than to stand up for the integrity of our legal processes ... What experience had Mr. Justice Ewing to qualify him to review the work of the Judges of the New South Wales Supreme Court? Did he become a Judge because he had qualified himself for the position by long and distinguished practice at the bar? These considerations have an important bearing on the question of the propriety or otherwise of his conclusions being used to over-ride the determinations of men who certainly do hold their judicial offices by right of practical experience at the bar first.

The newspaper much preferred that the decisions of NSW Judges who had all supported the tainted evidence of a political trial to the judgment in a second Royal Commission of a rookie outsider from Tasmania.

The Sydney Town Hall welcome report shows the popularity of the IWW and the singing of the 'Red Flag' shows how popular some of the songs from the IWW songbook had become. Collins' broadside underlines the sense of "injustice within the law" that the trial of the men has so clearly shown, with its reliance on corrupt detectives and spies, and hastily concocted laws. The "crawling perjurers", Scully and the Goldstein brothers, were never brought to trial or imprisoned but all the IWW prisoners were eventually released. The labour movement had suffered from major setbacks including the expensive defeat of the 1917 general (strike discussed in Chapter Five), however there were also the seeds of renewal in terms of the political possibilities alluded to by the miners' secretary Willis in his speech. The Russian Revolution helped broaden the horizons of organised workers and as Willis puts it, "workers should use their intelligence so that when the crash came, as it must come, they would be prepared for an orderly change instead of chaos."

⁵⁰⁸ *Sydney Morning Herald*, 3 August 1920.

Among the released IWW men who spoke at the meeting was Peter Larkin. Larkin spoke of the Irish Easter Rebellion of 1916 and James Connolly who was executed by a British Army firing squad in Dublin for his leading role in the rebellion. Connolly and Larkin's brother Jim had both been present at the founding of the IWW in Chicago and Jim Larkin had been refused entry to Australia for a projected speaking tour about the rebellion.⁵⁰⁹

Larkin, who was wearing the Sinn Fein colours, said he was wearing the badge of the Irish republic, not because he agreed with Sinn Fein, but because one of the pioneers of unionism was prepared in the dark days of Easter week, 1916, to lay down his life. That was James Connolly, the pioneer of the One Big Union movement. James Connolly had always told the workers to organise and keep on organising. (Applause.)

Percy Bookfield

Percy Brookfield was also on the IWW welcome home platform as the report reveals

Mr P. Brookfield, M.L.A., said that their pleasure was somewhat tempered that night because of the continued incarceration of two of the I.W.W. men. No stone would be left unturned until those two men were liberated.

Brookfield came to Australia in the 1890s and settled in Broken Hill in 1910, becoming a vice-secretary of the Amalgamated Miners' Association (AMA). In 1916 he led the successful campaign for a 44-hour week for Broken Hill miners. He then took up the anti-conscription campaign and was gaoled for calling Prime Minister Hughes a "traitor, viper and skunk". In February 1917 Brookfield was elected in a by-election to the NSW Legislative Assembly and soon became a leading spokesman of the left. He was elected a second time in 1920 and:⁵¹⁰

⁵⁰⁹ *Sydney Morning Herald*, 7 August, 1920.

⁵¹⁰ Robin Gollan and Moira Scollay, 'Brookfield, Percival Stanley (1875–1921)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University.

when he held the balance of power in parliament, he persuaded J. Storey's government to appoint a second royal commission into the sentences of 'the Twelve'; Mr Justice N. K. Ewing substantially accepted the claim that they had been convicted on perjured evidence.

As we have seen above Collins' IWW poem mentions Ewing in the last verse "May Judge Ewing live for many years/ In happiness and peace."

At a public meeting in Broken Hill, Brookfield put the case for the immediate release of the imprisoned IWW men, as reported in the local *Barrier Miner*.⁵¹¹

Mr. Brookfield said: If we can only return the working class party to power we are not going to mess about with courts again in order to give these men another trial. Our courts are dens of iniquity. To what depths of degradation our courts have gone. If there were courts of justice anybody in the community would go to them, and go willingly. Instead of that every man and woman in the community gets as far away from the damnable halls as they possibly can.

Mr. Brookfield concluded by appealing to his listeners to raise the cry for the release of the I.W.W. men at every public and political meeting, as well as in the unions and in their homes.

Brookfield's life was tragically cut short in 1921 through his own bravery. In Adelaide the *Advertiser* reported the incident under the headlines "RUSSIAN RUNS AMOK" and "MR. PERCY BOOKFIELD KILLED."⁵¹²

A demented Russian made a demoniacal attack upon the passengers travelling by the Broken Hill express to Adelaide at the Riverton railway station on Tuesday morning. More than 40 shots were fired by him from a Spanish automatic pistol, and Mr. Percy Brookfield, M.L.A., was mortally wounded in attempting to capture the man. Four other persons, including a woman, were shot. The Russian was overpowered, and is now at the Adelaide gaol.

⁵¹¹ *Barrier Miner*, 3 March 1920.

⁵¹² *Advertiser*, 23 March 1921.

It is worth noting that Collins, as a street poet, belongs to the tradition of the broadside ballads discussed in Chapter One. That this topicality was a feature of the broadsides and it is interesting to find examples that show how it continued. Collins was soon selling on the streets his elegy to Brookfield, 'To the History of Percy Brookfield', with stanzas like:⁵¹³

He gave the wowsers fits,
He hated hypocrites,
And men who worked in pits
He helped to raise their screw.

At Riverston we know
A madman laid him low,
And as years come and go
He will not be forgotten.

Farewell, staunch Brookfield,
Your deeds are far afield;
To death you had to yield
Philanthropist and sport,

Now, farewell Percy dear,
We've shed a silent tear;
Your good and grand career
Will never, never die.

Mary Gilmore and Brookfield

Brookfield's untimely death had enormous impact. He had been critical in securing the release of the IWW prisoners through his parliamentary insistence of an independent second Royal Commission into the IWW trials and the heavy sentences imposed. Collins was not alone in understanding this significance. Mary Gilmore, writer, labour

⁵¹³ Anderson, *Paddy Collins*, p. 67.

movement activist and poet also wrote about Brookfield's demise in 'How Brookfield Died' He account of his murder describes the scene and resulting loss for future generations.⁵¹⁴

Tell it abroad, tell it abroad,
Tell it by chapel and steeple,
How in the height of his manly prime
Brookfield died for the people!

Here was the station, there was the train,
And women and children crying;
And thick as a gallop of fiery rain
The madman's bullets came flying.
And there, in his own old quiet way,
Brookfield stepped to the breach—
And a man might wait for a thousand years
For a lesson like this to teach.

...

Blood for blood, says the law; and blood
For blood on the earth was spilled,
As the rattling shots died, thud by thud,
And hell for a moment stilled!—
Was it for this that the Lord God made,
And gave to his heart its bent?
Only we know, at call, unafraid,
Brookfield answering went.

But where the Barrier women wept,
And its men thought tears no shame,
The child shall ask, ere it turns to sleep,
The story of Brookfield's fame.

⁵¹⁴ Mary Gilmore, and Jennifer Strauss. *The Collected Verse of Mary Gilmore*. (St. Lucia, Qld: University of Queensland Press, 2007), pp. 755-756.

And on, through the years, forever he stands
A man among men, my brothers,
Who gave to the full of his kind, strong hands,
And died, as he lived, for others!

So tell it abroad, tell it abroad,
Tell it by chapel and steeple,
How, in the height of his manly prime,
Brookfield died for the people!

From 1908 to 1931 Gilmore worked as a journalist for the *Worker*. As editor of the *Worker's* "Women's Page" she had a big working class following especially among women. She was the first woman to become a member of the Australian Workers' Union (AWU) and the first woman on its executive. She wrote a second poem about Brookfield, 'O Captain of the Host'. In this poem she alludes to the Celtic myths of a sleeping leader that a clan, or nation, could rely upon in times of desperate need.⁵¹⁵

Come rise! And lead us forth again
As in the olden days,
For now, as then, the call of men,
Across the night we raise!
...
And who are ye upon the street
Whose footsteps leave no mark;
And who is this that leads the way,
As one who will not yield?
We are, they said, the Fighting Dead,
Who follow the brave Brookfield!

Gilmore explains in a note accompanying these poems that they are for recitation and for children, teaching them that.⁵¹⁶

⁵¹⁵ Mary Gilmore, and Jennifer Strauss. *The Collected Verse of Mary Gilmore*, pp. 756-757.

⁵¹⁶ Mary Gilmore, and Jennifer Strauss. *The Collected Verse of Mary Gilmore*, p. 755.

Broken Hill has a figure all its own, fit to be set by any other in the history of unselfishness ... They are not only part of my contribution to the Brookfield Memorial, but, I hope, a contribution to the Labor movement itself, as one of the means of touching the enthusiasm of the people since enthusiasm and growth go together.

Gilmore's invocation of mythology conjures up another world for the reader where it is the dead who wake the living:

From where they stood the dead men spoke,
They spoke in a speech of flame,
Till those who slept in their beds awoke
And answered them name by name,
Until an army of living men
Stood, rank and regiment there,
And met the foe, and broke the foe,
And drove him back to his lair!

Oh! Out of the dust shall rise the dead,
And out of the dust the word,
As memory wakes to answer the call
That never goes by unheard;
And ever The Fighting Dead shall lead,
And their flag fly, fold by fold,
As long as the Barrier father keeps
The story of Brookfield told!

Gilmore weaves so much labour movement history into this poem, "a speech of flame" hearkening back perhaps to the oratory of William Lane⁵¹⁷ and others in the 1890s shearers strike while the flag flying "fold by fold" is perhaps referring to the Eureka flag

⁵¹⁷ Helen Palmer's 1950s 'Ballad of 1891' has the words "Oh Billy Lane was with them, his voice was like a flame", perhaps echoing Gilmore.

or the red flag that got Brookfield into trouble with the press⁵¹⁸. It is a poem about the importance of memory, of past struggles for freedom, of the gladiators of the working class. This thesis is also an attempt to illustrate and examine much the same thing – to demonstrate how much of the philosophy of the labour movement is embedded in verse. In Broken Hill on Good Friday 1922 a publicly funded memorial to Brookfield was unveiled. The *Worker* reported the unveiling and detailed the following inscriptions on the memorial (author unknown).⁵¹⁹

His life was gentle and the elements
So mixed in him that nature might stand up
And say to all the world: "This is a man."
"Not understood.
Poor souls with stunted vision
Oft measure giants with their gauge,
And poisoned shafts of falsehood and derision
Are oft impelled against those who mould the age
Not understood."

...

"He died for others."
He lived the part that warmed the heart
And wakens manhood pride,
All nature's laws confirm the cause
For which our comrade died.

...

ERECTED BY THE WORKERS OF AUSTRALIA.

On the globe which surmounts the column is inscribed the clarion call of the world's working class movement from the "Communist Manifesto": "Workers of the world, unite!"

Although Brookfield was not a member of the IWW he was certainly in agreement with its wariness of faith in arbitration and its emphasis on workers' organisation and action

⁵¹⁸ An anonymous letter to the *Barrier Miner* on 18 January 1917 asks "Under which flag does Mr. Brookfield claim protection—the red flag or the British flag?" (It was under the Union Jack that Australian troops fought in World War I.)

⁵¹⁹ *Worker*, 18 May 1922.

at the workplace. He also opposed vilification of the IWW and proved to be a key individual in opposing the class based conspiracy charges and the use of draconian laws by the Hughes Government in 1916. These laws dispensed with the usual standards of proof, and helped whip up hysteria that aided in securing unjust sentences and outlawed a workers' organisation.

In an interview with the *Evening News* in Sydney that was reprinted in the *Barrier Miner*, Brookfield made clear his thoughts about the IWW.⁵²⁰

I am not a member of the I.W.W. There is not room for that organisation in any town or place where unions are established. The I.W.W. is, or should be, a propaganda organisation. Their members should belong to existing unions. There is no room for dual bodies. There is much in the I.W.W. doctrine that is logical, feasible, and practical. I sympathise with much of their belief, but I am not an advocate of direct action. I believe in political action always—that is where we differ—the I.W.W. and myself.

IWW Songs and the Australian Labour Movement

Newspaper reports though the depression, illustrate how firmly IWW and other rebel songs were embedded in the culture of the Australian labour movement. A reference to IWW songs being sung in Parliament House in Canberra can be found in the *Kalgoorlie Western Argus* on 6 December 1927.⁵²¹

Canberra, Nov. 29.

A touch of humour was given to question time in the House of Representatives this morning, when Mr. Yates (S.A.) took exception to a report in the Sydney "Sun," which had accused Labour members of singing in the party room such songs as "The Red Flag," "Solidarity Forever" and "There Will be Pies in the Sky When We Die."

⁵²⁰ *Barrier Miner*, 8 April 1917.

⁵²¹ *Western Argus*, 6 December 1927.

‘The Red Flag’ was written in England by the Irish trade unionist Jim Connell during the 1899 London Dockers’ Strike, a strike that was handsomely supported with financial donations from Australian workers at the time. It is one of a number of songs and poems from outside the US to be chosen for inclusion in the early editions of the IWW songbook. Another of the IWW songs that remained popular in Australia is ‘Pie in the Sky’, or to use its original title, ‘The Preacher and the Slave’. Like ‘Casey Jones the Union Scab’ it was written by Joe Hill. Like ‘Solidarity Forever’ the singing of it is reported a number of times in the press, evidence of its popularity among organised workers, a popularity it retains today. The reported title by the *Western Argus* "There Will be Pies in the Sky When We Die" refers to the last line of the chorus of Hill’s ‘The Preacher and the Slave’

You will eat, bye and bye
In that glorious land above the sky
Work and pray, live on hay
You’ll get pie in the sky when you die

We know it was sung in Sydney as early as 1914 because the IWW newspaper refers to this song under the heading “Poor Guys.”⁵²²

A group of twenty I.W.W. were rendering 'The Preacher and the Slave,' and other ditties outside Parliament House, while a Trades Hall unemployed deputation was inside. Some old dowager heard the singing in her Macquarie-street mansion, so she waddled out on to the verandah, saying to her daughter, 'Oh, May, come and listen to the poor men singing hymns.'

The “old dowager” was mistaken although the song is a parody of a hymn - ‘The Sweet Bye and Bye’ written by S. Fillmore Bennett and published with music by Joseph P. Webster in the US in 1868. It became very popular with the Salvation Army street bands and the original chorus is:⁵²³

In the sweet by and by

⁵²² *Direct Action*, 15 October 1914.

⁵²³ S. Fillmore Bennett, *The sweet by and by* (New York: E.P. Dutton and Company, 1885).

We shall meet on that beautiful shore.
In the sweet by and by
We shall meet on that beautiful shore.

Given the long years of widespread hunger⁵²⁴ in the 1930s during what was for many an interminable depression it is not surprising that the parody 'Pie in the Sky' increased in popularity as a response to the times. As one of the verses puts it:

If you work hard for children and wife
Try to get something good in this life
You're a bad man and sinner they tell
When you die you will sure go to hell

Another verse speaks of the need for international solidarity to deal with the system

Working folk of all countries unite
Side by side together we will fight
Till this world and its wealth we have gained
To the bosses we'll sing this refrain

You will eat, bye and bye
When you've learned how to cook and to fry
Chop some wood, it'll do you good
Then you'll eat in the sweet bye and bye

The singing of the 'Red Flag' in the Sydney Town Hall meeting that celebrated the release of the IWW prisoners, discussed earlier, was raised as an issue in an Australian court case in 1921. In the *Sydney Morning Herald* report of the case we find this exchange which demonstrates the centrality of such songs to the labour movement:⁵²⁵

⁵²⁴ As we shall see in Chapter Seven, Ernest Antony published a collection of his verse titled 'The Hungry Mile' in 1930.

⁵²⁵ *Sydney Morning Herald*, 19 August 1921.

John B. Davenport, reporter on the "Sydney Morning Herald," said he was present at a welcome in the Sydney Town Hall to certain released I.W.W. prisoners, and gave an accurate summary in his paper on the following day. Mr. Willis was present at the meeting, which sang the "Red Flag." On a banner in the room were inscribed the words, "Welcome to the martyrs." He was present at a meeting in the Sydney Trades Hall on August 16, 1919, at which Mr. Willis presided. The meeting was a conference called to consider the question of breaking away from the Labour party.

In reply to Mr. Gorman (for the plaintiff), witness said he did not find it difficult to get an accurate report, and, with Mr. Gorman's help, he recited portions of the Labour song, "The Red Flag."

Mr. Gorman: Now, is there anything anarchistic or Bolshevistic about that? Is it not just a democratic song?—I suppose so.

As far as you are concerned you have never heard Mr. Willis advocate anarchy or incendiarism at any meeting reported by you?—No.

Albert Willis was secretary of the Australian Coal and Shale Employees' Federation and was suing the proprietors of the *Argus* for libel. From this report we also get to discover who wrote the report of the IWW release welcome cited above and published in the *Herald* - John B. Davenport. In 1928 the *Sydney Morning Herald* describes some of the songs and singing at the ACTU conference:⁵²⁶

The Reds, by an overwhelming majority on a snap vote, carried a resolution supporting affiliation of the A.C.T.U. with the Pan-Pacific secretariat. Supporters of the White Australia Policy, on crossing the floor to vote against affiliation, were jeered by Communists, some of whom sang "Solidarity Forever." Loud hand-clapping and, cheers followed the chairman's announcement that the motion had been agreed to, and members began to sing "Solidarity for Ever" When the uproar had died down, the chairman announced that a division had been called for. As members crossed over for the division it became apparent that the vote would be overwhelmingly in favour of Mr. Garden's motion, and the singing of "Solidarity for Ever" began once more. When the tellers announced that the

⁵²⁶ *Sydney Morning Herald*, 21 July 1928.

motion had been agreed to by 92 votes to 36 the cheering was renewed, and delegates poured out of the hall singing—first a few lines of "Solidarity for Ever" and then the opening bars of the "The Red Flag."

Newspapers like the *Sydney Morning Herald* probably regarded these songs as bordering on sedition if not treason, and the urge to report them is certainly very different from the urge of working class delegates who relished the occasions to sing them. As I have suggested at the core of these songs we can find the subaltern demands for rights and a society based on equality. They were an important part of the culture of the labour movement.

Internationalism and White Australia

The *Sydney Morning Herald* report documents the growing resistance to the White Australia policy and gives readers a ringside seat at the meeting where there is a robust exchange between the radicals who are arguing for the ACTU to affiliate with the radical 'Pan-Pacific Secretariat' and the anti-communist proponents of the White Australia policy who are opposed to such affiliation. In one exchange a delegate who has returned from a visit to China, Japan and Russia reports what the Chinese thought of the White Australia immigration policy and the Australian labour movement.⁵²⁷

In reply to a question regarding what was the stand of the Pan-Pacific Congress towards the flooding of Australia with cheap labour, Mr. Ryan said that the congress was as much opposed to it as Australia. The Chinese, however, did not like being considered an inferior race.



fig. 15. *Sydney Morning Herald*

⁵²⁷ *Sydney Morning Herald*, 21 July 1928.

Three days later the *Sydney Morning Herald* reported again on the conference under the banners "Black Australia" and "Under Control of Moscow":⁵²⁸

When the gathering opened the Reds, notwithstanding intensive canvassing, were in a hopeless minority, and the moderates carried everything before them. Believing that the congress was in safe hands, many of them left for their homes towards the end of the week. This gave the Communists the opportunity they were waiting for. Their proposal to retain affiliation with the Pan-Pacific Secretariat ... to continue the publication of the "Pan-Pacific Worker," and to endorse the "black, brown, and brindle" policy enunciated by Mr. Jock Garden were not brought forward for discussion by the Reds until the final stages of the proceedings.

