

THE GREAT  
QUEENSLAND STRIKE

OF  
1891,

“Freedom of Contract,” Diary of the Strike, Etc.

---

*ISSUED BY THE UNITED PASTORALISTS' ASSOCIATION  
OF QUEENSLAND.*

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**Brisbane:**

PRINTED BY BLACK, KEID, & CO., ADELAIDE STREET.

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# The Great Queensland Strike of 1891.

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THE prominent point in the present dispute is that which finds expression in the phrase "Freedom of Contract," and although it might reasonably be expected that no man of average intelligence would find any difficulty in interpreting the phrase, the leaders of the labour party have chosen to assert that they do not understand it, and have clamoured for definitions of it. Pastoralists' and employers' associations have set themselves to furnish these desired definitions, and they have issued them, couched in slightly varying language, but all of them uniform in their meaning. That adopted by the pastoralists of Victoria, N.S.W., and Queensland, and also by the Employers' Union of N.S.W. and Victoria, is as follows:—"The employer is free to employ whom he chooses, and the employée is free to engage or to refuse to engage to work as he pleases"—which was more fully defined to mean the right of any person to give or accept employment without interference or molestation. The latest definition is that issued on 20th May by the Quarterly Council of the Federated Employers' Union of Queensland, and runs:—"The right of any worker to accept work from any employer, and the right of any employer to engage any man wanting work, that is the right of any person to give or accept work without interference or molestation." This definition is clear, compact, comprehensive, and should satisfy those who clamour for a definition, but like all the rest it approaches the subject from the positive side. It is possible something may be done by approaching the matter from the other, or negative side.

This demand for which the pastoralists are fighting, and in that fight spending money and risking property and even life, had its origin in a certain condition or state of things of a very unsatisfactory nature, but all arising from what is designated "recognition of unionism." What this meant lies at the root of the present demand of the pastoralists, and freedom of contract means, in general, the direct opposite of recognition of new unionism. This recognition of unionism has meant many things, it has meant that no man outside the various shearers' and bush labourers' unions shall be allowed to work in any shed; it has meant that certain men, some of them of a very objectionable sort, in their rambling up and down the country, are at liberty to visit any shed, and may not merely throw the work out of gear, but may call the men off their work without notice, even though the men themselves may be perfectly satisfied with conditions and pay; it meant in a word that


these men assumed a position higher than that of the man who paid the wages, and had all the risk of the business. "Freedom of contract" then, approached from the negative side, means the opposite of all this; it means that men who are not members of any union may be employed by any station owner or manager, and it means that no longer shall union delegates usurp the position of station managers, but that employers shall manage their own business, and be no longer subject to the dictation of men who bear not the slightest share of financial responsibility. That this claim is as right as it is reasonable, should, it might be thought, be admitted by every man whose mind is unwarped by prejudice. In fighting to secure this claim, that the pastoralists have had the sympathy of the general community, has been very clearly manifest during the late unfortunate struggle.

The following collated letters, etc., on the subject have been reckoned worthy of preservation, and the annexed "Diary" of the strike will also, it is believed, prove acceptable as a permanent record of the struggle.

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## *Freedom of Contract.*

(*Times Weekly Edition, March 6.*)

 T a meeting of delegates of the Associated Chambers of Commerce in England, the Marquis of Salisbury, who was one of the speakers, said:—"These fights between labour and capital, of course, have their inconveniences, but they are controversies which, I suppose, must take place; and our business—certainly the business of Her Majesty's Ministers—is to look at them in a spirit of absolute neutrality, only desiring that that result may be achieved which may be for the greatest interests of both the parties who are concerned. I do not think it is just to say that the existence of unions, trade unions, federations, or bodies of that kind, can be looked upon as a danger or an unexpected evil by the commercial interests of this country. Union is not the discovery of agitators. It is not invented by any particular men, or the result of any set of political institutions. The people who made trade unions and employers' federations were Watt, who made the steam engine, and Wheatstone, who invented the electric telegraph. They are the result of the easier communication which exists between all mankind compared to what existed in the days of our grandfathers; and, apart from all questions of politics and questions of agitation, it must needs be that as the means of communication increase, men who have the same interests and are fighting with common dangers will unite together more and more, and combine their interests in common action. All we have to hope is, not that this spirit shall abate, but that it shall go on and have its perfect work, and that all who are united by common interest shall be guided by common counsel to do that which

is wisest and best for themselves and the community in their judgment. But the correlative of unions is perfect freedom not to have unions. The corollary of liberty of uniting is the absolute liberty of refusing to unite, and the State, all who bear office, or who exercise influence in this country, are bound to do their utmost that each man, in his own discretion, may use his own liberty to dispose as he thinks best of every commodity, including that greatest of all commodities, his labour, according as he may judge his own interest to be. That is not a mere controversial proposition; it lies at the base of our rational character and our nation's existence. Either Englishmen must absolutely change their characters, so that they shall be unlike anything which they have ever been before, or they will continue to require that each man shall be free in his own actions to carry on his own industry. You may have what political movement you please—you may have what vicissitudes of parties or changes of Government you like—you will find that in the long run facts will be stronger than sophistries or theories, and that the facts will require that men shall work as they please, and not otherwise. I know that there once existed a different state of things. I know that in France something more than 100 years ago it was impossible for anybody to work unless he joined the union of his particular trade, and submitted to its rules. But this state of things produced such a tension among classes, and such an impoverishment of every industry, that it was swept away in the catastrophe with which it overwhelmed all other institutions of the State. I do not believe at this time of day that abuses which the French Revolution swept away will be deliberately set up in our midst.

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THE following is for the most part taken from a work called "The State in Relation to Trade," by T. H. Farrer, and as this author has some claim to be considered an authority, you may perhaps deem it worth publication:—

Every act of buying and selling unless completely executed at once constitutes what lawyers call a contract, which, if legitimate, the State—if either of the parties fail—steps in to complete. Freedom of contract only exists in fully developed form in highly organised communities. It is often spoken of as if it were the same thing as simple freedom of action or disposition. It is no such thing. Contract involves obligation, which is the opposite of freedom. When a man makes a contract, he gives up a portion of his freedom, he gives a promise which, if binding in the eye of the law, society will with all its power enforce. At page 187, Pollock on Contracts, the following appears:—"Every person not subject to any legal incapacity may dispose freely of his actions and property within the limits allowed by the general law. Liability on a contract consists in a limitation of this disposing power by a voluntary act of the party which places some portion of that power at the command of the other party to the contract; so much of the party's individual freedom is taken from him and made over to the other party to the contract." The doctrine

of contract is an interference with individual action. It is the reverse of freedom. But it interferes with a man only when he has made a promise. The system it replaced interfered with a man whether he had made a promise or not. His freedom consists in his being able to make, or to abstain from making a binding promise. When he has made it, the State in the interest of all, prevents his free action. It compels him to abide by the promise he has made, but takes care also that this power is limited and not abused, and it defines the conditions under which, and the manner in which, a man may make such a promise as the law will enforce. The difference in the system of free contract, and the system which it has replaced, lies not in the absence of obligation, but in the presence of a self-imposed obligation for an obligation imposed by some external power. This, then, is freedom of contract, as elaborated by the wisdom of our ancestors, and protested against by the unwisdom of some of the present generation, who, however, offer us nothing of their own as a substitute, save tyranny. In times past the actions of the individual were fettered by feudal, family, tribal restrictions, by protective industrial associations, by guilds and rules—many of which perished at the time of the French Revolution—and which made a large portion of a man's life depend, as it does now in India and the East generally, not on his own individual choice, but on rules and regulations laid down and determined for him by society, by custom, by law. The substitution of the rights and duties arising from the free contract of the individual, for the duties arising from status and relation is one feature in the history of the development of the individual which is no less marked in the allied domains of political, social, and religious liberty. Freedom is increased not by abolishing obligation, but by substituting for an obligation devised by law or custom, an obligation imposed by the individual himself. It thus appears that freedom of contract is an integral portion of civil liberty, and it is nothing less than a piece of intolerable and ignorant presumption to demand a discussion whether men are in the main to manage their own affairs individually, or whether they are not, whether they are to enjoy freedom or become slaves. We might just as well have a meeting to discuss the fundamental principle of civil and religious liberty, and to decide whether the cut of our clothes, the manner of our food, and the nature of our religious beliefs are to be decided by our own individual choice and convictions, or by receiving the mandate of the secretary of the Australian Labour Confederation, assisted by those liberty-loving and law-abiding citizens, Messrs. Murphy, Taylor, Forrester, and Fanning.