...

Mr J. Garden, secretary of the Labour Council, yesterday, discussing the A.C.T.U. congress, said that in spite of intense propaganda by the A.W.U. and the whole Australian Press, the New South Wales delegates had been able to accomplish something.

"The Pan-Pacific vote victory was not won by a trick, but because our side had the best arguments to put forward," said Mr. Garden "Reading last week's Press reports; one is led to believe that the Reds were routed. Results, however, demonstrated that the New South Wales contingent maintained the correct policy."

This 1928 meeting, close as it is to the beginning of the depression and a decade before the beginning of World War 2 was also concerned with the widely perceived link between depression and war, and the agreement reached to affiliate with the Pan-Pacific Secretariat was moved and its adoption summed up by the chairman this way:⁵²⁹

Mr. Garden moved:—That congress endorse the action of the Australasian Council of Trades Unions in affiliating with the Pan-Pacific Secretariat, realising that the workers of the Pacific should unite in combating the dangers of war in the Pacific,

⁵²⁸ *Sydney Morning Herald*, 24 July 1928.

⁵²⁹ Mr. Garden is Jock Garden, the former militant secretary of Sydney Trades Hall.

and in assisting workers in more backward countries of the Pacific to improve their position, which is a menace to workers in other countries. Mr. Garden said that every Imperialist Power was making preparations for war in the Pacific.

One thing that is clear about this period in relation to Australian working songs is the legacy of the IWW material that entered the vernacular repertory from the anti-conscription campaigns and became a permanent part of the growing corpus of Australian working songs. The singing of the 'Red Flag' and 'Solidarity Forever' shows how emblematic these songs, one composed in Britain and one in the United States, have become to the Australian labour movement. They remain staples of the repertory of union choirs in Australia to this day - eighty-six years later.

The anti-hegemonic nature of the lyrics of the songs indicates a well thought out opposition to the overwhelming imperial demands of war for trade, war for empire, for King and Country, and the demand for obeisance to the Union Jack, the flag of the British Empire. The popularity of oppositional songs and poems helps explain why the conscription referendums in 1916 and 1917 failed in Australia. They also help explain why the demand for revolutionary change was linked so closely to the labour movement, and other sections demanding rights. The lyrical material can be seen as an urgent response to a highly inequitable power relationship where even legal reforms that labour had demanded, like arbitration, would be used against them. The ruling class in Australia was compromised by its triumphant faith and investment in monopoly capitalism despite its failure to keep people in work to buy even the basic necessities, and its eagerness to extract profit from imperialist war. Sections of that ruling class were casting admiring glances at the victories of fascist dictators who had trampled on democracy in Italy, Germany and Spain, or were shaping a new version of imperialism in Japan, with its invasion of China.

The vitriolic attacks on the IWW and the militant sections of the Australian labour movement, were part of a series of "red scares" which became the ideological staple of the highly monopolized "free press" until the Nazi invasion of the Soviet Union. Then an unprecedented anti-fascist alliance was formed in the face of a common enemy in the Second World War, a war that began with the German invasion of Poland and was

rapidly transformed into a war against fascism, represented by the regimes addicted to militarism, invasion and internal repression; Germany, Italy and Japan.

The period from 1914 to the 1940s, from World War I to World War 2 via the depression, presented the labour movement with a choice between radicalism and acquiescence. The wealth of labour movement lyrical material in that period shows a radicalism spawned by a profound distrust of the political and economic system itself. The jingoism of wartime, the curtailing of workers' rights, the rising prices and cuts in wages exposed the emptiness of the hegemonic promises. The 1930s depression proved that the grip of financial cartels and the speculative investment systems were a primitive force that meant disaster for the economy and hit workers and their families particularly hard. The response of the broad labour movement was to become better organised the result of which was that the unstable conditions of life for two generations created the space for planning a new kind of society. Such planning helped promote a welfare state that would force an equalisation of access to education, housing, health and employment that the labour movement had long seen as its future. All this is reflected in the working songs and poetry of that special period, and helps explain the causes that the Australian labour movement espouses today. Arguably this represents a cultural tradition that will be difficult to defeat.

CHAPTER 7. A COMMON CAUSE

WORKING SONGS OF STRUGGLE, WORK AND PEACE

This chapter focuses on the poetry and song of four working class autodidacts - three coal miner poets – Josiah Cocking, Fred Biggers and Jock Graham – and the itinerant multi-skilled waterside worker Ernest Antony. Cocking, (as I discussed in Chapter Six), published in a number of labour movement journals and newspapers, most often the Miners’ Federation journal *Common Cause*. The lyrical works of Anthony, Biggers and Graham come mainly from their published their published collections. Examined together they provide the historian with a valuable archive of lyrical material that reflects on and contributes to a political and social world-view. We might consider this as the local cultural glue that held the labour movement and the mining community in particular together through tough times.

Coal miners in both Britain and North America have a long, well-known and well researched tradition of mining songs. An English broadside ballad on mining archived in the Bodlean Library, ‘The Miner’s Binding’ was published as far back as the 1820s.⁵³⁰ Working song scholar and historian Roy Palmer cites an even earlier example from the late eighteenth century: ‘A New Song, in Praise of the Coal-miners.’⁵³¹

You Coalminers of England your skill is so pure
You excel all other Callings, that is to be sure:
For those that despise you are highly to blame
For the good of the Country there’s many one slain.
...
But us poor Coal-miners we stand to their Test,
With Fendings and Bargains we still do make Shift,
We go to our Labour with joy and Content
We live on our portion that Heav’n hath us sent.

The song’s proclamation of pride and skill in the “calling” is combined with its documentation of poverty and unfairness and a striving for respect and better conditions

⁵³⁰ <http://bodley24.bodley.ox.ac.uk/cgi-bin/acwwweng/regsrch.pl>, accessed 30 July 2013.

⁵³¹ Roy Palmer, *Working Songs* (Herron Publishing, 2010), p. 5.

through standing together. Songs like these, composed so early in the industrial revolution are recognised as both a continuation of an older tradition of social protest and a defence of rights in what would become a growing tradition of lyrical responses to, and condemnation of, industrial capitalism. They constitute an archive of evidence reflecting the process of class-making and organisation by industrial workers.

Industrial Folk Songs

Despite the collection of such songs being sporadic, the transmission of them orally and in print allowed important twentieth century collections and anthologies to be published first by journalist and folklorist George Korson in the United States in 1927.⁵³² A collection of British mining songs was also published in 1952 by broadcaster, journalist and folklorist A. L. Lloyd.⁵³³ These seminal collections were published as a result of close contact between the authors and the local mining unions, born in each case out of a deep respect for mine workers. The results of Korson and Lloyd's research and its publication had a dramatic effect on the understanding and validation of mining and working class culture in both countries; this also affected the trajectory that the respective folk revivals in those countries took. One result was that folklorists and musicologists in industrial countries could no longer ignore the phenomenon of working class poetry and song and made further efforts to research and incorporate such material in their studies and anthologies. Generations of mass literacy also meant that no longer could oral transmission and the absence of printed versions or a known author be considered the *sine qua non* of folklore. Historians also made similar conceptual leaps in their discipline as concepts of history from below and labour history developed, fast multiplying to the history of those people 'left out of history'; women, Aborigines, and migrants. In the 1960s the widespread access to portable tape recording opened up a period when oral history became valued as a tool for the recording, broadcasting and archival preservation of stories across the spectrum of Australian society in urgent and exciting research projects.

⁵³² George Korson, *Songs and Ballads of the Anthracite Miner* (New York: F.H. Hitchcock, 1927).

⁵³³ A. L. Lloyd, *Come All Ye Bold Miners Ballads and Songs of the Coalfields* (London: Lawrence & Wishart, 1952).

Australian miners coming, as many of them did, from Britain and Ireland brought with them a transplanted working class culture, as I have argued earlier, from the convict days onwards. Their lyrical compositions reflect this, incorporating in a vernacular narrative their new locus of work and the political situation peculiar to that place. They are based on the old tradition but have been regenerated in a new and different context.

***Common Cause* and Josiah Cocking**

As described in Chapter Six, *Common Cause* was a vehicle for working songs and poetry, much of it home grown. Like the AWU newspaper, the *Worker*, it reflects the influence of the IWW legacy of songs and often cites IWW song titles. Both the AWU and the Miners' Federation were eager to repurpose the IWW concept of One Big Union (OBU) as a way of bringing disparate trades under a united umbrella. Historian Ian Turner notes that the proposal for One Big Union was endorsed in 1918 at a trade union congress representing 79 unions:⁵³⁴

A congress of 79 unions was held in Sydney in 1918 and the Labor Council's proposal for 'One Big Union', based on the proposals of the Industrial Workers of the World, was endorsed. This was despite open opposition from some craft unions and covert hostility from the leaders of the Australian Workers' Union.

Both the AWU and the Miner's Federation published verse dealing with broad, and at times, international concerns. Both continued to print verse in opposition to conscription and war, an ideological position they would continue to hold through the depression. Both saw the capitalist system as profiting from war and eager to engage in it. The miners, in particular, were concerned with the return to huge re-armament budgets and militarization immediately following the carnage of WWI.

A frequent contributor of poetry and songs published in *Common Cause* was the coal miner and steel worker Josiah Cocking. Cocking published under a number of creative pen names, including "Capsicum", "Dandelion", "Daisy", "K. N. Pepper", "Edward Kelly" and "Violet". He kept an expansive type-written diary that tracks his working

⁵³⁴ Ian Turner, *Industrial Labour and Politics; The Dynamics of the Labour Movement in Eastern Australia, 1900-1921*. (Canberra: Australian National University, 1965), p.183.

life, letters to and from his family and his interest in politics and his religious association with the Salvation Army. Pasted into his diary were the verses that he wrote and the dates of composition and the names of papers that published them. As well as publishing in *Common Cause* some of his work was also printed in the Salvation Army newspaper *War Cry*. Cocking had taught himself shorthand and typing and his diaries dating between 1894 and 1960 have been donated to the University of Newcastle and are made available online, providing the historian with a remarkable historical source. The University of Newcastle collection includes a short introduction to the poet by researcher Tony Laffan.⁵³⁵

Josiah Cocking was a miner and part of the early socialist and free-thought movement of Newcastle. He lived for a time in Wallsend and Mayfield, and wrote much verse for the local papers of the time ... Cocking was born on the 11th May 1867 at Kadina in South Australia and died on the 27th July 1960 aged 93 at Mayfield, New South Wales.

A short anthology of Cocking's writings and poetry was published by Laffan in 2008. In the anthology is the poet's essay 'Hard Labour its Causes and Cure' which castigates the capitalist system Cocking explores the hegemonic necessity for the system to continually convince workers' families of its fairness. Cocking writes.⁵³⁶

My purpose is to show that the unfortunate dupes and slaves of the owning class are the victims of a fraudulent social system which they have been cunningly taught to accept as genuine and good. From infancy to old age the workers have been cruelly deceived by poets, politicians, preachers and teachers who told them that they should be loyal to their rulers, obedient to their masters and contented with the condition and position in which it has pleased God to place them.

In the anthology Cocking illustrates his arguments by including a poem by the Scottish poet Charles Mackay titled 'Daily Work', describing it as "is a fair sample of the mental food supplied to the children of the exploited workers in Australia, Tasmania and New

⁵³⁵ <http://libguides.newcastle.edu.au/jcocking>, accessed 30 July 2013.

⁵³⁶ Josiah Cocking, *Hard Manual Labour: Its Cause and Cure: & Selected Poems*. (Singleton, N.S.W.: Toiler Editions, 2003), pp. 9-10.

Zealand” and that is to be found on “page 50 of the ‘Third Reading Book’ for the use of schools in 1878.”⁵³⁷

Who lags for want of daily work,
And his appointed task would shirk,
Commits a folly and a crime,
A souless slave—
A paltry knave—
A clog upon the wheels of time.
With work to do, and store of health,
A man's unworthy to be free,
Who will not give,
That he may live,
His daily toil for daily fee.

No! Let us work! We only ask
Reward proportioned to our task;
We have no quarrel with the great
No feud with rank,
With mill or bank—
No envy of a lord's estate.
If we can get sufficient store
To satisfy our daily need,
And can retain,
For age and pain,
A fraction, we are rich indeed.

No dread of toil have we or ours;
We know its worth and weigh our powers;
The more we work the more we win,
Success to Trade!
Success to Spade!

⁵³⁷ Josiah Cocking, *Hard Manual Labour*. p. 9.

And to the Corn that's coming in!
And joy to him who, o'er his task,
Remembers toil is Nature's plan;
Who, working, thinks
And never sinks
His independence as a man.

Who only asks for humblest wealth,
Enough for competence and health,
And leisure, when his work is done,
To read his book
By chimney nook,
Or stroll at setting of the sun;
Who toils, as every man should toil,
For fair reward erect and free;
These are the men—
The best of men—
These are the men we mean to be.

Cocking explains why he is drawing the readers attention to Mackay's poem:

I have quoted this poem in its entirety because it contains many of the fallacious doctrines taught by political economists to defend the shirkers and delude the workers. It is a fair specimen of the sophistry that is still used to bamboozle Australian children and parents into the belief that the wage-slave is quite right and that "toil is Nature's plan" and thus keep them in ignorant, contented subjection.

Mackay's poem was published in Australian newspapers many times, the earliest instance I have found is in the *South Australian* in 1849.⁵³⁸ No doubt Cocking, who had taught himself to read and write, took great interest in the books that his children were encouraged to learn from as they gained their own literacy. School was offering

⁵³⁸ *South Australian*, 11 September 1849, p. 4.

working class children the official and accepted hegemonic world-view of that time, and Cocking was alert to the perspective embedded in the teaching material, and how that might affect the thinking of young children and their families. During the mass strikes of 1917 that involved close to 100,000 workers (a series of strikes referred to in Chapter Six) Cocking's estimation of the effectiveness of Mackay's poem in inculcating specific values is dramatically borne out by a parent's letter to the editor of the *Brisbane Courier Mail*, where the poem was published again.⁵³⁹

THE NOBILITY OF WORK.

TO THE EDITOR.

Sir,—After my son had prepared his lessons for the 'morrow, he asked me to hear his spellings and also a poem. The latter by Charles Mackay (1814-1889), Scottish poet, particularly appealed to me, and I think is well worth publishing in your paper, as it is most applicable to present conditions of labour, and as it is in the "Queensland School Reader," part IV., it is no doubt read by many juveniles, and the reading of it by their parents should result in some good. — I am, sir, &c., PARENT. October 18.

Cocking's own compositions certainly embody his particular ideological world-view. In 1920 his poem 'What Is Industrial Unionism?' envisions the world that might be if the labour movement gained control. For Cocking this is a world free of racism and war:⁵⁴⁰

It's the latest, greatest movement
To facilitate improvement
In the status of the workers
That has yet been introduced.
It is sane and scientific,
And shall surely be prolific
Of results in making shirkers
Give us all that we've produced.

In its scope it's world embracing

⁵³⁹ *Brisbane Courier Mail*, 22 October 1917, p. 8.

⁵⁴⁰ *Industrialist*, 3 December 1921.

And it aims at quite effacing
Racial barriers and borders,
Animosities and pride
Now maintained by our despoilers
To divide the plundered toilers
And make national disorders
Which result in fratricide!

...

It will aim at the creation
Of a universal nation
Undivided by partitions
Of religion, hue or place,
And abolish human slaughter
On the land and on the water,
And improve the vile conditions
Of the total human race!

“Undivided by partitions / Of religion, hue or place” refers to the belief that capitalism depends on divide and rule. The poem argues that the labour movement should have an international anti-racist outlook in the name of equality and freedom for all to counter such divisions. As we have seen earlier this outlook was a major plank of the IWW. There is also a yearning for cultural development, the fostering of “art and letters” that, at this time, was restricted to our “betters”. The poem is ultimately an argument against capitalism, and its treatment of workers. In Marxist terms the surplus value produced by the worker is lost to the capitalist. Cocking suggests that if the worker feels “no satisfaction in receiving but a fraction” there is a need to be “fierce and defiant” to bring about radical change from “pole to pole”:

It will foster art and letters,
Now restricted to our "betters",
And facilitate production
On a grander, wider scale;
It will fill the world with wonders,
Use the lightnings of the thunders

And disseminate instruction
Over mountain plain, and vale.

If you feel no satisfaction
In receiving but a fraction
Of the wealth you are creating
By your work, and want the whole-
If you're fearless and defiant
Help this adolescent giant,
Help him onwards! Don't sit waiting,
Help him march from pole to pole!

Assumed rights can be found in this poem too; the right to a broad education, envisioned in the recreation demand of the eight hours movement and the right to work without being cheated, a big part of miners' demands early in the industrial revolution. These rights are universalised to apply to workers everywhere, united against the divisions of creed, religion or race, divisions that are seen to be a divide and rule system "maintained by our despoilers".

Peace and conscription are also a focus of Cocking's verse. An entry in his diary shows that another of his early poems dealing with the government's military expenditure was published in the short-lived Sydney newspaper *Revolutionary Socialist* in 1920:⁵⁴¹

Tues. Sep. 7, 1920

...

I have written the following verses concerning an announcement in the daily paper that 200 tons of war material have been received from England by the Commonwealth Government.

FAT'S BUTCHERY.

"Two hundred tons of war material were landed for the Federal Government."

Daily Paper. It is proposed to recommend the training of 16000 young men who

⁵⁴¹ <http://libguides.newcastle.edu.au/jcocking>, accessed 30 July 2013. [see F-1920-1921.pdf, pp. 10-11.]

reach 18 years of age every year." "The total military expenditure this year is estimated at £ 3,250000." Billy Hughes.

Two hundred tons of food for guns,
Behold them, son & daughter--
The tools of trade whereby is made
Fat's fratricidal slaughter.

Behold the shells wherein there dwells
Infernal force for killing
Deluded slaves, whom cunning knaves
Conscript when they're unwilling.

Conscription of those unwilling to volunteer was anathema to the majority of troops and civilians alike as the 1916 and 1917 referenda showed, confounding the best efforts of politicians and press at the time.

The workers' hands in other lands
Have made this hellish lumber,
That working men in field & fen
May die in unknown number.

The gang that rules the working fools--
The gang that loafs & orders--
Tell working men, with voice & pen,
Their foes are o'er the borders.

Those thieves declare we should prepare
To save our honest traders,
To use a gun on Jap or Hun,
Or other vile invaders!

The ironic phrase “save our honest traders” underlines Cocking’s argument that war is part of capitalism’s trading system, pitting worker against worker for “Fat’s” pecuniary gain.

O Slaves, awake, arise & take
The land wherein you're living;
And make no more such stuff for war;
And cease your senseless giving

Of cherished sons as prey for guns;
And stop the wicked slaughter
Of foreign slaves for crafty knaves
At home, or, o'er the water !

One of the themes apparent in working songs and poems is the radical notion that what is taken by the employer in the form of profit is actually a gift from the workers – hence “cease your senseless giving.”

Tell Billy Hughes that you refuse
To kill your foreign brothers,
To save the cash of ruling trash
In this land--or the others!

The crimson flood of workers' blood
The plundered nations sever.
May warfare cease: let's live at peace
With all the world for ever!"

In this poem we can find a number of important features. Cocking begins with a quote from a newspaper article that spurred him to unfold his polemic. He uses the radical cartoon and IWW characterisation of capitalists as bloated parasites or, for short, “Fat”. The poem represents war as a device of capital to pit workers against workers, war as an inevitable consequence of the profit system, “Fat’s fratricidal slaughter”. It ends by advocating revolution as the only way to end war – echoing the famous peasant and

worker slogan of the contemporaneous Russian Revolution “Peace, Bread and Land” with the lines “O Slaves, awake, arise & take / The land wherein you're living” and finally demands “May warfare cease: let's live at peace / With all the world for ever”.

In 1923 in *Common Cause* Cocking writes again of the need for revolutionary change in a poem detailing the thieving nature of capitalism and arguing that the whole world should be retaken from “the parasites who stole it” under the title ‘Get a Wriggle On’.⁵⁴²

If the present generation want to get emancipation
From wage-slavery and warfare, from the Murray to the Don,
Economics they should study, and improve their minds, now muddy
Through their masters' "education," and should get a wriggle on!

Ev'ry day some slaves are dying; and the time is quickly flying
When this splendid opportunity for action will be gone;
So if they, within the present, wish to make existence pleasant,
And enjoy a life of freedom, they should get a wriggle on!

Their belief in arbitration as the means of their salvation
From the Hades of subjection to the gang of lawful thieves
(Who pretend that they are giving slaves the means to get a living),
Should be scrapped; for it's a fallacy no student now believes!

Each succeeding day that passes in subjection to the classes
Who depend for their existence, on the labors of their slaves,
Is another chance neglected by the mass who are subjected
To the Few who rule them from the cradle to their graves!

Workers! Organise for Freedom! Show the few you'll never need 'em,
That your intellects encompass all within the earth and skies;
It is time you should awaken! Let the planet be retaken
From the parasites who stole it ere this generation dies!!

⁵⁴² *Common Cause*, 18 May 1923.

–"Violet,"

The phrase “Murray to the Don” again appears to link Australia in the aftermath of the 1917 ‘October Revolution’ in Russia. There can be no doubt about the influence of the IWW and the critique, common among miners and their union, of any reliance on arbitration, viewed more and more as kowtowing to the kind of economic theories favoured by the boss. Here there is a call for self-education so that the local revolution can get going and end the “subjection to the classes / who depend for their existence, on the labours of their slaves”. A month later Cocking’s poem ‘The Workers’ was published in *Common Cause*, again using the pseudonym “Violet”:⁵⁴³

Let the poets write of flowers and of mossy dells and bowers
Where the wattle-scented zephyrs kiss the blossoms off the trees
And the sunset's golden glory gilds the sky with colors gory,
While the silver sands are shining with the surf of em'rald seas.

Let the bards continue dreaming of the foaming cascades streaming
In the fern-clad shady valleys where the sylvan fairies hide,
And the verdant vines are clinging to the trees where birds are singing
Dulcet songs of love and freedom—but I let such subjects slide!

For I battle for the toilers—those who slave for their despoilers—
Those who labor long for masters, but who very seldom think;
They're the subject of my verses, though their souls are seared with curses,
And they smoke and chaw tobacco and destroy themselves with drink.

They're the basis and foundation of each wealth-producing nation
Though esteemed but as the lowliest of vulgar human things;
For their hard, incessant labor keeps the users of the sabre
And the other social parasites, from bookies down to kings!

Workers always have been hated by the pampered thieves they sated

⁵⁴³ *Common Cause*, 15 June 1923.

With the luxuries unnumbered which the toilers' hands have made;
Yet, forsaking wives and daughters, slaves have rushed to Master's slaughters
And depopulated cities in the interest of trade!

Workers intellects are blunted and their moral growth is stunted
By the lives of hopeless labor at mind-benumbing tasks;
Thus, from wholesome joys excluded, they are easily deluded
And seek happiness in bottles and in cunning brewers' casks!

May I see the glad To-morrow that shall terminate their sorrow,
When the Commonwealth of Toilers, its domain the whole wide earth,
Shall arise, devoid of shirkers, and the liberated workers
Shall prove, in peace and brotherhood, human nature's sterling worth.
—"Violet."

In this poem Cocking tackles the problem of class from a not uncommon position that explains lack of revolutionary spirit as a consequence of workers seeking "happiness in bottles and cunning brewers' casks." Some Chartists espoused an alcohol free life and many others seem to have held similar views. These views are found in religions too and the sometimes popular teetotal movements. Both the eight-hour day and early-closing movements also showed concerns regarding easy access to alcohol. On the other hand, the employers and commentators who opposed organised workers demands for shorter working hours often proposed the dialogically connected view that shorter hours would only lead to more carousing. This poem, perhaps, indicates the frustration that immediate revolution was not the response of Australian workers, who might often vote for radical leaders at work or for radical policies at union meetings but were less inclined to vote for radical representatives at parliamentary election times.

Cocking wrote several anti-war songs that *Common Cause* continued to publish. 'Say No !' borrows from the nineteenth century American hymn 'Have courage, my boy, to say No':⁵⁴⁴

⁵⁴⁴ *Common Cause*, 29 June 1923.

If war be declared, the whole of the organised Labor Movement should stop work on the day it is to commence. He would tell every young man who might be called up to answer No! That was the way to settle the warmongers – Robert Smillie.

Resist the Devil, and he will flee from you.–James iv., 7.

Tune–"Have courage, My Boy, to Say No!"

You're living, my son, in an era
When manifold evils are rife–
Production of wealth for profit:
Destruction of morals and life;
Conscription of children for warfare.
But when you're requested to go
Have courage, my son, to say No!

Chorus.

Have savvy, my son, to say No!
Have courage, my son, to say No!
Have spirit, my son, when offered a gun,
To say most decidedly NO!

In knowledge, my son, there is safety–
Then learn all you can of the truths
That war is a crime of the robbers
Who poison the minds of the youths;
That warfare is legalised MURDER
Committed for Fat, Bug, and Co.;
So when they incite you to slaughter
Have savvy, my son, to say No!

The world is a playground for pirates
Who've stolen the sea and the land,
And wealth from the hands of the toilers,
Who tamely obey their commands;
They're training you now for mass slaughter,

To capture fresh markets; and so,
When asked to don khaki and murder,
Reply with an emphasis–NO!

The ideological thrust is clear in this song, set as it is to a popular gospel tune of the day. “Conscription of children for warfare” refers to the young age of entry to the armed forces (nominally 18 years, however the Australian War Memorial⁵⁴⁵ commemorates over 80 boys who were under that age when they died as soldiers), and the appeal of such entry in times of unemployment and lack of job security. The anti-imperial attitude is expressed in the phrase “war is a crime of the robbers”, poisoning “the minds of the youths” especially through mass media advertising and support. Empire is summed up as theft of “the sea and the land”, grabbing “wealth from the hands of the toilers”. The IWW legacy again is clear here, and a renewed hope that workers might prevent war boosted by the Russian Revolution of 1917 where peasants, workers and soldiers, uniting under the slogan “Peace, Bread and Land”, forced the withdrawal of Russian troops from the seemingly never ending world war.

Cocking wrote consistently for *Common Cause* for many years. Writing under his pseudonym “Capsicum”, his concern about conscription, and his antipathy to Billy Hughes and Bob Menzies continued through to 1939 and the Second World War as illustrated in his poem ‘Camouflaged Conscription’.⁵⁴⁶

Come, all ye unemployed & tramps
With those who starve in pauper camps,
Fill all your conscript papers:
Give Bob & little Billy thanks,
But shun disloyal rebels, ranks
And Communistic capers

Congratulate heroic Bob
Who did his masters' dirty job
By means of bluff & bluster;

⁵⁴⁵ <https://www.awm.gov.au/encyclopedia/boysoldiers/first/>, (accessed 22 May 2014).

⁵⁴⁶ *Common Cause*, 27 September 1939.

Though Bill, the labour traitor, failed,
Bob's threats & camouflage prevailed
To make their conscripts muster.

Remember, ere you sign your name
That Robert wore, sans fear or shame,
War's trappings & regalia,
But when he heard, his country's calls
To play the game of stopping balls,
He cowered in Australia.

The ironic reference to “heroic Bob” presumably reminded readers that when he was at Melbourne University the 19 year old Robert Menzies resigned from his commission in the University militia and chose not to enlist to fight in World War unlike so many of his comrades.

Remember, too, that little Bill
Declined the chance to rush & kill
Conscripted foreign brothers:
His garments were not "rolled in blood",
He dodged wild Warfare's drought & flood,
But tried to conscript others.

Remember also that they send
Pig-iron cargoes to their friend,
The murderous mikado.
To help his baby-bombing war
They send supplies of iron-ore
With impudent bravado.

The reference to “Pig-iron cargoes” shows that the poet is obviously aware of the *Dalfram* dispute. As a consequence of his attempts to force Port Kembla wharfies to load the British cargo ship *Dalfram* with Broken Hill Propriety (BHP) Port Kembla pig-

iron to Imperial Japan, the then Federal Attorney General Menzies was destined to thenceforth carry the nick-name “Pig-iron Bob”.⁵⁴⁷

Then come, ye paupers, from the holes
Where infants starve on paltry doles,
With parents disregarded
By thieves who caused your hopeless plight
And trampled ev'ry human right—
Come forward & be yarded.

Don't disobey the sacred law
Designed to fill Fat's hungry maw,
For Jingoese have commanded:
Like lambs come meekly & obey
The gang, that loves to rule & prey—
Come quickly & be branded.

Come forth at Chamberlain's command
And sign to save your native land
Of which you own no portion;
Enrol to save the stolen wealth
Amassed by trickery & stealth
And legalised-extortion.

Neville Chamberlain, the British prime minister, declared war on Germany following Hitler's invasion of Poland in September 1939, just before this poem was published.

Be meekly dumb & wholly blind
And have a tame, submissive mind
When threatened by the faction
Whose guiding deity, of course,

⁵⁴⁷ On 23 February 2014 China's consul-general Li Huaxin visited Port Kembla to commemorate the historic Dalfram dispute.

Is Chamberlain, & who endorse
His ev'ry word & action.

With Britain at war so too was Australia as Menzies, by this time prime minister, announced to the nation on ABC radio. Menzies had previously endorsed the “guiding deity” Chamberlain in his appeasement policy towards Hitler and Mussolini.

So, come with comrades, pals, &, pards,
Fill in this gang's conscription cards
Without a pang of sorrow;
Come, sign your: rights & life away:
You've little freedom left to-day-
YOU'LL HAVE NONE LEFT TO-MORROW!

As I have noted, Cocking had been anti-war since World War I and he did not change his stance on that, nor would he support conscription which he regarded as a particularly vicious attack on rights. In the 1940 federal election the Labor Party led by John Curtin narrowly lost and refused Menzies' offer to be part of a war-time coalition, agreeing instead to join an Advisory War Council. One major difference that emerged between Labor and Menzies' Liberal Party approaches to the war was that Labor was opposed to sending Australian troops to fight in Europe. Cocking was expressing the strong feeling in the labour movement that Menzies was too willing to defer to the needs of the empire to adequately consider or pursue Australia's interests.

The miners' union journal *Common Cause* not only published poetry and song that took an anti-war, anti-conscription stance but also, as we see from the following poem, assumed a critical stance on the nascent Anzac myth that was developing in Australia. Five years after WWI *Common Cause* published one of the earliest poems that sought to recast the Anzac myth:⁵⁴⁸

Anzac Day

⁵⁴⁸ *Common Cause*, 4 May 1923.

We sowed our blood on Flanders fields
And in Argonne, where we lay,
Pale spurge and milky star-wort sleep;
Full many an acre herbage yields,
Frail crimson-headed poppies sway,
And dark-veined trefoils twine and creep
Where we fought yesterday.

Despite the ultimate sacrifice of the dead comrades they left behind the soldiers who returned to Australia found little material evidence of the promises made to them when they had marched away to war. The jingoism at home was still strong and the peace and work they were promised in the war to end all wars proved a cruel joke. Many found themselves begging for pennies in the street, the pennies coming mainly from the “poor folks”:

And our sowing went to nought—
(We sowed that sleep might be more sweet,
And that we might the happier live).
Alas, for the peace we sought!
Grim hunger stalks down every street—
And ha'pence that the poor folks give
Are what we reap—to-day.
—Ada Treble.

‘Anzac Day’ was written by Ada Treble whose provenance is unknown. We do know, however, something about influential miner and poet E. J. Bowling. He arrived in Australia aged nine and his uncle, Peter Bowling, was a famous miners’ leader. The younger Bowling became a miner, aged fifteen in Greta NSW. He was later elected a miner’s leader and his verse was published in a number of papers including *Common Cause*, where we can find his dialect poem “The Contract Miner.”⁵⁴⁹

We are the men of the brawny arm

⁵⁴⁹ *Common Cause*, 15 June 1923.

(And the thick, fat, wooden head)–
We crawl from bed at the clock's alarm,
Unrested and three parts dead;
We creak at the ankles and crack at the knees,
And our bodies are stiff and sore,
But we bolt our thistles and hit the breeze,
As we charge down to mine once more

"What's that? 'Stop an' get eyesight first'?
Why you flamin' Red Boll-she-vick–
It's cows like you has th' country cursed–
You make a bloke fairly sick.
'Ere's 'Sinkin', th' scab–'e'll go in front,
'E aint got no time for
for this 'eyesight' stunt
'Cause 'e knows that it doesn't pay."

So ho! for the shovel an' pick drill!
And hey! for th' smoke an' dust!
There's empties waitin' for us to fill,
An' fill we will–or bust.
For, thank th' Lord, we are "Contract" men,
An' paid by the crimson ton;
An' the boss won't growl if th' work o' ten
Is done by th' hands o' one.

So, stripped to th' trousers' we bore an' pick,
An' shovel, an' pick and bore,
'Till th' scaldin' sweat from our eyes we flick
As we speed up a little more.
If the wheeler comes an' we're not quite full,
'E'll curse till th' air goes blue,
An' we'll shut our mouths, an' we'll take our gruel,
For you see 'e is "contract," too.

Th' day wears on an' our belts get slack;
But, cripes! let th' tucker rip;
Why waste good time on a bloomin' snack
AN' PERHAPS LOSE A FLAMIN' SKIP?
We ain't in th' pit just to loaf an' feed—
Our job is supplyin' coals;
So, instead o' th' tucker we think we need,
We pull up our belts some holes.

We tighten our belts an' we gulp a drink,
For we're paid by th' blanky ton;
An' th' blindin' sweat from out eyes we blink,
An' we're fagged ere th' day is done.
But knock-off comes, an' we don our coats
(Or p'raps I should say our rugs),
An' soon we are munchin' our crimson oats
An' waggin' our nine inch lugs.

An' then, when we hit th' straw, it's nice,
As we heave a contented sigh,
To figure—if things wasn't such a price—
We'd soon put a few bob by.
Or p'raps we plan how we bore that hole,
Till shortly we start to snore,
An' it seems but a minute till out we roll—
Th' alarm has gone once more.

For we are th' men of th' shovel an' drill,
An' th' pick an' th' hammer, too,
An' we balst an' chop, an' we bore an' fill,
An' we sweat till we nearly stew.
We burrow far in th' earth below,
An' grope like a moonstruck mole.

Do th' brains we possess lie dormant?—NO!
WE USE THEM FOR CUTTIN' COAL!

Contract miners are represented here as a workforce in competition with union members, less safety conscious and working for less pay. All brawn and no brains – with a “thick, fat, wooden head.” – The Wobbly cartoon figure “Mr. Block” is in evidence here similarly in the phrase “waggin' our nine inch lugs” represents contract workers as donkeys who have no time to spare for the eyesight testing or safety glasses that are part of the union bargain. Instead they spout the newspaper propaganda in defense – “Why you flamin' Red Boll-she-vick—/It's cows like you has th' country cursed—/ You make a bloke fairly sick.” Bowling's poem documents the dangers and physical exhaustion inherent in coal mining. At the same time it documents the efforts of the union workforce to secure rights to safety precautions and meal breaks that bring changes to work practices so that miners are not entirely controlled by the arrival of an empty skip to be filled.

Historian Andrew Metcalf introduces his readers to the forty-five page poem ‘Bat-Eye’ in his discussion of larrikinism among miners.⁵⁵⁰ The poem was composed by a NSW Northern Coalfields miner, Fred C. Biggers.⁵⁵¹ It was self published in 1927 and sold directly by the poet to local mining families as the 1930s depression took hold. The epic dialect poem was popular enough at the time to have been favourably reviewed in a number of NSW newspapers including the *Cessnock Eagle and South Maitland Recorder*,⁵⁵² the *Barrier Miner*,⁵⁵³ the *Illawarra Mercury*,⁵⁵⁴ the *Sydney Morning Herald*⁵⁵⁵ and, in 1931, in the *Land*.⁵⁵⁶

⁵⁵⁰ Andrew W. Metcalf, *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of NSW*. (Sydney: Allen and Unwin, 1988).

⁵⁵¹ Frederick C. Biggers, *Bat-Eye: A Tale of the Northern Coalfields* (Sydney: F.C. Biggers, 1927).

⁵⁵² *Cessnock Eagle*, 17 May 1927 p. 5.

⁵⁵³ *Barrier Miner*, 16 July 1927 p. 6.

⁵⁵⁴ *Illawarra Mercury*, 3 June 1927 p. 5.

⁵⁵⁵ *Sydney Morning Herald*, 25 June 1927 p. 9.

⁵⁵⁶ *Land*, 27 March 1931 p. 2 S.

Below is a selection from seventeen verses that the *Land* published. The focus is on the young miner's recreational life depicting gambling in a two-up school, his dancing to a local jazz band, depicting a larrikin who "lived for racin', dancin' smokes an' beer":

BAT-EYE

(By Fred C. Biggers, in "Bat-Eye, a tale of the Northern Coalfields.")

They called 'm; Bat-eye; wy I never noo.

A great, big 'ulking bloke 'e was, oo run

'Is 'ead in trouble; same as most blokes do,

In driftin' aimless till their days is done.

...

A lawless bloke 'e was, 'oo guzzled beer

An' played 'is two-up in th' Goose Club school.

Little 'e noo uv that there word called fear,

An' only to 'imself was 'e 'a fool.

...

Bat-Eye was single an' 'e didn't care

Jist 'ow things 'opped—'twas all th' same, ter Bat.

An' strike me dead! ... 'is mind was free as air;

A noptermist they called 'im ... wot is that?

'E played at 'azards up in Tib's saloon,

An' fair an' square e'orft done 'is 'ard earned roll;

An' you would find 'im any afternoon,

A-sittin' on th' bridge an' fillin' coal.

'e 'ad an 'abit an' they calls it low,

Uv kerbstone sittin' at th' school uv arts,

Ter, watch the populashun come an' go,

An' criticise th' young an' snigg'rin' tarts.

Th' sheelahs 'ad for Bat some sorter, charm,

Although 'e kep away w'en 'e was full;

I think 'e never really meant no 'arm
But dancin' 'ad on 'im an awful pull.

Th' dances wot they 'eld in Millar's 'all
Was clinkin' pastime, an' th' sheelahs there
Was mostly Miners' daughters—an' ye'd call
'Em pretty decent sorts—an' on th' square.

These dancin' stunts was jakerloo—a bloke
Jist prats 'is frame in, an' selecks a girl;
A sorter joint w'ere blokes can sit an' smoke,
Wile waitin' 'round ter give the 'op a burl.