When, according to Pollock, "every person not subject to any legal incapacity may dispose freely of his actions and property within the limits allowed by the general law," the demand of one section of the community to discuss freedom of contract, is on the face of it absurd, for it is a proposal to discuss what no good citizen will admit to be an open question, whether or not the law of the realm is to be obeyed. In the particular instance which has been of late attracting attention, the issue is whether a man shall obey the law made by the

whole community, by constitutional methods, or the rules made by a small section of the community in defiance of constitutional methods—whether, in short, he shall be law-abiding or lawless. I hold that this is no question for discussion.

Had the employers granted the conference pressed upon them by well-meaning persons, who appear to know little of the issues at stake, then the members of a debating society might have argued to all eternity without coming to a conclusion whether the executive of the Employer's Association or the directors of the shearers' strike had in this business shown themselves the chiefest asses. As long as the employers maintain their present position, defending as they do their own interests and equally the rights of public liberty, there is no room for discussion so far as they are concerned. As for the ability displayed by the strike leaders, Mr. Champion's opinion is on record, and is receiving daily further confirmation.—I am, sir, &c.,

D. H. DALBYMPLE.

Brisbane, 16th April.

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## *Contract and Unionism.*

MR. W. E. ABBOTT, of Wingen, contributes the following to the discussion on the above subject:—One of the labour leaders, commenting on a letter of mine under the above heading, has said: "No reasonable employee can deny the right of an employer to employ whom he pleases, within certain limits." He does not say what are the limits, but we know from the past action of the shearers and other unions that this expression means within the limits of the members of that union and the unions federated with it. We refuse to recognise any limits to our liberty, except the limits imposed by the laws of our country, which represent the will of the whole community, and we refuse to recognise the right of any executive or committee outside the law to say who may or who may not work in Australia. We claim for ourselves precisely the same liberty which we are ready to concede to all other members of the community, of which we form a part—the right to manage our own affairs within, and subject to the limits imposed by the law, and subject to no self-constituted or irresponsible authority outside or above the law. And that liberty we mean to defend in our own interests and in the interests of the whole community. We refuse to allow ourselves to be made a lever whereby all workmen, and ourselves into the bargain, are to be forced into submission to the self-constituted leaders of the Shearers' Union, who, if they really represent anybody, represent only a section of the workmen of Australia (who are themselves only a section of the community whose interests are threatened), and who are elected in some hocus-pocus way, of which the community has no cognisance or control. The claims made by the unions that they shall have the right to say

who may and who may not work in Australia, and to compel workmen and employers, under penalty of starvation or ruin, to obey their orders, is one that cannot be admittedly consistent with the existence of a free people or of a civilised community. In Queensland we have now the spectacle of the Shearers' and the General Labourers' Unions of that colony, which claim to number 8,000 men, openly and avowedly endeavouring to destroy the chief source of production by which the community of nearly half a million of people lives, secretly endeavouring to wreck trains, and commit wholesale murder, burning wool teams, and shooting working bullocks belonging to non-union carriers, insulting women when they can safely do so in the absence of men, and threatening the unprotected wives of railway lengthsmen with arson, for the purpose of extorting so-called subscriptions to the unions, all because the pastoralists there will not concede to them the right to make rules which shall supercede the laws of the country. And the labour leaders of Queensland have sanctioned such actions, and remitted funds to assist it, as have also the labour leaders of New South Wales and Victoria. I do not say that all unionists, nor any considerable portion of them, are of the same character as these fellows, who have no claim to be called men; but if honest men will associate themselves with such ruffians they at once become responsible for all their acts. The state of things described undeniably and admittedly exists in Queensland, and I think would justify the Queensland Government in giving the position sought to that aspiring labour leader, and allowing him to exercise his talents on a considerable number of his fellows in that and other colonies. In every free and civilised community there must be a vast majority in favour of maintaining law and order, because every honest man wants his own life, liberty, and property protected (be the latter little or much); and he also wants to be allowed to follow his calling in peace, and free from interference or molestation. If this were not so, no free and civilised community could have grown up, as the very existence of the community and its power to produce the wealth, on which all subsist, depends on the maintenance of law and order. Being so, the party of disorder which would object to the protection of life and property can only consist of those who, in the absence of protection to life, would become murderers, and in the absence of protection to property would become thieves. A very small minority in Australia, I should say.

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## *The Right to Break Contracts Honestly made.*

TO THE EDITOR OF THE *HERALD*.

SIR,—There are only two things just now which prevent an amicable settlement between the members of the Shearers' Union and the sheep owners, who are carrying on the great, and almost the only productive, industry of Australia, by which the greater part of our



population, either directly or indirectly, lives. The *first* is the claim set up by the leaders of the A.S.U. that none but members of that union shall be allowed to shear in Australia; that, if a man be not a member, he must be dismissed from all sheds, or compelled to join, preparatory to being allowed to follow his calling in free Australia. Virtually, that these leaders shall be allowed to say who may and who may not work, and on what conditions; and also that they are to be given power, with the help of the sheep owners, who are first to be subjugated, to fix the amount that is to be levied on each man's earnings to provide them with fat billets. All this is to be effected by starving free workmen and destroying the property of the sheep owners. This might be got over if the leaders of the A.S.U. would give up their claim, or if the sheep owners would submit and starve the free labourers into submission; but behind there is another claim even more difficult of settlement. The leaders of the unions, in evidence before the Royal Commission, have claimed that they must have the *right to break any contract or agreement that may be mutually made, and also to compel all union men to do likewise*, and Mr. Temple has asked the pastoral unions to agree to this, and offered for his union to admit the same right to break agreements to the sheep owners. Of course, I cannot suppose that Messrs. Spence and Temple do not see the absurdity of asking people to make agreements, and in the same breath claiming the right to break any that may be made. That must be clear to them as to me or to any of your readers, and the inference I draw is that those leaders do not want a settlement, and would not agree to anything that might possibly lead to settlement. Whatever there may be in the first claim, the second is meant to make settlement impossible by destroying the value of any agreement. The reason for this is plain. While things are kept in a seething state, there must be large sums of money passing through the hands of these disinterested leaders, who, as their rules say, "are to be paid for their services such sum as the committee may direct," the committee consisting of themselves; and any close inquiry about receipts or disbursements of funds is met by the statement that to publish such information at a time of strife would be injudicious, and might do harm. Of course, if the trouble were over, men who had been paying uncomplainingly out of their scant earnings might begin to ask inconvenient questions, and insist on full and explicit answers being given, and they might even go further and put the law in force, as was done in the case of the Premier Building Association in Melbourne, with the result that beautifully prepared balance-sheets would be subjected to a keener scrutiny than that of a couple of friendly auditors or a few working shearers. This must be avoided; hence the formulation of the impossible claim mentioned above. By claiming that members of the A.S.U. must have the right to break any agreements which they may make, the leaders have made it impossible that any should be made; and that, I honestly believe, was their intention in making the claim.—I am, &c.,

W. E. ABBOTT.

Wingen, May 21.