...

An' in them cafays w'ere they 'as th' space,
They sets aside a place fer them oo jazz.
A buckshee joint it is, wot's there in case
Ye'd like ter treat th' sheelah wot yer 'as.

Th' music is a pianola—and
Is played by any coot wot likes th' game;
An' though it ain't no first-class jazzin' band,
It 'serves th' flamm' purpose jist th' same.

An' in th' passidge down th' side they 'as
Soft sorter colored lights, an' little seats
Were blokes an' tarts wots 'ad enough uv jazz
Can sit an' smoodge, an' 'ave their drinks an' eats.

...

An' that was Bat-Eye—poor ole Bat-Eye, 'oo
But lived for racin', dancin' smokes an' beer.
'E orft got blamed fer things, 'e didn't do;
But 'ear 'is 'ist'ry—Wot I'm tellin' 'ere.

Some commentators at the time saw in this poem the influence of the poet C. J. Dennis and his most famous poem 'The Sentimental Bloke' published in 1915⁵⁵⁷. The reviewer of the *Illawarra Mercury* resists this categorisation of the verse story stating that the author "has at various times contributed poetry to our columns", and argues that he:⁵⁵⁸

conveys to us the true atmosphere of the coal mine, the daily toil of the men – their failings, hopes and inspirations and, incidentally, their triumphs. Perhaps at times the phrasing, is not what the cultured, would desire, but we consider that Mr. Biggers has not hesitated to use a colloquialism when it is necessary to convey the atmosphere of the pits. The bravery of the coal miners in the face of danger is proverbial – we have had many instances in this district – and Mr. Biggers with, good effect, introduces it into his pages.

To illustrate this point the *Illawarra Mercury* reviewer cites two verses from the poem that provide a "scene witnessed by his mate and himself, as they struggle through the mine" following the tragedy of an explosion.⁵⁵⁹

"Now, me an' Bat was workin' 'ard' one-day;
Fillin' our dag we was – wot ain't no play –
W'en, Gawd above there comes an awful sound
An' rushin' air wot took our breath away."

Dead men Dead 'orses falls uv coal We passed
'Em all as on we pushed, until at last
We comes across a mob uv' blokes wot lay
In little 'eaps beneath an overcast.

In Metcalf's discussion of the poem he points to the self-assertiveness of Bat Eye whose behaviour might be described as 'larrikin' and the "doubly scandalous response" where it is larrikin "behaviour that draws bourgeois condemnation." Metcalf argues that

⁵⁵⁷ C. J. Dennis, *The Songs of a Sentimental Bloke*. (Sydney, Angus and Robertson, 1915).

⁵⁵⁸ *Illawarra Mercury*, 3 June 1927 p. 5.

⁵⁵⁹ *Illawarra Mercury*, 3 June 1927 p. 5.

figures like Bat Eye are not restricted to Australia and that 'larrikin' characteristics may be found among workers everywhere. He writes:⁵⁶⁰

I am concerned with the politics of miners who preferred the bar to the brass band, the racecourse to the church, the football competition to the Marxist class. I will argue that their style of politics was not 'authentically Australian' at all, but to be found among oppressed people everywhere.

Bat Eye's behaviour in the poem fits well with the Bakhtin's idea of the carnivalesque, the long tradition of assertion of agency by exploited workers. This is a tradition that mistrusts the self-interested views and morality espoused in this case by the monopoly owners and their allies in a largely compliant state backed up by religious and education systems. Metcalf asserts, interestingly, that the larrikin behaviour of mine workers could even put them, as union members, at odds with their own union leadership, militant as it was. Pit top meetings often voted to down tools for what seemed to be trivial reasons. Metcalf drawing on Jean Paul Satre, suggest that such behaviour can, however, be viewed as a "defensive preoccupation with being [that] arose in a dialectical relation to the bourgeois challenge to the miners' humanity." The larrikin discounting of bourgeois views "offered miners' self-respect a basis which others could not destroy."⁵⁶¹ Metcalf offers the reader the following verse to illustrate the disinclination of the miner to place much faith in the popular newspapers especially their reports about coal miners:

... these facks I tell ain't stole
Frum things yer reads in edjacated books.
Wy! them wot writes them books on love an' 'eart an' soul—
Wotta they know uv them 'oo digs th' nation's coal?
Wy! arst 'em 'ow a flamin' miner looks.

Well, 'ear me tale! ... frum w'ich I 'opes yer rakes a bit
'Bout miners—'oo the papers says is crook;
An' wot I'm tellin' now is jonick stuff—th' pit
'Olds blokes with 'uman 'earts, 'oos 'ist'ry ain't been writ,

⁵⁶⁰ Metcalfe, *For Freedom and Dignity*, p. 76.

⁵⁶¹ Metcalfe, *For Freedom and Dignity*, p. 84.

For things wot's done would fill a flamin' book.

In these verses we find the poet Biggers is constructing his own social history of miners whose history, he points out, has yet to be written. The use of the Ulster-Scots word 'jonick', meaning 'true' or 'real', is a reflection of the family history of much of the local mining population. Given that long hours and dangerous working conditions for wages left miners poor, it can hardly be surprising they preferred not to work on days when the lure of fine weather or a days' fishing offered them a possibility to get away and nurture themselves physically and spiritually, and above all allowed them to assert their independence. That time is valued more than money is a mark of workers' understanding of the nature of exploitative social systems. We see this reflected in the demands for shorter working days, for work-free days, from the traditional weekend to the rostered day off, for annual holidays and for penalty rates and other conditions. We see it in obverse in the recurring hegemonic demands for the removal, or trading in, of these conditions usually in the name of flexibility, and sometimes in the name of individual rights.

Ernest Antony – The Hungry Mile

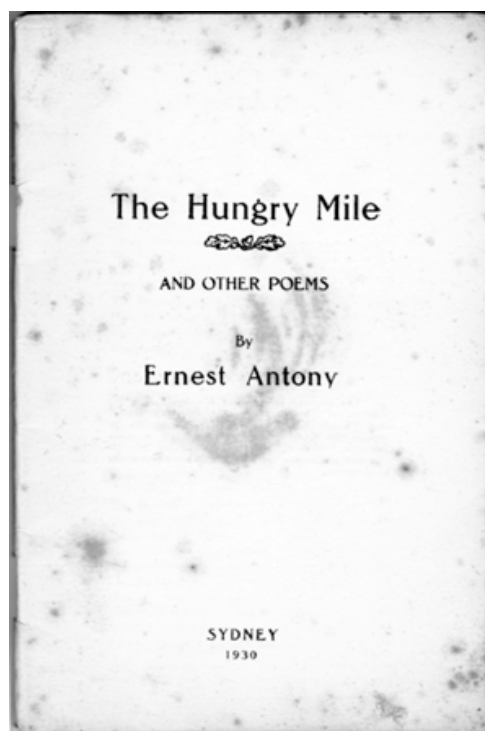


fig. 16. "The Hungry Mile", 1930.

Ernest Antony was a prolific, yet almost forgotten poet of the depression years. His poems focus on his anti-capitalist philosophy and condemn the treatment of workers during this time. ‘The Hungry Mile’ refers to a stretch of Sydney wharves in the Rocks area where waterside workers were forced to gather in the vain hope of being selected for a working shift. Antony’s collection “The Hungry Mile and other poems”⁵⁶² a collection of his compositions was published at the beginning of the depression. For his 2008 republication of “The Hungry Mile” historian Rowan Cahill researched the poet’s life from his 1894 birth on a dairy farm in Yea, Victoria to his 1960 death in Gunnedah NSW. Antony left school at thirteen to work on his fathers’ farm, and left home in 1916 to begin a nomadic life that saw him working as a wharfie, a construction worker, a mule and camel driver, a prospector for tin and gold, a railway worker, a dog trainer, a timber cutter, a cane cutter and a bridge and wharf carpenter. During the depression “he was one of the many men who unsuccessfully tramped Sydney’s Hungry Mile in search of work.” He was a militant trade unionist.⁵⁶³ Antony’s 1930 booklet reveals that some of the poems had been published previously in the *Labour Daily*, the *South Coast Times* and the *Workers’ Weekly*. His most famous poem ‘The Hungry Mile’ begins:

They tramp there in their legions on the mornings dark and cold
To beg the right to slave for bread from Sydney's lords of gold;
They toil and sweat in slavery, 'twould make the devil smile,
To see the Sydney wharfies tramping down the hungry mile.

The phrases “beg the right to slave for bread” and “toil and sweat in slavery” are very typical of the IWW songs and poems, distinctive markers of the genre, with its no holds barred approach to the literature of class struggle. The poem continues:

On ships from all the seas they toil, that others of their kind,
May never know the pinch of want nor feel the misery blind;
That makes the lives of men a hell in those conditions vile;
That are the hopeless lot of those who tramp the hungry mile.

⁵⁶² Ernest Antony, *The Hungry Mile and other poems*. (Sydney: Wright & Baker, 1930).

⁵⁶³ Ernest Antony , and Rowan J. Cahill. *The Hungry Mile and Other Poems*, (Sydney: Maritime Union of Australia, 2000), pp. 5-6.

This verse suits performance more than reading the text in silence and solitude. It was performed, to great acclaim and a standing ovation, by the popular Australian actor Jack Thompson at the Maritime Union of Australia launch of the new edition of Antony's book in 2008, in the presence of a largely maritime worker audience that included overseas delegates. No doubt its performance style is what propelled its entrance into the oral tradition of waterside workers and seamen in Australia. Over the last fifty years the poem has also acquired at least two different musical settings.⁵⁶⁴

The slaves of men who know no thought of anything but gain,
Who wring their brutal profits from the blood and sweat and pain
Of all the disinherited that slave and starve the while,
Upon the ships beside the wharves along the hungry mile.

The depiction of the ship and port owners as "men who know no thought of anything but gain" and who wring "their brutal profits" from the disinherited "that slave and starve" is again evidence of an IWW legacy. The poem includes in its six verses with more of these markers such as "every stroke of that grim lash" and "those who drive these wretched slaves," setting the scene for the revolutionary penultimate verse:

The day will come, aye, come it must, when these same slaves shall rise,
And through the revolution's smoke, ascending to the skies,
The master's face shall show the fear he hides, behind his smile.
Of these his slaves, who on that day shall storm the hungry mile.

Finally, when this revolutionary change in the hegemonic relationship between the classes has been attained, the poet argues as in the old convict ballad 'Moreton Bay', "our former sufferings shall fade from mind":

And when the world grows wiser and all men at last are free
When none shall feel the hunger nor tramp in misery
To beg the right to slave for bread, the children then may smile.
At those strange tales they tell of what was once the hungry mile.

⁵⁶⁴ <http://unionsong.com/u149.html>, (accessed 7 November 2012).

‘The Hungry Mile’, one of thirty-three poems in Antony’s book, is the one that is best remembered. The original book is so rare that my research finds only three Australian libraries have a copy and that there is also a copy in the New York Public Library. The fact of only four copies exist of the original collection stands as a reminder that this kind of literature, while it has at times been cherished by sections of the labour movement, has been largely ignored by compilers of anthologies of Australian poetry. Its recent re-publication is due to the efforts of Cahill and the MUA. After seventy-eight years the release of the new edition was timed to coincide with a successful campaign in Sydney to rename a stretch along the wharves of Hickson Road in ‘The Rocks’ as ‘The Hungry Mile.’ This commemoration of a road known for three generations in the vernacular of workers and their families as the “Hungry Mile”, its official inclusion in the map of Sydney both reflects and commemorates Antony’s poem, and perhaps this permanent reminder heralds the belated entry of the poem into the literary canon. The phrase “Hungry Mile” refers to the desperate conditions of employment in the depression years, where a thousand might turn up for work on the wharves and only a hundred would be given a job. The renaming of a stretch of the road preserves the memory of past as the *Sydney Morning Herald* reported in 2009:⁵⁶⁵

A historic stretch of Sydney's waterfront is now formally known as The Hungry Mile ... The name will be a permanent reminder of the place where men trod a dejected beat looking for work on the wharves to feed their families in the early 1930s during the Great Depression. ... The change ... follows a request by the Maritime Union in order to remember those workers from the 1930s. "In the dark days of the Depression, it wasn't called the Hungry Mile for nothing," Mr Rees told a renaming ceremony today. "If you didn't get a start here, you went hungry. It was as simple as that."

Antony, like many itinerant workers, seems to have followed a number of trades. His working life is reflected in his poems which allude to camel driving, agricultural work, “tarring pipes in the stinking claypan mud”, working with the pick and shovel, droving cattle, as a shearers cook, shearing, “searching for gold”, toiling in “survey camps” and as a carpenter working on bridges and wharves. Antony composed a series of poems

⁵⁶⁵ Sydney Morning Herald, 29 July 2009.

about Hum (Australia) and about Haw (Britain), the metropolitan centre of the empire of which Australia was a part. In this series he explores in vernacular verse the hegemonic ideas that keep workers working and rulers ruling. In ‘The Doctors of Hum’ he writes:⁵⁶⁶

Doctors of medicine many and wise
Doctors of horses and doctors of lies
And all are now trying to find out a cure
That will relieve Hum and its unnumbered poor
For the humans of Hum have got poverty bad
It’s the worst epidemic that ever they had
With most other diseases they easily cope
With fresh air and sunlight and water and soap

However, when it comes to a prescription for the economic disaster that is looming, the “doctors” of Hum refuse to admit their helplessness and fall back on doses of “charity stew”. These experts are not the kind “who’ll admit to defeat” but:

This poverty seems to have got them all beat
And all are now holding a solemn conclave
To devise some new ways the poor humans to save
But really it seems that the best they can do
Is to dose them with stuff known as charity stew
Of which they have hopes a permanent cure
They’ve used it for many years now to be sure

In the poem as in reality another plan beloved of the banks, politicians and their economic gurus through the depression involves a cure by reduction of wages. As Antony sarcastically explains:

To work the poor harder is cheapest and sure
And to give them less wages, so that they’ll eat less

⁵⁶⁶ Antony, *The Hungry Mile*, pp. 9-10.

Some say is the surest way out of the mess
Others again say if citrons and bread
Were used as a cure and sparingly fed
To the workers of Hum, then all would be well
And it might make them hardy—you never can tell

Another favourite prescription involves legislation to diminish workers rights in the name of “industrial peace”:

There are others who say that industrial peace
Is all that is needed to cure the disease

Industrial peace, of course, means no assertion by workers of their basic (that is assumed) rights. The labour movement philosophy that is clear in this poem leads Antony to the conclusion that the cure for poverty lies in improving the share that workers in Hum receive from the goods their labour produces:

For the reason that poverty’s so common there
Is that the workers in Hum only get a small share
Of the thing they produce—they’re robbed of the rest
By the rich men of Hum, and you may have guessed
In this land where things are so dreadfully bad
Most folks are too stupid to ever go mad

Again we see a reference to the appropriation of the surplus value produced by the worker – they receive only “a small share” of what they produce and are “robbed of the rest by the rich men of Hum.” In the last line we see another IWW notion, that it is stupidity and lack of understanding among the workers that keeps the system of wage slavery going, otherwise they would get angry, or as Antony puts it “mad”, and change it. Antony’s exercise in philosophical allegory is continued in his verse ‘The Workers of Hum’.⁵⁶⁷

⁵⁶⁷ Antony, pp. 10-11.

Now the workers of Hum are most curious folks
And play on themselves some remarkable jokes
For they build up great cities, or so I am told
Then they sleep in the parks in the damp and the cold
And they toil and produce, too, goods quite a lot
And then they go hungry and leave them to rot

Deprived of the food and shelter that they produce the workers in Hum are reminiscent of the painters and decorators depicted in Robert Tressell's "The Ragged Trousered Philanthropist", a very popular novel among workers at the time.⁵⁶⁸ The relationship between economic depression and war is also raised as a peculiarity of Hum workers:

These workers of Hum, or so it is said
Often fight in great wars and get shot very dead
To protect the Hum bosses and profit secure
They've nothing to fight for themselves, I am sure
And those who escape from the slaughter of war
Go home to work harder than ever before

'The Bosses of Hum' continues this series of poems noting that the bosses are not subject to the same requirement to work for a living and nor are they even subject to the same laws. Like the doctors of Hum they do not prescribe to themselves the medicine they offer the poor:⁵⁶⁹

And though they don't work, the Hum vagrancy laws
Are never invoked; they don't have to show cause
Why they shouldn't work and help to produce
The things that to humans have value and use
...
And wages, they say, is the workers' true share
Of the things produced by the workers themselves

⁵⁶⁸ Robert Tressell, *The Ragged Trousered Philanthropist* (Toronto: Macmillan Company of Canada Ltd, 1914).

⁵⁶⁹ Antony, pp. 11-12.

The mystery deepens, the deeper one delves
And no one I met could explain to me where
The bosses of Hum got their title to share
In the things produced by the workers of Hum
But this fashion may alter in time yet to come

Antony's poetry like many of the IWW songs borrows from Marxist economics and, as historian Verity Burgmann⁵⁷⁰ notes, the Sydney IWW made sure that articles "expounding Marx's ideas appeared in most issues of *Direct Action*". Just as the IWW depicted workers who were unorganised or were opposed to direct action in the workplace as "boneheads" it also castigated soldiers who enlisted to fight the bosses' wars. Antony takes up this in his poem 'The Wars of Hum and Haw' with his depiction of the jingoism that accompanies war.⁵⁷¹

For although the Hawans and Humans and others
Are, generally speaking, more peaceful than brothers
The rulers and diplomats stir up the hate
Of their people against some neighbouring state
So the poor folks will fight and steal trade and land
For the rich men of Haw, you will understand
Though why they should steal things and give them away
To the rich men who rob them—well I cannot say

Antony's use of irony when discussing the paradoxes of capitalism is notable. Witness the stanza describing how wars begin:

The manner in which they start a new war
Is really quite cunning, yes cunning and bold
For when they are going to start a new war
They hold a peace conference—maybe a score
And a very sure sign that a new war is near
Is much talk of peace from these rulers to hear

⁵⁷⁰ Verity Burgmann, *Revolutionary Industrial Unionism*, p. 45.

⁵⁷¹ Antony, p. 16.

The poem ends with a puzzle about what happens when war is declared. Again, the poet proposes the contradiction driving capitalism:

If they fought for themselves, well, I could see why
They should be willing in battle to die
But to fight for the rich men who rob them, to me
Is proof of congenital idiocy

In a lighter vein Antony composed 'The Master's Tales' poking fun at the notions of the master's "land above the sky". As in several of the poems discussed in this study, heaven is the focus. In this instance there are two heavens – the master's "now and here" and the slave's hereafter.⁵⁷²

He tells me I shall go there
If I'm a docile slave
But I don't see how that may be
Once I'm in a grave

He tells me that old story
That moves me much to mirth
That I'll wear a crown of glory
If I'll wear his chains on earth

There are things of course that I must do
Ere to this heaven I win
I must keep all my master's laws
To break them is a sin

O yes, and I must go to church
And pay whene'er I can
For they sell the seats in heaven

⁵⁷² Antony, p. 27.

On a sort of layby plan

...

I'm doubtful of this heaven, for

To me it's rather queer

That master will not wait, but wants

His heaven now and here

This poetic battle to unseat the masters and "the master's God" is a recurring theme for Antony, and in 'Prayer and the Slave' he writes:

Oh, rise, you slaves who bow the head

Disown the master's God

You may not if you wait till you are dead

From master wrest the rod!

Can it be that you do not know

Who would be free must strike the blow

Or do you fear to fight

'Gainst gods and masters while you live?

In hope that heaven will give

What is on earth your right

Again, 'heaven' is cited by Antony as rights issue, one where the "master's God" bids you to remain a slave "In hope that heaven will give/ What is on earth your right" rather than "From master wrest the rod!" Antony the itinerant worker, railwayman, camel driver, bridge builder, and more, explains his muse in 'Of the Things I Know I Sing' The range of occupations he experienced clearly provided him with insights into working conditions and inequities suffered by so many at the time.⁵⁷³

Wherefore this hate and satire, and this bitter irony

That is running through these verses? Is it this you ask of me

Go search along the highways, the hungry tucker tracks

In the huts of the cane-cutters, and the dirty cocky's shacks

⁵⁷³ Antony, p. 39.

The shearing sheds and mining camps and god-forgotten spots
Where for the sake of profit man toils and sweats and rots
Go, search the filthy alleys where the night pariahs hunt
Go and learn the vile conditions of your city's waterfront

Go, and better still, go hungry through the city's profit mills
Go tramping, broke and thirsty, o'er the burning plains and hills
Go and learn of the discomfort of a bed of grass or sand
Go shivering in the winter, and perhaps you'll understand

Go and try to ease your hunger on Salvation Army stew
And the question you are asking will then be answered by you
All the bitterness and hatred out of vile conditions spring
Well, I know those vile conditions—of the things I know I sing

Work is a recurrent theme in Antony's poetry. Again drawing on his own experiences he recalls his work with desert camels carting water and supplies to workers camps in the early 1920s in 'Camel Teams' where he writes, so eloquently, they "drift like mist-clouded pictures though a lonely wand'ers dreams". Using the IWW word for workers in 'A Stiff's Progress', he lists the kinds of work he has done over the past decade, "I've toiled along the waterfront in half a score of ports / And sacked myself from forty jobs of forty different sorts".⁵⁷⁴ The poet's anger at the capitalist modes of production and his analysis of the world situation can also be found in 'The End is Near' where he describes the growing protest against capitalism around the world⁵⁷⁵

There's a murmur from the millions, in their misery and dearth,
There's an angry voice protesting from the corners of the earth.
Do you hear that voice my masters? Are you deaf and are you blind,
That you do not heed the message that is borne upon the wind.

Are you list'ning to murmur that tells the discontent,

⁵⁷⁴ *ibid*, p. 7.

⁵⁷⁵ *ibid*, p. 36.

Midst the victims of your avarice, by toil and hunger spent?
And do you disregard it, soothed by your wealth and power,
Do you never fear the seeds of hate shall surely come to flower?

The final verses of the poem are reminiscent of Henry Lawson's famous poem 'Faces In the Street', which was first published in 1888 in the *Bulletin*.⁵⁷⁶

Do you hear that voice my masters, in your seeming safe retreat?
And do you hear the tramping of countless thousands' feet?
That presage a day of battle for the slave battalions form.
In that distance-tempered murmur of the slowly gathering storm.

Oh! That voice now cries for vengeance, where for justice once it cried:
But hatred took the cry up, when the hope for justice died.
And 'tis ever drawing nearer, that murmur, low, but clear,
And it bears for you the warning that the end is drawing near.

It is the fact of Antony's drawing on his own work experience and his ability to express his political perspective in verse that makes him such an important voice of the depression years. His work represents a link between the IWW verse and the worker poets of the late depression, World War 2 and the 1950s, important evidence of a long, if fragmented in terms of publication, tradition. Towards the end of that war the poet Antony writes what is perhaps his last poem, 'Anzac 1944':⁵⁷⁷

Yes, you'll remember Anzac and the men who died for you,
The fighting fools who fought to forge their wage slave chains anew.
How often have you told us that their glory shall not fade?
How often have you gloated o'er the sacrifice they made.

While you boasted loud of freedom and your famed democracy,
You schemed to cheat the orphans of far off Gallipoli.
You remember! You remember each year for just a day,

⁵⁷⁶ *Bulletin*, 28 July, 1888.

⁵⁷⁷ <http://unionsong.com/u606.html>, (accessed 16 November 2013).

Sons of Anzac and the Anzacs - in a superficial way.

While we heard your voices choking with sentimental slime,
There were things that we remembered, we'll remind you of sometime.
We remember "the depression" and the aftermath of war,
The doles queues and starvation in the "world worth fighting for".

While you weave a wondrous future of a world grown good and wise,
We are not the least forgetting all the trickery and lies.
Nor shall we be forgetting who owes to whom the debt,
Oh, yes, we will remember - when you're trying to forget.

This scathing, anti-war, anti-jingoism poem has never been published. Historian Rowan Cahill who discovered it amongst Antony's papers in 2008 writes:⁵⁷⁸

amongst the small cache of his literary papers in the Mitchell Library, Sydney, is the typescript of an unpublished anti-war poem dating from the 1940s titled Anzac 1944, addressed angrily to an anonymous collective warmongering "you".

The Sandy Hollow Line – Duke Tritton

In 1936, as part of a work creation scheme, the NSW government began the building of the Sandy Hollow-Maryvale railway line that would "join the northern and western rail systems and provide a direct link to Newcastle for primary producers of the north west of New South Wales."⁵⁷⁹ H. P. Tritton, known as Duke (mentioned in Chapter Four in connection with 'The Shore's of Botany Bay'), worked on the line for two years as a powder monkey. Tritton wrote songs poems and stories about his working life. From his experience in 1936 he later wrote 'The Sandy Hollow Line' using poetry to convey his political perspective:⁵⁸⁰

⁵⁷⁸ <http://unionsong.com/u606.html>, (accessed 16 November 2013).

⁵⁷⁹ Therese Radic, *Songs of Australian Working Life* (Elwood, Vic., Australia: Greenhouse Publications, 1989), p.182.

⁵⁸⁰ John Meredith, *Duke of the Outback: The stories poems and songs of Duke Tritton* (Ascot Vale, Red Rooster Press, 1983), p. 67.

The sun was blazing in the sky and waves of shimmering heat,
Glared down on the railway cutting, we were half dead on our feet,
And the ganger stood on the bank of the cut and he snarled at the men below,
"You'd better keep them shovels full or all you cows'll go."

I never saw such a useless mob, you'd make a feller sick,
As shovel men you're hopeless, and you're no good with the pick."
There were men in the gang who could belt him with a hand tied at the back
But he had power behind him and we dare not risk the sack:

During "the great depression" the rule was subservience or the sack. Unionists like Tritton found this especially hard, but knew they needed to work and live to fight another day. In Gramscian terms the verse below might be considered an evocation of strategy and tactics: the need to be realistic about where power resides at any given period:

So we took it all in silence, for this was the period when
We lived in the great depression and nothing was cheaper than men.
And we drove the shovels and swung the picks and cursed the choking dust;
We'd wives and hungry kids to feed so toil in the heat we must.

And as the sun rose higher the heat grew more intense,
The flies were in their millions, the air was thick and dense,
We found it very hard to breathe, our lungs were hot and tight
With the stink of sweating horses and the fumes of gelignite.

The unemployed were faced with a bullying and demeaning system that encouraged impossible working conditions for a pittance in return when "nothing was cheaper than men". Needless to say there remained hope for some future retribution to "even up the score":

But still the ganger drove us on, we couldn't take much more;
We prayed for the day we'd get the chance to even up the score.
A man collapsed in the heat and dust, he was carried away to the side,

It didn't seem to matter if the poor chap lived or died

"He's only a loafer," the ganger said. "A lazy, useless cow,
I was going to sack him anyway, he's saved me the trouble now."
He had no thoughts of the hungry kids, no thought of a woman's tears,
As she struggled and fought to feed her brood all down the weary years.

Tritton juxtaposes the uncaring attitude of the overbearing ganger to the probable death of the collapsed worker with the near panic of the ganger at death of a Government horse. Not only is the horse considered more valuable than the worker, but the workers lose pay as the work comes to a halt. The death of a horse in the heat was another matter where the ganger could show his own fear that his employers "the government" would blame him:

But one of the government horses fell and died there in the dray,
They hitched two horses to him and they dragged the corpse away.
The ganger was a worried man and he said with a heavy sigh:
"It is a bloody terrible thing to see a good horse die."

"You chaps get back now to your work, don't stand loafing there,
Get in and trim the batter down, I'll get the Engineer."
The Engineer came and looked around and he said as he scratched his head,
"No horse could work in this dreadful heat or all of them will be dead."

If it was too hot to work it was also another excuse to reduce the normal day's pay.

"They're much too valuable to lose, they cost us quite a lot
And I think it is a wicked shame to work them while it's hot.
So we will take them to the creek and spell them in the shade,
You men must all knock off at once. Of course you won't be paid."

And so we plodded to our camps and it seemed to our weary brains,
We were no better than convicts, though we didn't wear the chains,
And in those drear depression days, we were unwanted men,

But we knew that when a war broke out, we'd all be heroes then.

Promises of “a world fit for heroes” raised but not fulfilled for the post World War I years, were now being revisited as another war was looming.

And we'd be handed a rifle and forced to fight for the swine,
Who tortured us and starved us, on the Sandy Hollow Line.

The poem exposes the shocking working conditions on the line where no machines were used, only picks and shovels, horses and carts, and gelignite, at starvation wages from 7.30am to 5.00pm; no eight hour days on that line. The line was close to completion when it was abandoned in 1951; then in 1982 it was completed and finally opened to take coals, not passengers, to Newcastle from the foreign owned Ulan mines. Tritton mentioned his work on the line to folklorist John Meredith when they drove past the “embankments, cuttings and tunnels” on a trip from Gulgong to Wollar, and he told Meredith “I’m going to write a song about that one day.”⁵⁸¹ Although the song was not composed at the time it nevertheless offers an illuminating exposure of working conditions in the depression, and comes from the pen of an important working class autodidact, whose eagerness to share his considerable repertory of working songs helped preserve them for future generations.

Blood on the Coal – Jock Graham the Miners’ Bard

Jock Graham who became known as “The Miners’ Bard” published a collection of his work under the title “Blood on the Coal” in Sydney in 1946. The book was published by the Communist Party of Australia press ‘Current Book Distributors’, The foreword for the collection informs us that the author is a miner who began working underground at the age of thirteen. Born in Scotland he served in World War I in the British Navy. From 1922 he worked in Australian coalmines as both miner and haulage driver. Graham lost a leg in a mining accident in 1928 and in the foreword we are informed:⁵⁸²

⁵⁸¹ John Meredith, *Duke of the Outback*, p. 67.

⁵⁸² John Graham, *Blood on the Coal: And Other Poems for the People* (Sydney: Current Book Distributors, 1946), [p. 4.]

To-day, John Graham is Secretary of the Kurri Kurri Sub-Branch of the Federated Engine Drivers' and Firemen's Association, a delegate to the Local Coal Board and Communist member of Kearsley Shire Council. And with this publication, John Graham, the miner, takes his place as a poet. November 1945.

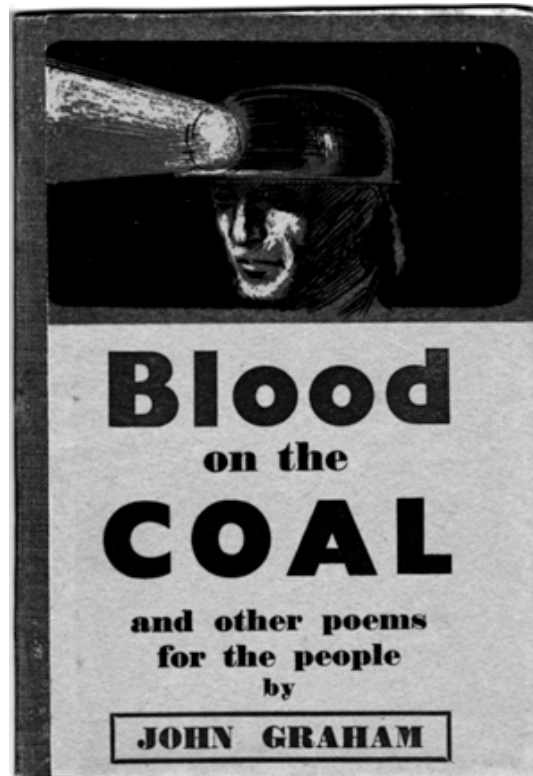


fig. 17. "Blood on the Coal."

The foreword, with its description of Graham's union and political involvements, suggests that the collection is directed towards coal miners and other activists. The title working song 'Blood on the Coal' squarely places the actual working conditions of the coal miner against the views of organised miners presented in the press and argues powerfully for a more rational, evidence-based depiction. In these lines with their insistent rolling rhythm Graham simply says "come with me below ground" - and see for yourself.⁵⁸³

You've learned to know the miner—the 'black' man, the 'slack' man.
But come with me below ground and amid the sweat and stress,

⁵⁸³ Graham, *Blood on the Coal*, p. 6.

And watch him at his hard work, his drill work, his skilled work,
See for yourself his true life before you read your press.

The internal rhymes add a playful spontaneity to the verses, encouraging the reader further into the poem's narrative as if with the miner himself.

Come down and breathe the dank air, the foul air, the rank air;
Fill up your lungs with coal dust, disease dust, for proof;
Come down and see the 'slave' man, the cave man, the brave man
Risk life to save his mate's life beneath a falling roof.

Learn of the grim disasters, the churned up, the burned up:
Go seek the mining churchyards and count the growing roll;
Weigh justice then, so feted, so treated, and meted
Against the dark stain spreading, the blood upon the coal.

You'll see conditions slipping, through tricking, pin-pricking;
The guilt with which he's burdened you'll place where it belongs;
And you will be a just man, a fair man, a rare man,
If you'll raise coal production by righting miners' wrongs.

Graham's call is for fairness for miners requiring "a just man, a fair man, a rare man" rather than one fed on the negative descriptions of miners by newspapers. He points to the long industrial struggle for safety and health in the mines with all the dangers, roof collapses and dusts. The Miners' Federation had held together and grown stronger through the depression, but conditions and pay had remained poor. The poet nevertheless remains confident that the backward industry can be challenged and changed for the better. This verse is both a portent and a summing up of what needs to be addressed in the industry and it takes its place in a working song tradition that we have observed in earlier chapters.

In 1938 Graham wrote 'I Accuse' where he evokes convicts and other working class pioneers writing a history from below for the "Sesqui-Centenary" celebrations. The

poem details key aspects of the history of the colonisation of Australia, details that were omitted from the official proceedings.⁵⁸⁴

...

We were shipped to young Australia in a convict's grim regalia
From the land of "Truth and Justice" with a stigma and a brand;
We were crucified as Jesus, it was justice thus to seize us,
They had freedom to enslave us in their free Australian land.

...

We were freemen - we were chattel, we were herded in like cattle,
We had fought against privation by the lordly British huns;
And we fought when we were bartered and our bodies crushed and martyred,
And we handed on our courage to our brave Australian Sons.

Union forming was sedition - a degrading imposition -
To the blue-bloods of the Settlement who then dictated laws,
And the fine old British laggards treated working men as blackguards,
While to-day their deeds of villainy are matters for applause.

Not a word in "Sesqui" blathers of Australia's convict fathers,
But the epauletted puppets are the heroes of renown -
Past and present come together, it's the old "birds of a feather,"
For still my ruling gentlemen, you wear the puppets' gown.

There is gold for decoration while there's hunger in the nation
And ye laud red-coated tyrants as ye toast the natal day,
But if "brave from brave are born," on a not far distant morn
You will learn the real heroes wore a sombre suit of grey.

And for all the blood you've spilled us and for all the times you've killed us,
There shall be a day of reckoning as surely comes the Spring,
For the rebel seed you're sowing it is flourishing and growing,
And you'll answer yet to Labor in the great awakening.

⁵⁸⁴ *ibid*, p. 8.

The penultimate verse above reads like Antony's 'The Hungry Mile' while the poet earlier points out how blithely these celebrations ignore the real history of colonisation and the origins of Australian rights and democracy. For Graham the rulers continue to behave like the tyrants of the past whom they toast, spending up in the enforced austerity of the depression "gold for decoration while there's hunger in the nation." Like other worker poets of the time Graham points to alternative ways of considering history, including Eureka, and another kind of celebration to come.⁵⁸⁵

Then a toast ye Labor mortals from beyond death's open portals:
And I bid you see Eureka and the glory of the "crime"-
Take your cue from Peter Lalor, face your would-be fascist gaoler,
And abolish want and hunger in the annals of your time.

'Man of the Earth', written by Graham in 1954, was set to music twenty years later by folk singer and songwriter Phyl Lobl. The poem relates the feelings of Australian coal miners in the aftermath of the 1949 coal strike and the political hysteria of the Cold War with the Menzies Government attempt to ban the Communist Party. It was the title song on the first Larrikin Records LP, released in 1974.⁵⁸⁶

By profession and birth I'm a man of the earth,
I burrow in it like a mole,
I dig it and drill it, and blast it and fill it,
For that great commodity coal,

The next two verses evoke the intense campaign of the Labor Government to defeat the 1949 miners' strike, a campaign that saw the gaoling of the miners union leaders and the use of the army to break the strike. The newspaper propaganda placed the miners "in a villainous role", as un-Australian workers manipulated by Communist leaders to ruin the economy "puttin' the land in a hole":

⁵⁸⁵ Graham, p. 9.

⁵⁸⁶ Thérèse Radic, *Songs of Australian Working Life* (Elwood, Vic., Australia: Greenhouse Publications, 1989), pp. 46-47.

To some I'm a brave man to others a knave man,
Who's puttin' the land in a hole,
A strike and attack man a black man a slack man,
Who plunders the country of coal.

Its narkin' at times to be blamed for their crimes,
And placed in a villainous role,
Invented by story press jury and Tory,
The profit made agents of coal.



fig 18. *Canberra Times* 29 July 1949.⁵⁸⁷

Graham points to the poor wages and conditions and the accident rates that "show death has been taking its toll". The miners strike was after all driven by the need to address these issues and far from being dupes as the press depicted them the miners had by record majorities voted to strike:

No story of men who are suffering pain,
Of heroes who starve on the dole,
Naught written or spoken of hearts that are broken,
The widows and orphans of coal.

The court is the gauge that determines my wage,
The parson looks after my soul,

⁵⁸⁷ *Canberra Times* 29 July 1949, p. 4.

My hands are my boss's his gains are my losses,
My body is bartered in coal.

The gaps in the lines red roll of the mines,
Show death has been taking its toll,
While snipers at maimed men and dead men and famed men,
Grow fat on the blood of the coal.

By profession and birth I'm a man of the earth,
I burrow in it like a mole,
I dig it and drill it, and blast it and fill it,
For that great commodity coal.

The last verse of the poem looks to the future of “socialised coal”, one of the demands of the miners strike was the removal of coal mines from private, largely overseas control through nationalisation, no doubt encouraged by the success of the British miners at the time:

Yet through muck and mire and lung-dust and fire,
More clearly I'm seeing my role,
Of digging and drilling and blasting and filling,
Supplying a socialised coal.