## What is Intimidation?

THE judgment pronounced by the Justiciary Appeal Court, Edinburgh, on Monday, 9th February, upon the decision of the Sheriff-Substitute in the case of the complaint against the secretary of the Dundee branch of the Dockers' Union, charging him with unlawfully intimidating men at work on board of the steamer *Moravia* in Dundee harbour, is (says the *Scotsman*) of extreme importance in its bearing upon the interpretation of the law of conspiracy as applied to trade disputes. The court had not to decide upon any question of facts, but simply upon the view which Sheriff Campbell Smith had taken of the meaning to be attached to the words of the statute of 1875. In this aspect the question differs from that which we may assume will be raised in the appeal that may be made against the verdict of the jury in the Leith case of intimidation relating to the same vessel. Here the sheriff had found that, in addition to setting forth that violence or intimidation had been used, the complaint before it can be deemed relevant, must aver that the intimidation took effect. As the prosecutor declined to amend his complaint in this sense it was dismissed on the ground of irrelevancy, and the appeal has been made to ascertain whether the Sheriff-Substitute has taken a right and reasonable view of the statute. The unanimous opinion of the four judges is that he has gone wrong. The point raised is exceedingly plain, and, from a non-legal point of view, entirely free from doubt. We are now justified in believing that the law is here in accord with common-sense. The words of the Act declare that the person who wrongfully and without legal authority "uses violence to or intimidates" any other person, or injures his property, "with a view to compel him to abstain from doing or to do what he has a legal right to do," shall be liable to certain penalties. The acts and words averred against Munro will be generally held to amount to such violence or intimidation. He is alleged to have threatened dock labourers employed in discharging the *Moravia* that they would "wear sore bones," that men would be got "to throw them into the docks" if they did not desist from work. It is not alleged that these threats so far took effect that the men abstained from working in consequence of them. The Sheriff-Substitute's decision amounts to this, that under the Act no kind of threat or intimidation is an offence unless it produces the effect which the intimidator desires it to have—that the crime lies not in the act of intention, but in the result. The Lord Justice Clerk and his three colleagues have emphatically and unanimously repudiated this view. They adduce reasons and examples which will convince the public that their judgment is as sound in law as it is salutary in its practical effects. The intention of Parliament is plain upon the face of the statute. The object is to prevent and to punish intimidatory action or threats employed towards those who are doing what they have a legal right to do, and the rubric of the clause, and founded on it, describes its contents as "penalty for intimidation or annoyance by violence or otherwise." It would be a preposterous thing, and a defeat of a chief end of the clause, if it were

established that threats of personal violence and other forms of intimidation and annoyance can be indulged in with impunity, or so long as those against whom they are directed have the strength of mind and sense of duty to resist them. It is the purpose of the Act and the interest of the public and of the working man that law-abiding subjects should be protected from annoyance and bodily fear, as well as that property—the property of the workman in his labour and of the employer in his means and capital—should be preserved from injury.

## *Working Men Leaders.*

### VIGOROUS SPEECH BY MR. B. DOUGLAS.

THE following report was telegraphed on Thursday last from Melbourne to the *Sydney Daily Telegraph*:—Mr. B. Douglas, the president of the Eight-hour Pioneer Association, in laying the foundation-stone of the eight-hour memorial on the 22nd instant, said that no one in the community regretted more than he did that the Mayor had not accepted the position which the pioneers of the eight-hour system had offered him. He was the chief magistrate of the city, and the pioneers as citizens felt that they had a claim on him in that capacity. (Hear, hear.) He looked upon that ceremony as one of the greatest events in the history, not only of Victoria, but of the world. The monument which would be placed on that spot would be the first that had been raised in honour of the dignity of labour. (Cheers.) That was an occasion on which they might all rejoice. It was the achievement of a great triumph which was initiated 55 years before. The national holiday which they were that day enjoying was one of the greatest social reforms that had ever been accomplished, and the benefit of the eight-hour system would extend to the benefit of the whole world. (Cheers.) It was due to the pioneers that the abridgement of the hours of labour had been accomplished. The reform was not attained by tyranny of any description or by the pernicious process of strikes, but by the force of moral suasion. (Cheers.) It was secured by men who recognised their rights, and were prepared to maintain them. (Cheers.) If they desired to attain any reforms in the future, they would have to get them, not by threats and coercion, not by the closure, but by the force of moral suasion. (Cheers.) He regretted that the pioneers had not received the credit to which they were entitled from certain persons, but he attributed that to jealousy. They were grateful for the assistance they had received in the accomplishment of the national movement they had undertaken, but to enable them to go on as they begun they wanted the practical support of the public, and they quite expected that they would get it. (Hear, hear.) For their part they intended to leave no stone unturned. The speaker then described the monument, and pointed out that the porphyry marble from Talangamite for the pedestal had been given them, and would have been there but for the difficulty experienced in transporting it over the ranges. It however might be received during the present or next week, and when it was in position they would be gratified to find that such stone

was produced in the colony. He appealed to the magnanimity of the public to allow of the accomplishment of the work, which he declared marked an epoch in the history of labour. (Cheers.)

At the banquet at night, Mr. Douglas, in submitting the toast of "The day we celebrate," expressed his deep regret that the position of affairs had so altered since the last occasion on which they had met together. Then the affairs of the colony were bright and prosperous. Trade was good and money easily obtained. At present trade was depressed and money hard to get. In a few months the colony had been brought to a condition of comparative dilapidation. (No.) He attributed that to the unsettled state of the labour market, brought about by the machinations of a few mischief-making agitators. (Hear, hear.) He said this fearlessly, and as a pioneer he was not afraid to speak his mind, either in the presence of those men or in their absence. As a matter of fact he would not be allowed to say anything before them with which they disagreed. If he attempted to do so he would be howled down. (Hear, hear.) That was what they called "an intelligent democracy." Those men encouraged strikes; they led their fellow-men astray, and hundreds and thousands of men were groaning under the tyranny of those men who so falsely led them. (Cheers.) He advised his fellow-working-men no longer to follow those agitators, who were parasites on the institution which the pioneers had created. (Hear, hear.) Many of them lived on their wits, and not by honest industry. He would challenge some of those mischievous leaders to prove that they had ever done an honest day's work. (Cheers.) They had had too much sway long enough, and the time had arrived when they should be exposed and their nefarious conduct in leading their fellow-men into difficulties revealed. (Cheers.) When an honest, hard-working mechanic drew attention to the way in which these men were acting, and by constitutional means tried to secure the reform of a certain institution, how was he met? With howling and derision. The question was never allowed to be debated. (Cheers.) The cloture was applied to strangle discussion. Like the boycott, the cloture was un-British and tyrannical. (Cheers.) One Victorian statesman, who had departed and was forgotten and unmourned, had ruined his reputation by introducing it. (Cheers.) It had been used too freely amongst the working-men, but they were now beginning to feel that those who had so often used it for their own ends would lead them astray unless they were got rid of. (Hear, hear.) Victoria was indeed a paradise for the working-men until those individuals developed, and he urged the labourers to allow wisdom to prevail, to exercise a little common sense in the conduct of their affairs. Then the present state of things would pass away, and the colony would revert to the position it held 12 months before. (Cheers.) Notwithstanding all they had done the pioneers had been insulted by those men who were reaping what they had not sown, and enjoying the fruits of the exertions of the men that they now flouted. (Cheers.)