Eureka also figures in Graham's poetry demonstrating again its enduring attraction as a sign of class resistance. In Chapter Three, which examines the lyrical material that celebrated Eureka, I referred to Graham's poem 'Eureka's Ways' as an example of the way that poetry can offer a summary of labour movement history. The poem was written to celebrate the Eureka centenary in 1954 as part of a union competition.⁵⁸⁸

The Miners' Federation is conducting a competition for original contributions concerning commemoration of the Eureka Stockade, linked with the beginning of

⁵⁸⁸ *Newcastle Morning Herald & Miners' Advocate*, 17 July 1954.

mining unionism. Prizes of £5 will be given for the best poem, short story, cartoon and most interesting document or article based on original research

... the federation was keen to get at the truth concerning the first unionism in the mining industry. Winners of the competition will be given a prominent place in the supplement to be published in "Common Cause" for the federation's triennial national convention in August.

Graham's poem won first prize in the competition. In it we can discern in it the efforts the poet made to link Eureka to the history of "mining unionism."⁵⁸⁹

Let the armongers crake of the war that they make,
Their slave-making power to expand;
Of the arms race and rattle to slay us like cattle,
And glorify raping a land—

The verse above was written in 1954, which as well as being the centenary of Eureka, was also the period of the Cold War. Australian troops had been sent to fight in Malaya and Korea (and would soon be sent to fight in Vietnam using a new form of conscription based on a lottery). Graham's perspective is deeply anti-war:

But I'll tune Freedom's lays to the making of ways
That down through the ages have rung:
To the struggle and strife for a free peaceful life,
In the days when Australia was young.
To the grubbers and clearers, the miners and shearers,
The makers of farmland and track,
Ever blazing new ways through the waterless days,
To tame the wild country outback.

"Freedom's lays to the making of ways" referred to above has a special meaning for underground coal miners whose tunnels to the coalface are known as "ways". The history of coal mining in Australia began with the forced labour of convicts, while the

⁵⁸⁹ Jock Graham, *Dark Roads* (Sydney: Elizabethan Press, 1973), pp.32-34.

origin of mining unions began with the great hegemonic changes wrought by the discovery of gold, where the forced labour of convict transportation and the old rule of the Masters' and Servants' Act began to break down as new immigrants flooded in and "cheap labour" left the powerful landowners in droves:

When the cheap labour cost to the squatters was lost,
As gold camps blew Liberty's horn,
A man and his labour was good as his neighbour,
When proud Independence was born.
In eighteen fifty-four when the trades unions wore
Their rompers and swaddling clothes,
The Ballarat diggers were fingering triggers,
Hard licensing laws to oppose.
They were spied on by snoopers and harried by troopers;
'Twas "your licence ... !" or liberty give,
And the men led by Lalor faced up to the gaoler,
Demanding the freedom to live.
"We bin toilin' like bullocks in duffers and mullock,
For only just tucker and gear;
We bin blastin' and drillin' and tubbin' and fillin',
For gold you could put in your ear.
Every hour, like a blow: "Got your licence to show ...?"
Every month it's a licensing fee—
To hell with the licence, let's burn every licence,
And diggin's to diggers make free.
"Digger huntin's the fashion, horse-chargin' and bashin';
Traps yap at our heels and our doors.
Now the lords of the Order are winkin' at murder,
And spillin' our blood on our floors—
Come then, let us rally from flat and from gully;
Divisions we'll form and we'll drill,
And we'll fight till we crow over Hotham and co.,
From a fortress on Bakery Hill."
There was no race division to mar their decision;

All creeds were to Liberty kin,
As they built their stockade with a bush palisade,
And knelt in devotion therein.
There they swore, gain or loss, by the Southern Cross,
Their rights to defend and exalt,
And their thousand eyes gazed on the banner that blazed
Symbolic as stars of revolt.

The “Southern Cross” - the Eureka flag – became the new self made symbol of a labour movement ready to brave whatever force the “dogs of Dominion” could muster:

On December's third day, when the sun's dawning ray
Flamed red on Mt. Warrenheip's brow,
A gun's sharp alarms brought the diggers to arms
To stand staunch and true to their vow.
The Red coats are charging, the palisade storming,
With bullets and bayonet to slay,
While Curtain's brave bands, pikes or forks in their hands,
Are desperately barring their way.

“Curtain” referred to above is Pat Curtain who was the captain of the Eureka Stockade pike division and was wounded in action in the massacre.

Here in Labor's cause plighted are workers united,
Not fighting each other like fools:
British, Greek, French and German with Aussies determine
That no tyrant over them rules—
Feel the punch of the union, you dogs of Dominion
Unleashed from the kennels of Greed

“Liberty !” shouted Peter Lalor , as he began his address to the thousands at Bakery Hill, where the Eureka flag was first flown. His shout was met by a great roar from the crowd, many of whom knew the old cry of rebellion “Liberty or Death”.

And If Death calls surrender, for every defender,
A thousand will fight till they're freed.
Fighting shoulder to shoulder, no men could be bolder
Till Lalor's cut down from their head,
And wounded young Miller's brought down by the killers,
And all hope of victory's fled.
With the dead in the dust, the rebellion was crushed,
But by winter this truth was revealed:
That the licence was banned by the people's demand,
And swept by their wrath from the field.

The "Miller", referred to above is the young Monty Miller, became a hero of the Australian labour movement through his engagement many of the struggles from Eureka to the anti-conscription movement of World War I as I have discussed in earlier chapters.

And from that fateful day sprang the "C.M.P.A.",
Then the big "A.M.A." came to crow,
And from struggle was cast—with a militant blast—
The great Miners' Union we know.
Every torch of the sire that lights Freedom's fire,
Is borne forward still by the son,
And the world is the range through the fires of change,
That will prosper when Freedom is won.

"C.M.P.A." was an early miners' union the Coal Miners Protective Association formed in Bendigo. It was the 1872 strike of this organisation in a claim for an eight hour day that led to the combination with other miners' unions to form the "A.M.A.", the Australian Miners' Association with a national membership of 15,000. This was the forerunner of the Miners' Federation, "The great Miners' Union we know". The poem raises issues of rights as central to the theme of reviewing the long history of the union. Posited is an explicit connection of Eureka, the eight hours movement and rights as

important elements in the process of union building. In Thompson's phrase "the working class was present at its own making."⁵⁹⁰

Hallowed far is the clay where our brave martyrs lay
By foes they had fought and defied-
Oh they watch from their graves where their banner still waves
O'er the land for whose freedom they died.
No Australian will cower from a tyrant in power,
But stand labour-true to his part,
As his forebears victorious who planted their glorious
Free flag in the core of his heart.
'Tis a legacy old shining brighter than gold:
"OUR RIGHTS AND OUR LIBERTIES" dear,
That will ever belong in our hearts like a song,
To cradle our courage and cheer.

"Our rights and our liberties" is directly connected to the Eureka oath as we have seen in Chapter Three. In what is a fitting end to this chapter, the poet writes of the importance of songs and poems and their composers to the development of the Australian labour movement and its international connections, as a new focus on building a world-wide movement was beginning to bear fruit.

Sing songs of the Struggle, the triumph of Struggle,
From Lawson and Gilmore and "Roe",
Then around us in broadness the flowers of our progress
More grandly will flourish and grow.
Wake the soul to the lays along Liberty's ways
That up from the people have sprung;
Labor songs that have merit to kindle the spirit,
And heart of the young ... of the young.
Then will soon come the dawn of a war-licence ban,
That a free Australasia made.

⁵⁹⁰ Thompson, *The Making of the English Working Class*, p. 9.

And the world's love and tears through the rest of her years,
Will reward the Eureka Stockade.

Cocking, Biggers, Antony and Graham. The works of these poets demonstrates the special attention and interest that that generation had in the war-depression-war period. Examining the works of these poets and the verse cited in earlier chapters reveals a long and expressive tradition in the Australian labour movement. The works inform us not only about historical facts but also, importantly, they provide emotional information relating to the world view or argument presented. The work of Graham in particular became recognised and cherished in the 1960s by the generation revolting against the Vietnam war and for rights of oppressed sections of society, illustrating how traditions of rebellion evolve and that the culture of rebels so often turns to lyrical forms of expression. Even though the tradition or lineage may not be clearly recognised in each historical moment, it is not difficult to find strong connections across time.

CONCLUSIONS AND REFLECTIONS

The aim of my research has been to find evidence for my argument that the songs and poems associated with the Australian labour movement offer historians a wealth of rarely explored material that helps to understand the ethos of working class thinking and organisation from convict times to the Second World War. One of the features of this work has been the use of online searchable historical data from newspapers dating back to 1803. As I have indicated about one third of the lyrical material I cite comes from sources like this. My assessment of the one hundred and fifty items I have brought together is that there is a recurring theme of concern about social inequality. The importance of this to the labour movement is hard to overestimate and the composition of such material over long periods has a bearing on the critical concept of a class building and rebuilding itself.

The class building process is crucial to an understanding of the cultural aspects of the evolution of the labour movement. As I have shown protests, marches, violent clashes, victories and defeats are all signs that a contest is in sway. Differences of opinion about the importance of inequality mean different thinking and different ways of seeing the world. In some ways this is better understood in relation to the convict period where modern historians have largely agreed that it was the forced labour of convict men and women that made Australian colonisation viable. If I have added a new element to that agreement it is that the songs and poems associated with convict Australia were transplanted here in the heads of the mainly working class women and men transported, a major concern of that lyrical material being the reporting of working conditions and the assertion of the injustice of transportation and forced labour.

Convict poetry finds a new level in the person of Frank the Poet, and his locally composed masterpiece 'A Convict's Tour to Hell' remains as a testimony to convict opposition to the yoke of empire. The Eureka Massacre can be viewed as another clash of ideology, with the added special character that the brutal defeat of a small number of miners paves the way for a radical shift forced on the Victorian political system by mass intervention. The composition of poetry and song celebrating Eureka has flowed ever since, a reflection of the fact that Eureka has often been invoked in labour movement thinking and action.

The Eight-Hours movement, led by the stone-masons, began from small beginnings in 1855 in Sydney and 1856 in Melbourne. The division of the day into equal periods for work, for rest and for recreation was characterised by its opponents as interfering with the rights of workers to decide individually for themselves. Countering this dialogically, the building workers publicly argued their proposed division of the day would help civilise society particularly since eight hours for recreation would allow time for individual self education. In Melbourne the annual celebration of the eight hours saw the raising of funds for a hospital extension and for the building of the Victorian Trades Hall initially called the “Trades Hall & Literary Institute”.

The labour movement has a long history of arguing for, and gaining rights, in order to civilise capitalism. This research shows that working songs and poems provide the historian with examples of the very pertinent world-view that can be found in such lyrical material. Where the internationalism of the wealthy rulers tends to support empire and military conquest, the internationalism of the labour movement often reveals in song and poetry a desire for national independence, support for overseas workers’ struggles, and opposition to empire building and war. This political stance can also be seen as a civilising desire in a dialogic where empires expand and colonise while espousing civilisation as their creed. Workers and their allies see in this the operation of the same greed and self interest they find operating in the workplace. We can find clear evidence of this in the newspaper headlines too with the use of the phrase “Waging Class War.” This hegemonic phrase, can be found in Australian newspapers as early as 1911,⁵⁹¹ and is certainly in use today with the former prime ministers Rudd and Gillard, being castigated for supposedly waging class war by introducing a super-profits tax on multinational mining companies.

Craig McGregor has written forcefully about class, and exposed the inequalities inherent in Australia’s class society.⁵⁹²

⁵⁹¹ *People*, 4 March 1911, p. 1.

⁵⁹² McGregor, Craig, *Left Hand Drive: A Social and Political Memoir*, (Melbourne: Affirm Press, 2013), pp. 314-315.

Sometimes politicians on the Right talk about the need for a compassionate society. Compassion? What people want and deserve is not compassion but justice. If the immense wealth and social capital of Australian society, which after all are created by the work and striving of millions of ordinary Australians, were shared around more fairly there would be no need for compassion. I wouldn't blame those who are the subject of such well-meaning patronage if, in their bluff Aussie way, they told the charity-mongers to stick their compassion up their arse. If Australia (or any other nation) were able to abolish the destructive inequalities created by class it would have transformed itself as radically as any revolution.

McGregor's summary is useful as it elegantly reflects so much of the larrikin attitude to be found in vernacular lyrical material I have been discussing - the rebellious tradition of Australian working songs and poetry.

A number of industries have their own corpus of working songs and poetry. Shearers' and other bush workers' songs for example are well known to folklorists and society at large and have been published in anthologies for generations. For my thesis I have chosen to foreground the less well known railway songs and mining songs. Miners and railway workers can both trace their permanent unions back for one hundred and fifty years. Both these industries employed workers with a variety of skills, skills that were represented by a variety of unions. Where railways were largely publicly owned by the states, the mining industry was, and remains, privately owned, by foreign interests.

Railway songs and poems run to several hundreds discovered, while mining songs, even if we include Eureka songs, may extend to one hundred. Railways at one time not only employed more men and women than any other industry, the industry also trained apprentices in a large variety of trades and in that supplied private industry with much of its skilled workforce. Although mining was almost exclusively a male industry the mining towns and the communities of mining families formed a legendary solidarity. The mines may have been privately owned but the local communities were very public spirited, focussing on building hospitals, and creating cooperative stores and affordable housing cooperatives.

The period of two world wars sandwiching the 1930s depression had a profound effect on the labour movement in Australia as it did elsewhere. The unparalleled destruction of human lives and industrial infrastructure in wartime deepened the labour movement argument against war and the depression period undermined the belief that the market should be left to itself. War and unemployment are writ large in Australian working songs, from the anti-conscription protests of World War I, through the depression and into the Second World War. I have cited Piketty's recent statistical study that leads him to conclude that this was an exceptional period.⁵⁹³ He writes "all fortunes suffered multiple shocks in the period 1914-1945."⁵⁹⁴

This period created the social ground work for possibilities of the universalisation of education, housing, employment, health and welfare as never before. The labour movement songs reflect a new confidence that capitalism must be tamed if not buried. The depression became a period where workers and their allies embarked on self-education and self-organisation with a vigour that shows in much of the literature of the time. Boycotts of Japanese goods and the refusal of Port Kembla members of the Waterside Workers' Federation to load pig-iron for Japan in 1938 because of the Japanese invasion of China, showed that successful campaigns were popular and possible, despite the opposition of Australian governments.

ABORIGINES' DAY OF MOURNING

—◆—

Plan for 150th Anniversary

fig. 18.⁵⁹⁵

⁵⁹³ Thomas Piketty, and Arthur Goldhammer, *Capital in the Twenty-First Century*. (London, The Belknap Press of Harvard University Press, 2014.)

⁵⁹⁴ Piketty, *Capital in the Twenty-First Century*, p. 396.

⁵⁹⁵ *Argus*, 13 November 1937 p. 1.

The period also saw the beginnings of the modern Aboriginal movement, a civil rights movement gathering support for recognition of equality of the dispossessed original owners of the continent. Where songs and poems were missing at the time, the history of those struggles against oppression was not forgotten. The gaps were to be addressed in another period of militancy, by songwriters and poets, especially those associated with the folk song revival of the 1960s.⁵⁹⁶

There is something special about the contribution that street song sheets made to Australian poetry. We have seen that many of them contain powerful condemnations of poverty and injustice. It can be argued that songs like 'The Hand-loom Weaver's Lament', 'How the Poor Live', 'The Working Poor of Old England' and 'The Cotton Spinners Farewell' provide a lyrical template for later working songs and poems. The continued influence of the ballad tradition can be seen in 'The Cyprus Brig', 'The Convict Maid', 'Van Diemen's Land' and 'Moreton Bay'. The tradition continues through the bushranger ballads like the versions of 'Jack Donohue', 'Ben Hall' and 'Ned Kelly', with a strong flavour of Irish tradition in the mix. We find the ballad influence in the plethora of Eureka song and poetry with eye-witness documentary verse like 'The Mounted Butchers' and 'The Diggers' Dirge' which has the opening lines:

Toll the bell slowly! but mournfully! Mournfully
Toll the bell softly! the knell's for the brave;
Toll for the weaponless, innocent, loyal man,
Sabred and shot as a fugitive slave.

For Eureka balladry this is just a beginning as later generations discover diverse reasons to celebrate and commemorate the men and women who were involved with or supported the claims of the miners. The popularity of the Eureka Flag as a symbol of defiance in Australia continues to generate argument. The narratives of the songs and poems of the Eight Hours Movement are echoed today in the divisive arguments about flexible working and penalty rates, as security of work disappears and casual work

⁵⁹⁶ Gregory, Mark. 'Sixty Years of Australian Union Songs: The Australian Folk Revival and the Australian Labour Movement Since the Second World War'. MA dissertation, Macquarie University, 2007.

undermines conditions that have always been major union concerns. The tradition of labour movement balladry continues apace in new lyrical material to meet new challenges. The link to the past is made apparent in lines like “How dare we lose what they have won.”⁵⁹⁷

The period that included two world wars and a world economic depression – 1914 to 1945 – saw the composition and publication of many anti-war anti-conscription and anti-capitalist songs and poems. In this period the IWW songs became widely known in Australia, as new ideas about how the world should overcome its economic and other inequalities. Songs like ‘Solidarity Forever’, ‘The Red Flag’, ‘Bump Me Into Parliament’ and ‘The Preacher and the Slave’ have remained popular to the present day. In this period we can find the lyrical compositions of almost forgotten working class auto-didacts, Josiah Cocking, Fred Biggers, Ernest Antony and Jock Graham.

There is a need for a permanent repository of Australian working songs and poems, the earliest ones in particular. Museums and other archives care for trade union banners, badges, photographs and other artefacts but there is no central archive of the poetry, stories and song of the Australian labour movement. A recent example of archiving and digitisation in the Oral History and Folklore Collection of the National Library of Australia offers a useful template for an archive of Australian Working songs and poems.⁵⁹⁸

Our Oral History and Folklore collection records the voices that describe our cultural, intellectual and social life. The collection consists of around 45,000 hours of recordings, the earlier ones dating back to the 1950s when the tape recorder became available. More than 1000 hours of interviews, music and accents are added to the collection each year. This collection has increasingly been organised as a database that is searchable and whose contents of a variety of media can be made available online.

The songs and poems I have been discussing reveal much about the history of the anti-hegemonic movements. As Cary Nelson, in his study of the poetry of the American left puts it, these songs and poems are very much “about class relations and about how they

⁵⁹⁷ John Warner, “Bring Out the Banners”.

⁵⁹⁸ <http://www.nla.gov.au/what-we-collect/oral-history-and-folklore>, Accessed 4 May 2014.

play themselves out in the industrial workplace.” This thesis has been about the way in which Australian workers have produced their own lyrical material. As Nelson argues, such compositions offer us “a lesson about how political poetry can take up traditional lyric forms ... and give them fresh social meaning.”⁵⁹⁹

We have observed that unions in the building, railway, mining and maritime industries have considerable traditions of encouraging their members and supporters to compose lyrical material, organising competitions with prizes for the winners. Following the traditions of union journals – and now websites and YouTube – the reach of any published lyrical material has dramatically expanded.

Again and again we can observe the phenomenon that where people demonstrate they make a song and dance of it. The Australian peace movement from the anti-conscription demonstrations in 1916 to the million strong demonstrations against the Iraq War in 2003, has been accompanied by song and poetry. The Aboriginal movement, the women’s movement and the environmental movement are likewise celebrated in song; a rigorous consideration of them is, however, beyond the scope of this thesis. The mass mobilisation of community pickets that defeated the Howard Government attempts to destroy the Maritime Union of Australia (MUA) in 1998 – with the illegal plan to replace its members on the docks by a Government and Army trained scab workforce – was accompanied by a surge of lyrical material. For once a spotlight on the injustice of an overbearing government became plain. The unmasking of the usually well-disguised hegemony showed just how entrenched class divisions remain within Australian. As I collected songs and poems during that epic struggle, I started out on a quest to discover earlier examples of such composition in Australia. This thesis is one product of that quest.

⁵⁹⁹ Cary Nelson, *Revolutionary memory: recovering the poetry of the American left*. (London: Routledge, 2001), p. 94.

REFERENCES

- Adam-Smith, Patsy. *Folklore of the Australian Railwaymen*. [Melbourne]: Macmillan of Australia, 1969.
- Adam-Smith, Patsy. *Hear the Train Blow: Patsy Adam-Smith's Classic Autobiography of Growing Up in the Bush*. Melbourne, Vic: Nelson, 1981.
- Adamson, Bartlett. *Comrades All: And Other Poems for the People*, Sydney: Current Book Distributors, 1945.
- Alexander, Alison. *Tasmania's Convicts: How Felons Built a Free Society*, Allen & Unwin, Crows Nest, NSW, 2010.
- Allen, Jim. 'Aspects of V. Gordon Childe' *Labour History*, No. 12 (May, 1967), pp. 52-59
- Anderson, Hugh. *Time out of mind: Simon McDonald of Creswick*, National Press, Melbourne, 1974.
- Anderson, Hugh. *Two Goldfields Balladists*, Hotham Hill, Vic: Red Rooster Press, 1999.
- Anderson, Hugh. (ed.), *Eureka: Victorian Parliamentary Papers Voted and Proceedings 1854 - 1867*, Red Rooster Press, Melbourne, 1999.
- Anderson, Hugh. *Farewell to Judges & Juries: The Broadside Ballad & Convict Transportation to Australia 1788-1868*, Red Rooster Press, Melbourne, 2000.
- Anderson, Hugh and Stephen Hutton. *The Mounted Butchers: Some Songs & Verses of Eureka*. Hotham Hill: Red Rooster Press, 2004.
- Andrews, J. A. *Temple Mystic: And Other Poems*. Ballarat, Vic: F.W. Niven & Co, 1888.

Antony, Ernest. *The Hungry Mile and other poems*. Sydney: Wright & Baker, 1930.

Antony, Ernest, and Rowan J. Cahill. *The Hungry Mile and Other Poems*. Sydney: Maritime Union of Australia, 2008.

Australian Railway Historical Society. *A Century of Locomotives in New South Wales Railways 1855-1955*. Sydney: Dept. of Railways New South Wales, 1955.

Australian Railway Historical Society. *Railway Museum*, 1964.

Australian National Railways Commission. *Trans-Australian Railway*, Melbourne: Commonwealth Railways, 1960.

Backhouse, James. *Extracts from the Letters of James Backhouse, Now Engaged in a Religious Visit to Van Dieman's Land and New South Wales, Accompanied by George Washington Walker*. London: Harvey and Darton, 1837.

Bakhtin, M. M., and Michael Holquist. *The dialogic imagination: four essays*. Austin: University of Texas Press, 1981.

Bakhtin, M. M. *Rabelais and his world*. Bloomington: Indiana University Press, 1984.

Barmé, Geremie. *In the Red: On Contemporary Chinese Culture*. New York: Columbia University Press, 1999.

Basker, James G. *Amazing Grace: An Anthology of Poems About Slavery, 1660-1810*, New Haven: Yale University Press, 2002.

Beckett, Jeremy. *Torres Strait Islanders: custom and colonialism*. Cambridge: Press Syndicate of the University of Cambridge. 1987.

Biggers, Frederick C. *Bat-Eye: A Tale of the Northern Coalfields*. Sydney: F.C. Biggers, 1927.

Blainey, Geoffrey *The Rush That Never Ended, A History of Australian Mining*. [Melbourne]: Melbourne University Press, 1969.

Blackburn, Robin. *The Making of New World Slavery: From the Baroque to the Modern, 1492-1800*. London: Verso, 1997.

Bowden, Bradley. *Work and Strife in Paradise: The History of Labour Relations in Queensland 1859-2009*. Annandale, N.S.W.: Federation Press, 2009.

Bowen K. and P.A. Pickering, 'Songs for the millions: Chartist music and popular aural tradition', *Labour History Review*, vol. 74, no. 1, April 2009,

Boyce, James. *Van Diemen's Land*. Black Inc., Melbourne, 2010.

Bradshaw, Jack. *The True History of the Australian Bushrangers*. Sydney, 1912.

Bradshaw, Jack. *The Quirindi Bank Robbery: Life and Travels Leading Up to the Robbery*. Maitland, NSW, 1899.

Brigden, Cathy. Creating Labour's Space: 'The Case of the Melbourne Trades Hall', *Labour History*, No. 89 (Nov., 2005), pp. 125-140

Briscoe, Gordon and Len Smith. *The Aboriginal Population Revisited: 70,000 years to the present*. Canberra, Australia: Aboriginal History Inc., 2002.

Buckley, Ken and Wheelwright. *No Paradise for Workers, Capitalism and the Common People in Australia 1788 – 1914*. Oxford University Press, Melbourne, 1988.

Burgmann, Verity. *Revolutionary Industrial Unionism: The Industrial Workers of the World in Australia*. Cambridge: Cambridge University Press, 1995.

Burke, Colleen and Vincent Wood. *The Turning Wave: Poems and Songs of Irish Australia*. Kardoorair Press, Armidale, NSW, 2001.

Burke, Edmund. *Reflections on the Revolution in France*. London: J. Dodsley, 1790.

Butters, Philip and Elizabeth Webby. *The Penguin Book of Australian Ballads*. 1993.

Byrne, J.C. *Twelve Years' Wanderings in the British Colonies: From 1835 to 1847 Vol. 1*. Bentley, London, 1848.

Byrne, Paula J. *The Criminal Law and Colonial Subject*. Cambridge University Press, 1993.

Carboni, Raffaello. *The Eureka Stockade*. Melbourne: Printed for the author by J.P. Atkinson, 1855.

Cash, Martin. *The Life and Adventures of Martin Cash*. "Mercury" Steam Press Office, Hobart Town, 1870.

Chase, Malcolm. *Chartism: A New History*. Manchester University Press, Manchester, 2007.

Clarke, Philip. *Aboriginal Plant Collectors: Botanists and Australian Aboriginal People in the Nineteenth Century*. Kenthurst, NSW: Rosenberg Pub, 2008.

Clark, Manning. *Henry Lawson: The Man and the Legend*. Sun Books 1985.

Cocking, Josiah. *Hard Manual Labour: Its Cause and Cure : & Selected Poems*. Singleton, N.S.W.: Toiler Editions, 2003.

Coles, Nicholas and Janet Zandy. *American Working-Class Literature: An Anthology*. New York: Oxford University Press, 2007.

Curthoys, Ann, and John Docker. *Is History Fiction?* Sydney: University of New South Wales Press, 2010.

Curthoys, Ann. 'Identity Crisis. Colonialism, Nation, and Gender in Australian History'. *Gender & History*. Vol.1.5 No2 Summer 1993, pp 165-176.

Davey, Gwenda and Graham Seal. *The Oxford Companion to Australian Folklore*, Melbourne: Oxford University Press, 1993.

Davidson, Alistair. *Antonio Gramsci: The Man, His Ideas*. Sydney: Australian Left Review Publications, 1968.

Davison, Graeme, J. B. Hirst and Stuart Macintyre. *The Oxford Companion to Australian History*. Melbourne: Oxford University Press, 1998.

Dennis, C. J. *The Songs of a Sentimental Bloke*. Sydney: Angus and Robertson, 1915.

Derricourt, William and Louis Becke. *Old Convict Days*. London: T.F. Unwin, 1899.

Dixson, Miriam. *The Real Matilda: Woman and Identity in Australia. 1788-1975*, Penguin Books Australia, Ringwood, Australia, 1976.

Dugaw, Dianne. *Warrior Women and Popular Balladry, 1650-1850*. Cambridge: Cambridge University Press, 1989.

Dunstan, David. *Owen Suffolk's Days of Crime and Years of Suffering*. Kew Victoria, Australia: Australian Scholarly Pub, 2000.

Ebbels Robert Noel and L. G. Churchward. *The Australian Labor Movement, 1850-1907; Extracts from Contemporary Documents*. [Melbourne]: Cheshire-Lansdowne, 1965.

Esson Louis and Hugh Anderson. *Ballades of Old Bohemia: An Anthology of Louis Esson*. Ascot Vale: Red Rooster Press, 1980.

Evatt. H. V. *Injustice Within the Law: A Study of the Case of the Dorsetshire Labourers*. Sydney: Law Book Co. of Australasia, 1937.

Eyerman Ron and A. Jamison. *Music and Social Movements: Mobilizing Traditions in the Twentieth Century*. Cambridge: Cambridge University Press, 1998.

Fitzpatrick, Brian. *The British Empire in Australia; An Economic History, 1834-1939*. Melbourne: Melbourne University Press in association with Oxford University Press, London, 1941.

Fitzpatrick, Brian. *A Short History of the Australian Labor Movement*. Melbourne: Rawson's Bookshop. 1944.

FitzSimons, Peter. *Eureka: The Unfinished Revolution*. North Sydney, William Heinemann, 2012.

Foucault, Michel. *Discipline and Punish: The Birth of the Prison*. Pantheon Books, New York, 1977.

Fox, Len. *The Eureka Flag*. Potts Point, NSW: L. Fox, 1992.

Fox, Len. *The Strange Story of the Eureka Flag*. Darlinghurst, NSW: L. Fox, 1963.

Fry, Eric. *Rebels and Radicals*. Allen & Unwin, Sydney, 1983.

Gilmore, Mary. *The Passionate Heart*. Sydney: Angus & Robertson, 1918.

Gilmore, Mary. and Jennifer Strauss. *The Collected Verse of Mary Gilmore*. St. Lucia, Qld: University of Queensland Press, 2007.

Goodman, David. 'Eureka Stockade' in *The Oxford Companion to Australian History*, Melbourne Oxford University Press, 1998.

Graham, John. *Blood on the Coal: And Other Poems for the People*. Sydney: Current Book Distributors, 1946.

Graham, Jock. *Dark Roads*. Sydney: Elizabethan Press, 1973.

Grant, Jamie. *100 Australian Poems You Need to Know*. Prahran, Vic, Hardie Grant Books, 2008.

Green, Archie, David Roediger, Franklin Rosemount and Salvatore Salerno (eds.). *The Big Red Songbook*. Chicago, Charles H. Kerr, 2007.

Hagan, Jim. *Printers and Politics; a History of the Australian Printing Unions, 1850-1950*. Canberra: Australian National University Press, 1966

Harland, John. *Ballads & Songs of Lancashire, Ancient and Modern*. London: G. Routledge, 1875.

Harris, Joe. *The Bitter Fight; A Pictorial History of the Australian Labor Movement*. St. Lucia, Q.: University of Queensland Press, 1970.

Harvey, David. *The New Imperialism*. Oxford: Oxford University Press, 2003.

Haynes, Jim and Russell Hannah. *All Aboard!: Tales of Australian Railways*. Sydney: ABC Books for the Australian Broadcasting Corporation, 2004.

Healy, Chris. *From the Ruins of Colonialism: History As Social Memory*. Cambridge: Cambridge University Press, 1997.

Henderson, Sally. (ed). *A Quiet Century: 100 Songs and Poems*. Nambour, Qld: Sally Henderson and the Queensland Folk Federation, 1994.

Hepburn, James. *Book of Scattered Leaves: Poetry of Poverty in Broadside Ballads of Nineteenth-Century England : Study and Anthology*. Lewisburg, Pa., Bucknell University Press, 2000.

Herzog, Don. *Poisoning the Minds of the Lower Orders*. Princeton, N.J.: Princeton University Press, 1998.

Hill-Reid, Scott, William and John Grant. *John Grant's Journey: A Convict's Story, 1803-1811*. Heinemann, London, 1957.

Hobsbawm, E. J. *Uncommon People: Resistance, Rebellion and Jazz*, Abacus, London, 1999.

Hodge Bob and Vijay Mishra. *Dark Side of the Dream: Australian Literature and the Postcolonial Mind*, North Sydney, NSW, Australia: Allen & Unwin, 1991.

Hodge, Bob and Kam Louie. *The Politics of Chinese Language and Culture: The Art of Reading Dragons*. London: Routledge, 1998.

Hodge Bob and Vijay Mishra. 'Crimes and Punishments' in Gregory Castle (ed.), *Postcolonial Discourse. An Anthology*. Blackwell, 2001.

Hodge, Bob. *Chaos Theory and the Larrikin Principle: Working with Organisations in a Neo-Liberal World*. Malmo, Sweden: Liber, 2010.

Howard, Shane. *Shane Howard Lyrics*. Camberwell East, Vic: One Day Hill, 2009.

Howarth Roy and Glenn Ryan. *The Leeds Forge Cars C 3101 to 3150: A First in Australian Railway Carriage Design*. Dungowan, N.S.W.: Bow River Pub, 2010.

Ingleton, Geoffrey. *True Patriots All*, Sydney, Angus and Robertson, 1965.

Irving Terry and Robert Connell. *Class Structure in Australian History*, Melbourne: Longman Cheshire, 1979.

Irving, Terry, and Lucy Taksa. *Places, Protests and Memorabilia: The Labour Heritage Register of New South Wales*. Sydney, N.S.W.: University of New South Wales, Industrial Relations Research Centre, 2002.

Irving, Terry. *The Southern Tree of Liberty: The Democratic Movement in New South Wales Before 1856*. N.S.W.: Annandale, Federation Press, 2006.

Irving, Terry and Rowan Cahill. *Radical Sydney: Places, Portraits and Unruly Episodes*. Sydney, UNSW Press, 2010.

Joyce, Patrick. *Democratic Subjects: The Self and the Social in Nineteenth-Century England*. Cambridge, Cambridge University Press, 1994.

Jupp, James. *The Australian People: An Encyclopedia of the Nation, Its People and Their Origins*. Cambridge: Cambridge University Press, 2001.

Kale, Madhavi. *Fragments of Empire: Capital, Slavery, and Indian Indentured Labor Migration in the British Caribbean*. Philadelphia: University of Pennsylvania Press, 1998.

Karskens, Grace. *The Colony: A History of Early Sydney*, Allen & Unwin, Sydney, 2010.

Kempster, Chris (ed). *The Songs of Henry Lawson: With Music*. Ringwood, Vic: Viking O'Neil, 2007.

Keneally, Thomas. *Australians: Origins to Eureka*. Crows Nest, N.S.W.: Allen & Unwin, 2010.

Kendall, Henry, and Frank Goddard. *The Song of Ninian Melville: [and a Tour to Hell]*. 1885.

Krishnamurthy, Aruna. *The Working-Class Intellectual in Eighteenth- and Nineteenth-Century Britain*. Farnham, Surrey, England: Ashgate, 2009.

Layman, Lenore and Julian Goddard. *Organise!: A Visual Record of the Labour Movement in Western Australia*. East Perth: Trades and Labor Council of Western Australia, 1988.

Lines, William J. *Taming the Great South Land: A History of the Conquest of Nature in Australia*. Sydney: Allen & Unwin, 1992.

Lowenstein, Wendy. *Weevils in the Flour: An Oral Record of the 1930s Depression in Australia*. South Yarra, Vic: Hyland House, 1978.

Lowenstein, Wendy and Tom Hills. *Under the Hook: Melbourne Waterside Workers Remember Working Lives and Class War, 1900-1980*. Prahran, Vic: Melbourne Bookworkers in association with the Australian Society for the Study of Labour History, 1982.

Mallory, Greg. *Uncharted Waters: Social Responsibility in Australian Trade Unions*. [Annerley, Qld.]: Greg Mallory, 2005.

McDougall, John Keith. *The Trend of the Ages, and Other Verses*. Melbourne: Labor Call Print, 1922.

McGregor, Craig. *Left Hand Drive: A Social and Political Memoir*. Melbourne: Affirm Press, 2013.

McKillop, Robert. *Australian Railway Heritage Guide*. Redfern: Australian Railway Historical Society, New South Wales Division, 2010.

Marsh, Bill. *Great Australian Railway Stories*. Sydney, N.S.W.: ABC Books for the Australian Broadcasting Corporation, 2008.

Maxwell-Stewart, Hamish and Lucy Frost. *Chain Letters: Narrating Convict Lives*. Carlton South, Vic: Melbourne University Press, 2001.

Maxwell-Stewart, Hamish. *Closing Hell's Gates: The Death of a Convict Station*. Crows Nest, N.S.W.: Allen & Unwin, 2008.

Meredith, John and Hugh Anderson. *Folk Songs of Australia and the Men and Women who sang them*. Ure Smith Pty Ltd, North Sydney, 1967.

Meredith, John and Rex Whalan. *Frank the Poet: The Life and Works of Francis MacNamara*, Red Rooster Press, Ascot Vale, 1979.

Meredith, John. *Duke of the Outback: The stories poems and songs of Duke Tritton*. Red Rooster Press, Ascot Vale, 1983.

Metcalfe, Andrew W. *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of NSW*. Sydney: Allen and Unwin, 1988.

Métin, Albert. *Métin: Socialism Without Doctrine*. Chippendale, Australia: Alternative Publishing Co-operative Ltd, 1977.

McLaren, John. *Bewigged, Bothered, and Bewildered: British Colonial Judges on Trial, 1800-1900*. Toronto, University of Toronto Press, 2011.

McWilliams Daisy and Len Fox. *Depression Down Under*. Sydney, NSW: Hale & Iremonger. 1989.

Molony, John. *Eureka*. Carlton South, Vic: Melbourne University Press, 2001.

Moore, Tony. *Death or Liberty: Rebels and Radicals Transported to Australia, 1788-1868*, Sydney: Pier 9, 2010.

Moses, A. Dirk. *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History*. New York: Berghahn Books, 2008.

Moss David and Gino Moliterno (eds). *Italy under the Southern Cross: an Australasian celebration of Dino De Poli and the Cassamarca Foundation*. Australasian Centre for Italian Studies, 2011.

Murphy, W. E. *History of the Eight Hours' Movement*. Melbourne: Spectator Pub. Co, 1896.

Murray Les (ed.) *Hell and After: Four early English-language poets of Australia*. Manchester, Carcanet, 2005.

Nelson, Cary. *Revolutionary Memory: Recovering the Poetry of the American Left*. New York: Routledge, 2001.

Nicholas, Stephen. *Convict Workers: Reinterpreting Australia's Past*. Cambridge, Cambridge University Press, 2007.

O'Connor, Peter. *On Wooden Rails: Celebrating 150 Years of Work on the NSW Railways*. Sydney: Rail, Tram and Bus Union (NSW Branch), 2005.

Paine, Thomas. *Rights of Man: Being an Answer to Mr. Burke's Attack on the French Revolution*. London: printed for J. S. Jordan, 1791.

Palmer, Roy. *Working Songs: Industrial ballads and poems from Britain and Ireland 1870s – 1980s*. Heron Publishing, Todmorton, Yorkshire, 2010.

Payton, Philip. *The Cornish Overseas: A History of Cornwall's 'great Emigration'*. Fowey. Cornwall: Cornwall Editions, 2005.

Pearce, Kenn. *Australian Railway Disasters*. Smithfield, N.S.W.: IPL Books, 1994.

Piketty, Thomas, and Arthur Goldhammer. *Capital in the Twenty-First Century*, London, The Belknap Press of Harvard University Press, 2014.