## A Visitor's Opinion.

IN the mail to hand we find in the *Pall Mall Gazette* of 28th April this letter by Mr. J. Troubridge Critchell, under the head of "Labour in Australia":—"The following remarks written by the Rev. Charles Clark—in the course of an article published to-day (25th April) in the *Middlesex County Times*—are an interesting commentary on the late great strike of labour in the Antipodes, and confirm the wisdom of Mr. Champion's position. Mr. Clark is now lecturing all over Australia. His words are to my mind the strongest condemnation I have read of the attitude assumed by the labour unions of Australia, because they proceed out of the mouth of a man whose enthusiastic advocacy of the rights of the worker and the rights of all classes is well known in this land and in our Southern colonies. Mr. Clark is as good a Radical as he is an orator. Writing from Greymouth (New Zealand, he says:—"I hear on all hands of the trouble, losses, and damage to trade caused by the strike, and am assured that the effect will be felt for years to come. Really, I have not words to express my indignation at the insensate selfishness of the working men. The conditions under which they work, and the monetary results of their labours, are the best in the world, I should think; and yet for the merest trifles, almost without a reason for any dissatisfaction, they throw themselves out of employment, inflict shocking privations on their wives and families, utterly dislocate trade and throw the whole country into confusion. It is enough to make a man turn Tory to think of it. I am sure I have always championed the cause of the worker, but I am utterly ashamed of him, now that I see the follies of which he is guilty, and the gross and casehardened selfishness which dominates his dealings. He deserves to suffer, and will suffer, for the driving away of capital and the suspension of business must make life harder for any class, but especially for the wage-earning class, which has no dependence but the labours of its hands. There will be harder times in store, and I can hardly find it in my heart to pity men who sin, perhaps in ignorance at first, but whose ignorance refuses to be enlightened by the teachings of experience. The proverb says 'Experience makes fools wise.' What must they be who, while the scars of hard fortune are still unhealed, will plunge afresh into the same excesses which have wrought their misery, and harden their hearts against the sufferings of their own flesh and blood? When it comes to a struggle, labour must suffer much more acutely than capital, and suffer in the way which is hardest of all to bear. But they will not hear terms, and must take the consequences.' Heaven only knows what will become of Australia, unless the working men there can be brought to their senses. Does the British public know that when the last mail left Queensland there was an armed camp of unionists at Barcardine, over 1000 strong, pitched at that spot to prevent by force of arms the neighbouring squatters from employing free labour imported from the other colonies? The camp contains 500 tents and three streets, each half-a-mile long, with a parade ground in front,

where the men are drilled daily by old soldiers. The Queensland Government have had to despatch a considerable force, including artillery, to the scene of action.—*Observer*, 17th June, 1891.

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### *On Sundowners.*

SUNDOWNERS are a class of men peculiar to Australia. They travel from one station to another in the interior of the colonies ostensibly looking for work. They carry the whole of their belongings on their backs. They have no homes, are almost always without money, and they depend upon the bounty of the station-owners for their food. They are not particularly anxious to obtain employment, and will only accept it when offered to them, and when the work offered is one wherein hard work is not required and when they wish for a spell or rest. As a rule, they demand the highest wages, and give in return the least possible amount of work. When travelling they arrive on a station about sundown, hence their name "sundowners." They go straight to the travellers' hut, put down their swags, and then apply to the storekeeper for a bit of rations. This is invariably given to them. They then retire to the hut to cook their food and to spend the night. In the morning they again appear at the store for sufficient food to carry them on to the next station; this also is given to them. They then disappear, and on the following evening similar applicants appear and receive the same treatment. This goes on from one end of the year to the other, and on stations situated on main roads the average number of men arriving and to be fed is about from ten to twelve daily. During the present strike these "sundowners" are nowhere to be seen on the stations in Queensland. Where are they? They are to be found in the strike camps, living on the strike funds. They are enjoying themselves, and are saved the trouble of walking from station to station. The bush strike is an actual godsend to them, and they are not likely to leave the camps as long as the people in the South are supplying them with the means of getting their food without doing anything to earn it. They are also the most determined of unionists, and will never give in until they are obliged to work or walk for a subsistence.

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### *Hospitality to be Continued.*

It is understood that the pastoralists, where they can possibly afford to do so and have the supplies on the stations, intend as far as possible to abide by the rules of hospitality which have actuated them in the past to give rations to all bona-fide travellers looking for work.

## *What the Judges Say.*

THE following portions of the summing-up of Mr. Justice Harding in the conspiracy cases at Rockhampton, and remarks to prisoners when sentencing them, are pertinent and important:—

Having read the section of the Trades Union Act referring to the matter, his Honour said that meant that any number of men could combine for peaceable means to use argument or persuasion to other men in matters relating to their trades. Every man's liberty was his own, and he had the right to sell his labour and his talents where he wished to. There were three great rights which they possessed as British subjects—the right of personal liberty, the right of property, and the right of their reputation. A man's personal liberty was not secured to him if his mind could be tampered with. A man's liberty was not secured to him if he could not exercise his talents and his industry freely, as he liked, without coercion. If a man liked to join with other men, and form a union, he could submit his will to a committee, or to a leader, and it was legal that he should do so; but, on the other hand, other men might not care to do so, and they remained free to do whatever they liked. A man, he repeated, had the right to his personal liberty. His Honour read extensively from various authorities on the subject of coercion and intimidation, and then remarked that, apart altogether from conspiracy, there was the documentary evidence, and every letter which had been put in was evidence against the man who signed it. So likewise were the acts of individual men evidence against them. Now, you have been found guilty of obstructing the business of other parties—what are called free labourers and what are called pastoralists, such interference and obstruction being deemed to be carried on by illegal means. Judging from the facts which were before me in this case, it appears that some time since a strike arose, and it was a strike by certain workers known as shearers and labourers. That strike still continues. Whether or no that strike will be beneficial or not is not part of my duty to consider. I have nothing, nor has this court anything, to do with strikes between capital and labour. It does not lie with me to pass any censure upon them. The law allows them, if they are carried on in the way you heard me direct the jurymen yesterday. During the evidence it appeared that you complained that the power of the Government had been brought against you. From all that I have seen I do not agree with that. From my position I know well what is the duty of the Government of this colony. It is the duty, and it is the first object of the Government, to keep the peace, to protect each man in his rights, and to prevent those men who interfere with them from doing it. So that, wherever there is a disturbance, the arm of the Government ought to be sufficiently strong to protect the peaceable. The most sacred of our rights is that of personal liberty. If we cannot go about with safety, what are our comforts? If our lives are in our hands, so to speak, where is our comfort? From the evidence it

appears perfectly clear to me that this conspiracy which has been proved against you, and which you appear to have carried on, or your puppets, was planned for the purpose of destroying all things in this colony which value peace and order. Now a man's personal liberty is not to be interfered with except by the due course of the law, and those who interfere except in that course are dealt with by the law.—*Capricornian*, May 23.

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At Townsville, on June 4, 1891, when sentencing Irwin and Jeffries to seven years' imprisonment for arson, Mr. Justice Cooper said, "He had no means of knowing whether the prisoners were merely the dupes of scheming, selfish, vain, and unscrupulous agitators; ignorant, stupid, misled men filled with senseless class hatred. The offence of which they had been found guilty was punishable by 14 years' imprisonment. He was about to pass a heavy sentence, and he hoped that, during the time of tribulation which was before the prisoners, they would profitably reflect upon the crime and folly into which they had been led. The English law upholds right against wrong, protects the weak against the strong, and all look for protection to the law, which is the only protector of the friendless. The law looks with especial abhorrence upon all offences of conspiracy. Things which when done by individuals may be trivial, the law regards as grave offences when committed by a number of persons who conspire together to terrorise and disturb society. The law will not put up with organised crime of any description, or for any purpose whatever. The penalties which the law inflicted were as much to deter others from crime as to punish those who had committed it. He hoped the sentence he was about to pass would have the effect of deterring others from the commission of similar crimes. The law, his Honour continued, will exterminate and annihilate persons who conspire and combine together for the commission of crime."—*Northern Age*, June 4.

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### *Close of Strike.*

MEN, however loyal to unionism, get tired of contributing to a hopeless struggle. For weeks past the collapse of this strike has been a forgone conclusion by all rational observers. But the men who lead the strike organisations have both billet and reputation to protect. So to bolster up a lost cause, and bluff suspicion of failure, they misrepresent facts, defame truth-speakers, impose on the credulity of those who furnish their salaries; utter with unblushing shamelessness the most shameless of falsehoods; cover the ignominy of their own blunders and incapacity by denunciations of those voluntary and constitutional agencies which have thwarted their schemes of vengeance. Any dishonour publicly done to truth and justice is a permanent injury to a community. Such dishonour the labour leaders have done.



They have justified their own flagrant blunders by wilful defamation of their opponents; by seditious diatribes against State authority, modified only by a regard for personal exemption from the inconvenience and disgrace of incarceration; by conscious misrepresentations of the scandalous misdeeds done by the advanced guards of strikers, and by brutal sneers at the alleged cruelty and avarice of assailed employers, who have simply defended and protected their own interests. All the time those very agencies which they so viciously denounced were saving the country from the violent ravages and lawless disturbances of the strikers. Had not the strong arm of the law been stretched out, rifle in hand, the entire western country would have been devastated by marauding bands of men, seeking, in the abused name of "justice," to avenge their fancied grievances against law and authority, property and capital. This perverted sense of rights and wrongs has been instigated and educated by the labour leaders. It is the natural outcome of the pernicious doctrines disseminated in this colony through the official organ of the A.L.F. Upon the editor of that journal rests the culpability of so many men being in gaol for trying to put his doctrines into practice. Upon the General Council of the A.L.F. rests the responsibility of paying that man to sow the seeds of social dissension and trade discontent, of inciting insurrection against authority and violence in methods of retaliation. But paroxysms of malignity and convulsions of turbulence often defeat their own ends. The chagrin of failure must eat like a cancer into the soul of the rampageous instigator of civil commotion. A number of sullen men, with sickened appetites, must have dined off "humble pie" yesterday. The "day of rest and gladness" brought no repose to their spirits, no joy their souls. Sackcloth and ashes best became them.

But their chagrin and woe-begoneness have been ensured to them more by men whose interests they profess to champion than by the employers whose greed and tyranny they have denounced. They are both distrusted and defied by a very large section of their own class. Here lies the bitterness of mortification. To be defeated by a stronger force of assailed foes is a mortification with some compensation in it; but to be defeated mainly by the very classes in whose alleged interests and for whose alleged benefit the whole strike movement is organised and maintained is a mortification devoid of a single element or atom of consolation. It is a rude slap in the face; an emphatic disclaimer of official disinterestedness; a hot rebuke of the palpable communism of the Lane-cum-Seymour-cum-Hinchcliffe-cum-Glassey junta; a topsy-turvy, boot-toeing castigation of such ferocious adjusters of labour's wrongs as Casey and Reid, Taylor and Ryan. Repudiators of paid officials have come forward in hundreds to work in defiance of junta authority. Queensland pastoralists are supplied with enough free labour for the present year. Still it comes, with a rush of eagerness and a scramble for precedence of chances to work. Federation of labour is a limping cripple. Thousands of workers are proud of their individual independence. The veil of illusion has been torn from their eyes. Their sense of manliness has overcome their terror

of unionistic vengeance. Modern militant unionism is recognised as the greatest inquisitorial machine of torture and vengeance concocted in the current century. At first only the boldest protestants against unionistic despotism dare venture into the stronghold of intimidation and violence. All credit must be given to those pioneers of labour liberty; they entered the arena of peril when the strikers were arrogant and vindictive. There was a lot of peril then; for the strikers meant mischief and revenge. But as soon as it became apparent that the Government meant to defend men in the exercise of their independent right to labour where they chose, the terror of unionistic vengeance was allayed, and hundreds of men came forth eagerly and pressingly, even clamouring for work. Several times the men were on the point of fighting for the first chance of engagement. A few pleaded piteously for their hungry wives and children. Under such a pressure of labour what chance was there for the success of the strike? The most ardent disliker of communistic unionism could not desire any stronger proof of its impotency than was supplied by the eager, earnest crowds of work-seekers who thronged the offices and vestibules of the headquarters of the pastoralists' executive. The ill-advised aggressors have raised their own Nemesis. They confess to having broken up the bush unions. For years to come it will be necessary for federated capital only to show a bold front when attacked, to marshal its forces with skill, and then to win by the help of allies in the form of free labour. But free labour must be respected, because it is free and courageous. It has fought unionism and has conquered. It must be protected and conserved. It requires courage to assert freedom in face of organised intimidation. Manifestly militant communism, in the guise of federated unionism, is repugnant to thousands of working men. They can see that its ever-aggressive exactions are driving capital out of trade, and making work scarce; they can see also that the avarice of paid officials is quite as keen as the condemned avarice of employers; they can further see that the ultimate aim of labour place-hunters is not justice to workers, but the concentration of power over both workers, employers, and Parliament in their own hands. The flower of their patriotism is neither so pleasant in its perfume nor so stainless in its colour as it was once thought to be.—*Daily Telegraph*, Brisbane, June 15, 1891.

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ANOTHER staggering blow, the second within the year, has been delivered against the cause of Australian labour by its own stalwart arm. As all along predicted by the "lying capitalistic Press," the shearers' strike, based on a foundation of sand, buttressed by lawless violence, and deserted by the common sense of the people, has come to an ignominious end. At a mass meeting held in the union camp at Barcardine, three days ago, it was announced that the delegates of the unions and the district council had resolved that the strike be "declared off." The immediate cause of the collapse is the failure of funds. It is useless to dwell on the characteristic effrontery which the very day before the failure was announced spoke of the funds as

plentiful, and specified large sums as just having been received, and about to be received. In this and the representations of a similar kind, which have all along been made, there is worse than effrontery; there is deliberate deception practised on the men, who, on the strength of promised support, have been induced to absent themselves from their proper calling, and to fold their arms while others stepped into their places. It is not wonderful that they who see themselves left destitute, with their old billets filled, should be indignant, as they are reported to be at several shearing centres, with the leaders who have so injured and humiliated them. Whether the issue be ascribed to stupidity, to obstinacy, or to selfish retention of place and power in spite of known facts and clear results; whether the leaders are fools or rogues—and they have demonstrated themselves to be one or other—it is difficult, in view of the loss and misery they have inflicted on the country, on the labour classes, and on the shearers themselves, to speak temperately of their ill desert. If the man who, by foolish or fraudulent management of his business squanders the money of a small circle of creditors, is thought worthy of punishment, what do they deserve who have squandered the hard-earned money of thousands throughout the colonies, have thrown thousands more out of employment, have arrested industry, multiplied bankruptcies, and grievously injured the public credit?