Piper Andrew and Brian Dunnett (eds). *Train Whistle Blowing: Celebrating 150 Years of Australian Railways and the Culture it has inspired*, UNE, 2005.

Pizer Marjory (ed.). *Freedom on the Wallaby*, Sydney, The Pinchgut Press. 1952.

Portelli, Alessandro. *The Death of Luigi Trastulli, and other stories: form and meaning in oral history*. Albani, 1991.

Portelli, Alessandro. *They Say in Harlan County: An Oral History*. New York: Oxford University Press, 2011.

Pyke, Lillian M. *Camp Kiddies: A Story of Life on Railway Construction*, Melbourne: Specialty Press, 1893.

Quail Map Company and John Roger Yonge. *Australian Railway Atlas*. Exeter: Quail Map Company, 2004.

Quinlan, Howard. *A Bibliography of Australian Railway and Tramway Literature*. Canberra: ACT Division, Australian Railway Historical Society, 1985.

Radic, Therese. *Songs of Australian Working Life*. Elwood, Vic., Australia: Greenhouse Publications, 1989.

Reece, Bob. *Exiles from Erin: Convict Lives in Ireland and Australia*. Dublin: Gill and Macmillan, 1991.

Reece, Bob. *The Origins of Irish Convict Transportation to New South Wales*. Houndmills, Basingstoke, Hampshire: Palgrave, 2001.

Reid, Kirsty. *Gender, Crime and Empire: Convicts, Settlers and the State in Early Colonial Australia*. Manchester: Manchester University Press, 2007.

Reynolds, Henry. *This Whispering in Our Hearts*. St. Leonards, N.S.W.: Allen & Unwin, 1998.

Roscigno, Vincent J. and William F. Danaher. *The Voice of Southern Labor: Radio, Music, and Textile Strikes, 1929-1934*. Minneapolis: University of Minnesota Press, 2004.

Rosenthal, Rob and Richard Flacks. *Playing for Change: Music and Musicians in the Service of Social Movements*. Boulder, Colo: Paradigm Publishers, 2011.

Rudé, George. *Protest and Punishment: The Story of the Social and Political Protesters Transported to Australia, 1788-1868*, Clarendon Press, Oxford, 1978.

Sanders, Mike. *The Poetry of Chartism: Aesthetics, Politics, History*. Cambridge University Press, Cambridge, 2009.

Sawer, Marian. *Elections: Full, Free & Fair*. Annandale, NSW: Federation Press, 2001.

Seal, Graham. *The Outlaw Legend: A Cultural Tradition in Britain, America, and Australia*. Cambridge, UK: Cambridge University Press, 1996.

Searle, Jeffrey. *The Golden Age*. Melbourne: [s.n.], 1963.

Singleton, Russ. *The March Past: Selected Poems of 'Ironbark'*. Sydney: Current Book Distributors, 1957.

Scott, James C. *Domination and the Arts of Resistance: Hidden Transcripts*. New Haven: Yale University Press, 1990.

Shaw, A.G.L. *Convicts and the Colonies: A Study of Penal Transportation from Great Britain and Ireland to Australia and Other Parts of the British Empire*. London, Faber & Faber, 1966.

Shepard, Leslie. *The History of Street Literature; The Story of Broadside Ballads, Chapbooks, Proclamations, News-Sheets, Election Bills, Tracts, Pamphlets, Cocks, Catchpennies, and Other Ephemera*. Detroit: Singing Tree Press, 1973.

Shiach, Morag. *Discourse on Popular Culture: Class, Gender, and History in Cultural Analysis, 1730 to the Present*. Stanford, Calif: Stanford University Press, 1989.

Somers, Margaret R. 'Narrativity, Narrative Identity, and Social Action: Rethinking English Working-Class Formation', *Social Science History*, Vol. 16, No. 4 (Winter, 1992), pp. 591-630

Sparrow, Jeff, and Jill Sparrow. *Radical Melbourne: a Secret History*. Vic: Carlton North, Vulgar Press, 2001.

Spence, Louise and Vinicius Navarro. *Crafting Truth: Documentary Form and Meaning*, New Brunswick, N.J.: Rutgers University Press, 2011.

Spielvogel, Nathan Frederick. *The Affair at Eureka; The Story of '54*. Ballarat: J. Fraser, 1928.

St. Clair, William. *The Reading Nation in the Romantic Period*. Cambridge, U.K.: Cambridge University Press, 2004.

Stoljar, Jeremy. *The Australian Book of Great Trials*. Sydney: Murdoch Books, 2011.

Stone, Walter (ed). *The World of Henry Lawson*. Lansdowne Press, Sydney 1974.

Swiss, Deborah J. *The Tin Ticket: The Heroic Journey of Australia's Convict Women*. New York, Berkley Books, 2010.

Sydney Harbour Federation Trust, *The Story of Cockatoo Island*. Sydney Harbour Federation Trust, 2004.

Taksa, Lucy. 'Defence Not Defiance : Social Protest and the NSW General Strike of 1917', *Labour History*, no. 60 (1991), pp. 16-33.

Thatcher, Charles. *Thatcher's Colonial Minstrel: New Collection of Songs*. Adelaide: Libraries Board of South Australia, 1964.

Thompson, Dorothy. *The Chartists: Popular Politics in the Industrial Revolution*. Aldershot: Wildwood House, 1986.

Thompson, E.P. *The Making of The English Working Class*. Penguin Books, London, 1968.

Thompson E. P., and Dorothy Thompson, *The Essential E.P. Thompson*. New York: New Press, 2001.

Tressell, Robert. *The Ragged Trousered Philanthropist*. Toronto: Macmillan Company of Canada Ltd, 1914.

Turner, Ian. *Industrial Labour and Politics; The Dynamics of the Labour Movement in Eastern Australia, 1900-1921*. Canberra: Australian National University, 1965.

Turner, Ian. *In Union Is Strength: A History of Trade Unions in Australia 1788-1974*. West Melbourne, Vic: Thomas Nelson, 1976.

Ullathorne, William Bernard. *The Horrors of Transportation briefly unfolded to the people*. Dublin: Richard Coyne, 1838.

Walker, Bertha. *Solidarity Forever: A Part Story of the Life and Times of Percy Laidler - the First Quarter of a Century*. Melbourne: National Press, 1972.

Ward, Russel. *The Australian Legend*. Melbourne, Oxford University Press, 1958.

Ward, Russel Braddock, *The Australian Legend*. Melbourne: Oxford University Press, 1978.

West, John. *History of Tasmania*. Launceston, Henry Dowling, 1852.

Windschuttle, Elizabeth. *Women, Class, and History: Feminist Perspectives on Australia 1788-1978*. Auckland, N.Z.: Fontana, 1980.

Williams, Raymond. *Towards 2000*. Harmondsworth: Penguin, 1985.

Withers, William Bramwell. *The History of Ballarat, From the First Pastoral Settlement to the Present Time*. Ballarat: F.W. Niven, 1887.

Wright, Clare. *The Forgotten Rebels of Eureka*. Melbourne, The Text Publishing Company, 2013.

Zweig, Michael. *The Working Class Majority: America's Best Kept Secret*. Ithaca: ILR Press, 2000.

NEWSPAPERS AND JOURNALS CITED

Age
Advertiser
Argus
Australian
Australian News for Home Readers
Australian Tradition
Australasian Chronicle
Bacchus Marsh Express
Ballarat Star
Ballarat Times
Barrier Miner
Bathurst Free Press and Mining Journal
Bell's Life in Sydney and Sporting Reviewer
Bendigo Advertiser
Boomerang
Border Watch
Braidwood Dispatch and Mining Journal
Bunbury Herald
Bunyip
Canberra Times
Capricornian
Colonist
Colonial Times
Common Cause
Cornwall Chronicle
Courier Mail
Cumberland Argus
Daily News
Direct Action

Deloraine and Westbury Advertiser
Empire
Examiner
Fellowship
Freeman's Journal
Geelong Advertiser
Gippsland Times
Globe
Goulburn Herald
Hobart Town Gazette
Illustrated Australian News
Illustrated Sydney News
Independent
Inquirer & Commercial News
International Socialist
Kadina and Wallaroo Times
Labor News
Launceston Courier
Launceston Examiner
Maoriland Worker
Maitland Mercury
Mercury
Mirror
Monitor
Moreton Bay Courier
Morning Bulletin
Northern Miner
Oakleigh Leader
Queenslander
Perth Gazette
Portland Guardian
Railway and Tramway Officers Gazette
Recorder
Register

Retired Rail and Tramwayman's Magazine

Advertiser

South Australian

South Australian Register

South Australian Weekly Chronicle

Star

Sunday Times

Sydney Gazette

Sydney Herald

Sydney Monitor

Sydney Morning Herald

Sydney Stock and Station Journal

Tasmanian Daily News

Townsville Daily Bulletin

Morning Bulletin

Victorian Railway News

Wellington Times

West Australian

Western Champion

Western Mail

Western Post

Williamstown Chronicle

World's News

Worker

APPENDIX A

FRANK THE POET : THE MAKING OF THE RADIO DOCUMENTARY



fig. 20. Introduction to 'A Convict's Tour to Hell' from the Trimingham MS.⁶⁰⁰

Discoveries about the Frank the Poet since the publication of Meredith and Whalan's 1979 biography include the newspaper report of his trial in Ireland in 1832, complete as it is with the prisoner's behaviour in the court, his cross examination of the witnesses for the prosecution and his extempore verse delivered to the court after being sentenced. The discovery of this report was made in the 1980s by Professor Bob Reece while he was teaching in Ireland as the first Keith Cameron Chair of Australian History at the School of History and Archives, University College, Dublin. Reece also discovered a ships officer report of the poet detailing his punishment on the convict ship *Eliza 2* a report that referred again to his poetic ability.⁶⁰¹

In 2002 there is the discovery coroner's inquest into the death of "Francis McNamara better known as Frank the Poet" in the Mudgee newspaper the *Western Post* 31 August 1861. This newspaper report was one of many transcribed from microfiche for local and family historians by Annette Piper.⁶⁰² More recently searches, by the author, of digitised newspapers have found that the *Western Post* report had been reprinted in full by the *Empire* 4 September 1861 and in part by the *Maitland Mercury* 7 September 1861. These reports show that the death of the poet was reported widely in New South Wales.

Searches of digitised newspapers have unearthed more than a dozen accounts of the poet and his works with citations of verse attributed to him including two previously unknown and complete poems. In 2011 a number of celebrations were held in New South Wales commemorating the bicentenary of MacNamara's birth with performances

⁶⁰⁰ <http://acms.sl.nsw.gov.au/album/ItemViewer.aspx?itemid=824146&suppress=N&imgindex=2>, (accessed 24 April 2014).

⁶⁰¹ <http://adb.anu.edu.au/biography/macnamara-francis-13073>, (accessed 22 July 2013).

⁶⁰² <http://archiver.rootsweb.ancestry.com/th/read/AUS-NSW-PILLIGA/2002-09/1030876194>, (accessed 22 July 2013).

of his song and poems, and arousing a new interest in him. The same year saw preparations for a CD of contemporary musical settings of his verse titled “Banished Now From My Native Shore”⁶⁰³ and a proposal based on the author’s research for a Radio National Hindsight radio documentary titled “Frank the Poet – A Convict’s Tour to Hell.”⁶⁰⁴

Making the radio documentary

The proposal submitted to, and commissioned by the executive producer of ABC Radio Hindsight program outlined the interest in MacNamara’s work from Australian historians and literary scholars including one of Australia’s most respected living poets, Les Murray. To emphasise MacNamara’s origins and represent the nature of his extempore poetic tradition, it was decided that his verse would best be presented and performed by an Irish actor.

The production team for the program included Mark Gregory, folklorist and author of this thesis, documentary filmmaker Maree Delofski, and veteran radio documentary maker Nick Franklin. This team had previously had success with their earlier Hindsight documentary “The Isle of Denial – William Cuffay in Tasmania” which was broadcast in 2011 and was shortlisted for the NSW Premier’s 2012 History Awards. The production team also included the expert sound engineer Timothy Nicastrì.

The author’s research was aided by three different publications that presented a range of scholarly approaches to the poet and his works. Three of the authors of these works were interviewed for the radio documentary.

Les Murray, for example, includes MacNamara’s verse in his anthology ‘Hell and After’ and introduces the poet’s work with an extensive discussion of the his place and

⁶⁰³ http://www.stobiesounds.com/home/?page_id=964&category=1&product_id=26, (accessed 22 July 2013).

⁶⁰⁴ <http://www.abc.net.au/radionational/programs/hindsight/frank-the-poet/4126734>, (accessed 22 July 2013).

importance in Australian literature.⁶⁰⁵ He was interviewed for his estimation of MacNamara as a poet.

The production team organised a series of interviews for the program with the historians Professor Hamish Maxwell-Stewart from the University of Tasmania, Professor Emerita Robert Reece from Murdoch University and Professor Bob Hodge director of the Institute for Culture and Society at University of Western Sydney.

Other interviews were organised on Cockatoo Island with archaeologist Libby Bennett who has investigated the solitary confinement cells used when the island was a penal station. MacNamara was held on Cockatoo in 1842 while awaiting his secondary transportation to Van Diemen's land.

Jacob Habner and Chris Parkinson, the producers of "Banished From My Native Shore" allowed the production team to use tracks from the CD and they were also interviewed for the program discussing their thoughts about the importance of MacNamara's work for a younger generation of Australian musicians.

The actor Maeliosa Stafford was selected to be the 'voice' of Frank the Poet and the reader of sections of his epic verse.

The backbone of the program consisted of Stafford's performance of excerpts of 'A Convict's Tour to Hell'. As the voice of the Frank the Poet, Stafford's scripted performance interweaves with and comments on the flow of the interviews, as if the poet has come back to life. The interviews were recorded either on location as in the case of Bennett on Cockatoo Island and Hodge at UWS, or through ABC studio link up from ABC Ultimo in Sydney, as was the case for Habner and Parkinson in Adelaide, Reece in Perth and Maxwell-Stewart in Hobart. Murray was interviewed in the ABC Ultimo Green Room on one of his visits to Sydney.

Another technique used in the program was the recorded exchanges between Gregory and Delofski discussing in an improvised manner the verse and life of Frank the Poet

⁶⁰⁵ Les Murray, *Hell and After: Four Early English Language Poets of Australia* (Manchester: Carcanet, 2005).

and the convict regime he faced and described. These exchanges were recorded by Franklin and took place in a number of historically significant locations including Hyde Park Barracks, Cockatoo Island and St James Church.

After transcription the interviews were edited on paper and a preliminary sound edit was begun. Once a rough edit of the program was ready the script for the actor was prepared and the recording of Stafford's performance of 'interventions' and poetry was arranged in an ABC Ultimo studio. The songs used in the program were chosen, coming almost exclusively from the "Banished From My Native Shore" CD.

The rest of the work on the program, editing, sound effects, music and mixing, as well as some recording of ABC staff reading excerpts from old newspaper reports of the poet as news items, was conducted in an intensive week in the ABC studios with Nicastrì as sound engineer working closely with the three program makers. It was this studio work that resulted in the final program as broadcast, and presented in this thesis on CD. This process allowed for extensive layering and audio montage that is characteristic of modern approaches to radio documentary.

The aim of the program was to introduce Frank the Poet to as wide a demographic as possible. It was first broadcast in August 2012 and then broadcast a further three times that year and twice in 2013. It received over twenty comments from the listeners via the Hindsight website. In March 2013 the documentary was broadcast by RTE, Ireland's National Public Service Broadcaster, and was listened to by a large audience in MacNamara's "native land."⁶⁰⁶

Most of the comments about the program came from listeners who had not heard of the poet or his works before. The Hindsight program website and comments page linked to the author's research blog⁶⁰⁷ which contains all the latest findings and fragments of information about MacNamara and also has the entire corpus of verse attributed to him. It lists the many scholars who have written about the poet or refer to his compositions.

⁶⁰⁶ <http://www.rte.ie/radio1/doconone/podcast-radio-documentary-frank-macnamara-the-poet-convict-australia.html>, (accessed 22 July 2013).

⁶⁰⁷ <http://frankthepoet.blogspot.com/>, (accessed 22 July 2013).

The fact that the documentary remains online and downloadable for listeners on the Hindsight website and that of RTE expands the audience too. Both broadcasters reported an above average audience for the radio documentary.

APPENDIX B

FRANK THE POET: A CONVICT'S TOUR TO HELL DOCUMENTARY CD

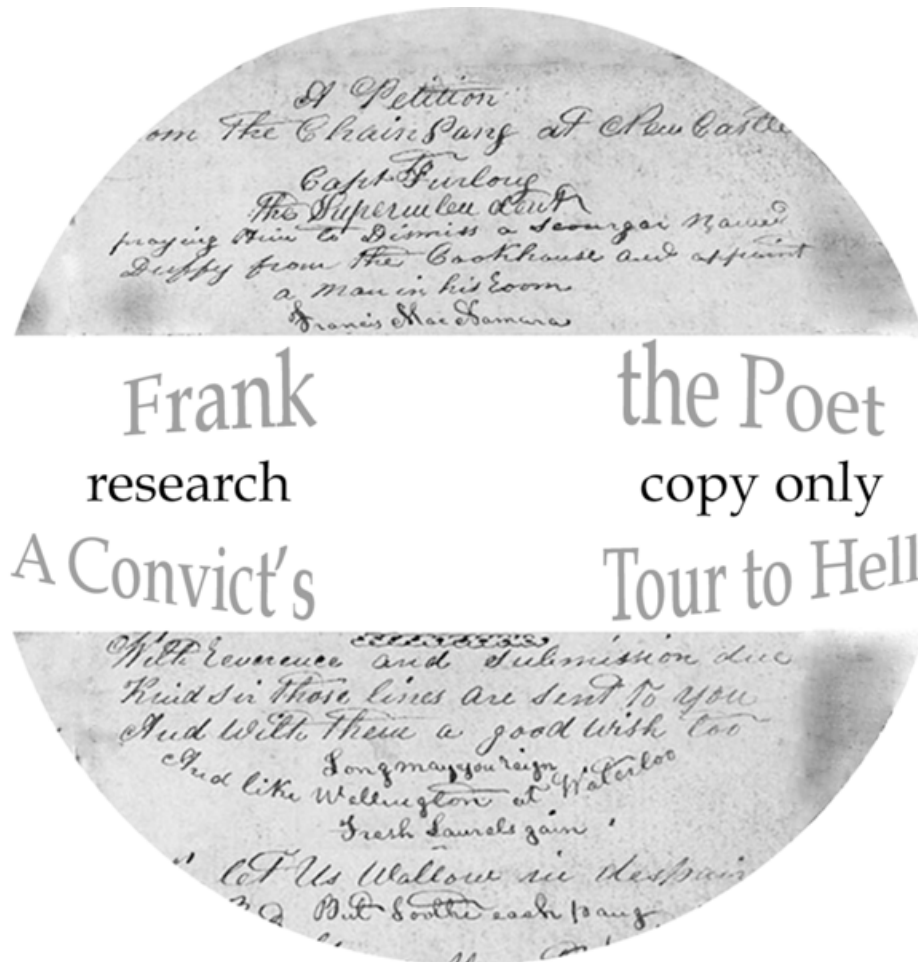


fig. 21. CD cover

Download ABC Radio mp3 audio file online

http://mpegmedia.abc.net.au/rn/podcast/2012/08/hht_20120805_1305.mp3

Access ABC Radio transcript file online

<http://www.abc.net.au/radionational/programs/hindsight/frank-the-poet/4126734>