But it is too early to estimate the enormity of the losses occasioned by this most insane of strikes. Our present business rather is, if possible to prevent further insanity. In the announcements made of the want of funds in the Brisbane mass meeting of Saturday, in the "declaring off" at the Sunday mass meeting at Barcaldine, it has yet been explicitly ordered that the men must not recognise "freedom of contract" or work on other than union terms. Could there be a more palpable folly or greater cruelty than the imposing of such a condition at such a time? This has been a strike against freedom of contract, or the signing of the pastoralists' agreement. What is the meaning of declaring the strike off, and at the same time declaring that these concessions are not to be made? It can only mean that the men who have been brought to destitution by the strike are to be prevented escaping from destitution. There remain the sole alternatives of beggary and robbery. And, incredible as it may seem, these are the courses to which the shearers lately on strike, who are popularly spoken of as numbering 10,000, are deliberately and openly advised. Anarchist Casey, in his detailed advice to the "repulsed" unionists at Barcaldine, did not use stronger language than that deliberately used by the Strike Committee on the Friday previous. He told his hearers that there were but three things left for them to do—to work under the pastoralists' agreement, to starve, or to go to jail. Clearly as this statement shows the result of refusing the first, Mr. Casey was not ashamed to repeat the counsel against it, and urge his hearers to accept one of the two latter alternatives. Anyone can see what these mean. The starvation alternative is a sensationalism for seeking help from Government or from the charitably-disposed.

The speaker called on the destitute shearers—destitute through their own and their leaders' obstinacy—to demand from the Government either work or rations. If this demand was not listened to, the only thing to be done was to commit acts which would put them into the gaols; and a resolution was actually carried at the meeting binding the dispersing shearers to one or other of these two last alternatives. The very men who "claim the right to live by their labour without sacrificing their liberty"—this is the euphemism for refusing proffered work—resolve in the same breath to sacrifice their liberty rather than live by their labour! The extent to which Government can listen to the demand for relief is easily decided. No man can be allowed to starve; but neither can any man be allowed to sorn upon the country. The Government will give two or three days' rations to those who are starting out to work, but those who decline to go to work will receive nothing. The same rule must govern private charity. Iniquitous as it is that for the second time within a few months the country should have placed on it the burden of supporting men impoverished by the strike mania, such support will be freely given if strike tactics are abandoned. For the rest the old law must hold that if a man will not work neither shall he eat. And for whatever crime and retribution of crime may result from the counsel to abstain from work, the heavy responsibility lies upon the wicked men who have given the counsel and who cannot shelter themselves behind the consent of their followers. It is hard to believe even yet that counsel so atrocious is seriously given or will be extensively followed, but the work of the Government will not be over till it is demonstrably abandoned.

One other consideration comes to the surface now as condemnatory of the course pursued. Have the unionist leaders considered the significance of the fact that the funds have failed? They have boasted all along of the approval of the country and of the solidarity of the union support. Not often, indeed, has the union tongue been moved against the strike; though in many quarters, and even in the highest, there has been strong suspicion of a gag. But deeds are greater than words. And deeds in this case have incontestably condemned the strike or the strike conduct. More decisive than all the rain of speeches, resolutions, and manifestos, more decisive than a thousand ballots conducted as ballots have been, is the simple fact that the unionists throughout the colonies have stopped the supplies. And it must be observed that this stoppage condemns not only the strike to which it puts an end but the preposterous course adopted now. It proclaims that in the view of Australian unionism itself the shearers should return to work on the terms offered them. They who in place of this return counsel pauperism and crime must face the fact that they have not only the Government and general community opposed to them, but the very unions which have hitherto supported them, and which now withhold their help. The labour candidate who should offer himself to-day with the policy of the Strike Committee in his mouth would by labour itself be sent to Coventry.—*Brisbane Courier*, June 16, 1891.

## *Pastoralists' Manifesto.*

### THE RESULT OF THE FEDERAL COUNCIL.

THE following resolutions were passed by the Pastoralists' Federal Council of Australia, in Brisbane, on 16th, 17th, and 18th March:—

1. "That the Pastoralists' Federal Council of Australia adheres to the determination arrived at by the several pastoralists' unions of New South Wales, Victoria, Queensland, and South Australia, of granting a conference to the Shearers' and Labourers' Unions, provided that 'freedom of contract' be first admitted, and the subjects for debate specified, a conference on any other terms being impossible to the employers, and a great injustice to the free labourers of Australia, but in no case will any conference be held while the present lawless proceedings continue in the disturbed districts, which constitute a demand for conference under threat of armed force."

2. "That additional shearers and laborers be obtained in accordance with the following notice:—

#### NOTICE TO QUEENSLAND SHEARERS AND WOOLSHED HANDS NOW ON STRIKE.

On 6th February the Executive of the Queensland United Pastoralists' Association advertised for shearers and rouseabouts willing to work under the pastoralists' agreement. Their advertisement is still regularly appearing in the local papers throughout the pastoral districts, and the following is an extract therefrom:—

The pastoralists have no wish to engage outside labour if Queensland men are willing to accept the liberal terms offered. No reduction in the rates of shearing or wages.

Nearly six weeks have elapsed since that advertisement first appeared without any adequate response being made thereto. On the contrary, all the men connected with bush labour unions have been ordered to leave their employment on the 23rd instant, and drastic penalties are threatened in the case of those disobeying the mandate of the unions.

An attempt is further being made to persuade the bush unionists that when the present strike is over they will be "victimized." If this term means, that after peace is restored, unionists, as such, will be subjected to persecution by employers, the Pastoralists' Federal Council of Australia (representing the owners of three-fourths of the sheep in Australia) hereby gives any such statement an absolute and emphatic denial.

Should the present hostile attitude of the bush unions be abandoned the desire of the pastoralists is to let bygones be bygones, and to engage men on their merits as workmen without enquiring or considering whether they belong to any union or not.

The great majority of bush unionists now on strike are respectable hard-working men, from whom the pastoralists have been sorry to part, and whom they would welcome back to their employ. If the bush unions, however, persist in their present determination of calling out all members of their organisations, the pastoralists will have no alter-

native other than to introduce additional labour, in so much as they will be compelled forthwith to take steps to procure hands for the protection of their stock and property.

They, therefore, very reluctantly give notice to all shearers, rouseabouts, and station hands now on strike, or contemplating going on strike, that after the 25th instant additional men will be engaged to take the place of those who have left or may leave their work. Moreover, when engaging these additional men the pastoralists will have to give them a guarantee of extended employment, so that there will be no employment available for the unionists should they subsequently desire to go to work.

Issued by order of the Pastoralists' Federal Council of Australia.

(Signed)

FREDERICK RANSON, Secretary United Pastoralists' Association of Queensland.

WHITELEY KING, Secretary Pastoralists' Union of New South Wales.

EDMUND MITCHELL, Secretary Pastoralists' Union of Victoria.

H. C. BAKER, Acting Secretary Pastoralists' Union of South Australia.

Brisbane, 18th March, 1891."

3. "That the Government of Queensland be informed of the foregoing resolutions, adopted unanimously by the Pastoralists' Federal Council."

The next morning a meeting of the Federated Employers' Union of Queensland was held, at which the resolutions embodied in the above were unanimously and warmly approved of. Telegrams received from the Employers' Unions of Victoria and New South Wales also indicate that similar motions of approval have been passed by them.

## *Shearing Agreement.*

TO BE USED IN NEW SOUTH WALES, QUEENSLAND, AND THE NORTHERN DISTRICTS OF SOUTH AUSTRALIA.

Adopted by the Intercolonial Conferences held in Melbourne, 7th November; and in Sydney, 22nd December, 1890.

AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_ between the undersigned hereinafter herein called the employer of the one part, and the undersigned shearer of the other part. The terms of this Agreement are that the undersigned shearer hereby agrees to faithfully serve the employer by shearing with all reasonable dispatch all the sheep required of him by the employer or his agent during the present season in a good and workmanlike manner and to the satisfaction of the employer or his agent, the total number of sheep required to be shorn by the whole of the shearers employed during the shearing to be not less than \_\_\_\_\_ thousand nor more than \_\_\_\_\_ thousand.

1. The price of shearing wethers, ewes, and lambs (including ram lambs under six months old) to be at the rate of twenty shillings per hundred for all such

sheep shorn; rams at the rate of forty shillings per hundred for all rams shorn; money to be paid by cheque on a local bank, or exchange to be added.

2. The shearer shall be at the Station or run ready to commence shearing on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, and the employer agrees to be ready to commence shearing on that date, and to keep the shearer fully supplied with sheep, unless prevented by weather or by some unforeseen cause.

3. The employer shall, during the whole of the time the shearer is engaged shearing, provide him with hut accommodation, cooking and table utensils, wood, and water free of charge.

4. The shearer shall not absent himself from work, but in case he leave before the completion of shearing, owing to sickness, accident, or other such unavoidable cause, or by the permission of the employer or his agent, he shall be paid in full for all sheep shorn by him, but shall be charged 15s. per week for his board and lodging, cook's remuneration included, such sum to be deducted from the amount due to him and placed to the credit of the shearers' mess account.

5. If a shearer be discharged, as he may be, for breach of this Agreement, or of the Rules endorsed hereon or attached hereto, he shall be paid for the number of sheep shorn by him up to the time of such discharge, but he shall be charged 20s. per week for his board and lodging, cook's remuneration included, which amount shall be placed to the credit of the shearer's mess account.

6. Once a week, on a day to be named at commencement of shearing, on demand the employer shall pay to the shearer any sum not exceeding 50 per centum of the amount due over and above one week's earnings at the time of such demand, except in case of the shearer breaking this Agreement.

7. The employer and the shearer shall conform to the rules endorsed hereon or attached hereto, which Rules it is hereby agreed shall be taken and deemed to be and form part of this Agreement.

As WITNESS the hands of the parties the day and year first before written.

Signed by the EMPLOYER

in the presence of

Signed by the SHEARER

in the presence of

## *Rules.*

Embodied as part of Agreement.

1. The shearing shall be carried on under the direction and supervision of the employer or the person placed by him in charge of the shed.

2. Before commencing work the shearer shall draw lots for his pen, and shall abide by the result of such drawing, the person in charge of the shed having the right to make any alteration deemed advisable.

3. All the sheep must be taken carefully from the pen to the shearing board and be shorn closely and in a fair and workmanlike manner, and to the satisfaction of the person in charge of the shed, the belly wool to be taken off first and laid aside.

4. In opening the fleece at the neck and belly, both blades of the shears or the machine to be kept under the wool and close to the skin so as to avoid twice cutting, and the shearer shall not be allowed to run the shears or the machine through the fleece so as to break it down the centre or the back, and shall not stand on the fleece.

5. In case the said shearer turns out a sheep badly cut or insufficiently tarred, he shall at once sew and tar such cut or wound, in his pen, or otherwise dress or treat such sheep as directed by the person in charge of the shed.

6. The shearer shall not be allowed to kick or otherwise injure or illuse any sheep, and in case he seriously injure or illuse any sheep, or cut the teat of any ewe or pizzle of any wether or ram, he shall immediately report same to person in charge of the shed; and he shall pay to the employer the mess rate for the sheep so injured, and if the sheep be fit for food it shall go to the shearers' mess, the employer to have the right to refuse such payment and keep the sheep.

7. The shearer shall not be allowed to catch any sheep from his pen while it is being filled, but shall during such filling shear from any pen or pens that may be

allotted to him by the person in charge of the shed. No sheep to be caught after the signal has been given to cease work by the person in charge of the shed.

8. The prices to be charged by the employer for rations and shearers' requisites shall not exceed cost prices, with 10 per cent. and cost of carriage added.

9. Each shearer may have free run for two horses, but the employer accepts no responsibility for them.

10. No shearer shall bring, or cause to be brought, any intoxicating liquor on to the station; no profane or obscene language or singing shall be allowed in the shed.

11. The employer shall provide at least one grindstone for every ten shearers employed.

12. Shearers shall provide their own cook, except where cooks work conjointly for shearers and the employer, in which case the cook shall be engaged by the employer, and the proportion of mess account and of cook's remuneration shall be matter of mutual agreement.

13. In all sheds where shearing machines are provided, shearers shall pay for cutters and combs a price not exceeding cost. In case of stoppages through breakage or otherwise, shearers shall, if required, go on shearing with hand shears.

## *Agreement for Employees engaged during Shearing.*

Adopted by the Intercolonial Conferences held in Melbourne 7th November, and in Sydney, 22nd December, 1890.

AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ between  
of \_\_\_\_\_ hereinafter called the Employer of the one part, and  
hereinafter called the Employee of the other part.

Whereby the Employee agrees to work as a generally useful hand at Station during shearing season of 189 \_\_\_\_\_; to obey all lawful commands of the Employer or his agents; to continue so working from day to day till the whole of the sheep and lambs that the Employer desires to shear, which, in number, will be not less than \_\_\_\_\_ nor more than \_\_\_\_\_, are shorn; and to be diligent and of good conduct.

In consideration of such services being duly and faithfully performed, the Employer agrees to pay the Employee wages at the rate of \_\_\_\_\_ per week for each and every week the Employee shall have worked in accordance with this agreement; and the Employer further agrees during such service to provide the Employee with hut accommodation, cooking and table utensils, wood and water, free of charge, and also to supply him with rations as endorsed hereon—the cook to be engaged and remunerated by the Employer.

Once a week, on a day to be named at commencement of shearing, on demand, the Employer shall pay to the Employee any sum not exceeding 50 per centum of the net amount due over and above one week's earnings at the time of such demand, except in the case of the Employee breaking this Agreement, money to be paid by cheque on a local bank, or exchange added.

Signed by the Employer

in the presence of

Signed by the Employee

in the presence of

## *Diary of Shearers' Strike, 1891.*

January 3.—Pastoralists' new agreement published simultaneously in Queensland, New South Wales, Victoria, and South Australia.

January 27.—The Pastoralists' Union of New South Wales issue a statement by way of explanation of agreement. Shearers at Logan Downs and Gordon Downs refuse to sign agreement.



- January 29.—Pastoralists decide to bring free labour from Victoria and New South Wales.
- February 1.—Successful engagement of men in Melbourne. Central District Council of Australian Labour Federation issue a proclamation of strike.
- February 4.—The s.s. "Derwent" left Melbourne with free labourers.
- February 9.—First company of free labourers landed at Rockhampton from s.s. "Derwent."
- February 10.—Wolfgang free labourers hustled at Clermont by unionists; five men intimidated.
- February 11.—Gordon Downs and Logan Downs free labourers reach Gordon Downs Station; lynch-pins of waggons removed; two men defected. Charleville Carriers' Union declare Logan Downs non-union.
- February 14.—Meeting of 1,000 union shearers at Barcardine; resolved to use force to prevent free men working. 150 men sent to Peak Downs.
- February 16.—On receipt of information above, Colonial Secretary issued special instructions to police magistrates, &c., and ordered to Clermont certain picked police.
- February 17.—Fifty-eight armed police sent from Brisbane to Clermont district.
- February 19.—Seizure of ammunition at Emerald Railway Station. Shearing began at Wolfgang.
- February 20.—Major Jackson with 60 permanent artillery with 1 field-piece left Brisbane by s.s. "Burwah" for Clermont.
- February 21.—Major Ricardo with 50 Moreton Mounted Infantry left Brisbane for Clermont by "Wodonga." Rockhampton and Mt. Morgan mounted infantry left for Clermont.
- February 23.—Proclamation calling on camps to disperse, issued by Government. Mr. Ranking appointed Government agent in disturbed district. Union delegates visit Logan Downs and threaten free labourers, who refused to come out, whereupon said, "Well, within 48 hours, you will be very sorry you did not do as we asked; you will be skulking like rats in hollow logs."
- February 24.—50 free shearers crossed border at Mungindi for Australian Pastoral Company, Noondoo Station.
- February 26.—All station hands in Western country called out for the 23rd March. Australian Labour Federation wire to Sir T. McIlwraith from Rockhampton. Sir Thomas replies thereto.
- February 28.—Sir S. W. Griffith and Mr. F. R. Murphy burnt in effigy at Clermont.
- March 2.—Australian Labour Federation again wires to Sir Thomas McIlwraith. Sir Thomas replies. Commercial Hotel, Clermont (Mrs. Mullins), boycotted, because proprietor refused to dismiss a Chinese cook.

- March 3.—Manifesto issued at Rockhampton by Australian Labour Federation.
- March 5.—Fences at Ravensbourne Station fired. Pastoralists' executive at Rockhampton issue reply to manifesto of Australian Labour Federation.
- March 6.—Woolshed at Maneroo Station burned.
- March 7.—Riotors assault on Pastoralists' executive at Clermont.
- March 8.—Arrest of men in connection with assault at Clermont.
- March 9.—Statement in relation to agreement and strike issued at Brisbane by executive of the United Pastoralists' Association of Queensland.
- March 12.—Wide Bay mounted infantry left for Rockhampton.
- March 15.—Attempt to wreck train carrying troops, near Barcardine, by placing two crowbars on rails. Unionists threaten free shearers at Oakwood.
- March 16.—First meeting of Pastoralists' Federal Council at Brisbane. Toowoomba mounted infantry called out.
- March 19.—Attempt to wreck a train, near Retro Crossing, by placing on rails a log 7ft. by 16in. Grass fired wherever it would burn, and some fences on Langton Station. Woolshed at Lorne Station burned. Grass fired between Lorne and Terrick Downs drafting yard. Interception of free labourers *en route* to Peak Downs; decisive action of Sub-inspector White. Manifesto issued by the Pastoralists' Federal Council at Brisbane.
- March 22.—Biddenham and Oakwood runs fired in many places. Martin delivered seditious speech at Barcardine.
- March 23.—Arrest of 9 men who had rushed Sub-inspector White's party on 19th. 68 riotous unionists left Minnie Downs for Langlo, firing grass along road. Unionists gather at Oakwood, firing grass, breaking gates, and cutting netting fences on road. 50 unionists threaten to "skull drag" men of Claws, a drover, if they would not join the union. Arrest at Clermont Railway Station of delegate Taylor and Stewart (chairman of Sandy Creek Camp). Important papers on Taylor seized. Brilliant night ride of Lieut. Spencer Browne, and 20 picked infantry, from Gordon Downs to Clermont.
- March 24.—Arrest of Barcardine Strike Committee, and seizure of papers.
- March 25.—Grass and fencing round Augathella fired. 11 bullocks of Weller, a non-union carrier, shot near Blackall. All railway officials sworn as special constables. E. H. Murphy, labour leader, arrested at Roma; papers seized.
- March 26.—60 men of Queensland Moreton Regiment, and 50 Volunteer Rifles, under Colonel French, leave Brisbane. 35 men, Maryborough mounted infantry, leave for disturbed district. Townsville mounted infantry leave for Hughenden.

- March 28.—Smith Barry arrested at Clermont. Delegate Forrester, Camp Sergeant Daisey, and Secretary Clark arrested at St. George. Unionists attack free labourers at Boombah, seriously injure one.
- March 29.—Six men intercept messenger to Northampton Downs, demand papers he was carrying. He escapes them. Delegate Fanning and six others arrested at Charleville. Fences burned and gates broken at Langlo Downs. Colonel French, with 243 men and 15 officers, left Rockhampton for Barcaldine. Inspector Stuart reports arrest of 21 unionists at Augathella, after reading of Riot Act.
- March 30.—Two hundred unionists intercept free labourers near Oakwood. Collision imminent, and averted only by order to load rifles. Seven men arrested. Brilliant ride of Captain King to Biddenham, following unionists. Attempted wrecking of railway bridge at Ebor Creek; piles and headpieces sawn. Nive Downs woolshed, with 150 bales of wool, burned.
- April 2.—Attempt to wreck a train at Capella.
- April 7.—James Kearney, late J.P., called out all hands at Caiwarra. Eleven men left in consequence of intimidation by him.
- April 10.—Considerable damage to property at Katandra and Oondooroo. Shearers' hut and contents destroyed.
- April 11.—Bastard ballot at Barcaldine on "freedom of contract"—1,195 against, 7 for. Colonel French left camp.
- April 13.—Public meeting at Town Hall to press conference. Second lot free workers land at Rockhampton.
- April 15.—Gumbardo woolshed, with 576 bales of wool, burned. Milo woolshed, with 80 bales of wool, and huts, burned. Men forcibly taken to union camp.
- April 16.—Intimidation of free workers at Coreena.
- April 19.—Attempt to destroy Clermont Court-house. Flying column of infantry, in charge of Lieutenant R. Spencer Browne, ride from Alpha to Tambo—109 miles; 32 hours in saddle, with one meal.
- April 21.—Throats of five horses cut at Aberfoyle.
- April 22.—Fanning and Brennan sentenced at Charleville; three months' imprisonment.
- April 23.—Grass at Waroonga fired.
- April 24.—Arrival of flying column, under Spencer Browne, at Adavale; a terrible march through flooded country.
- April 26.—Dillon arrested at Adavale camp on charge of conspiring to intimidate men guarding Milo woolshed.
- April 27.—Goods shed at Amby Downs Railway Station, with a truck of wool alongside, burned.

- April 28.—Waggon, with over 60 bales of wool, from Keeroongoola and Mount Morris, fired and destroyed, 18 miles from Charleville.
- April 30.—Two hundred unionists intimidate labourers and obstruct teams at Langlo and Mount Morris stations. Sentry on duty at Delta fired on. Four prisoners found guilty at Rockhampton of rioting, and two of unlawfully assembling. Unionists brutally maltreat hands at Thylungra; made to walk 100 miles; not allowed to catch horses. Unionists steal flour at Clermont. Conspiracy trials commenced at Rockhampton before Justice Harding.
- May 1.—Two thousand unionists in procession at Barcaldine and Charleville.
- May 2.—Delegate Stephens, Barcaldine, sentenced to three months.
- May 4.—Free labourers start from Hughenden for Cambridge Downs, are met by 300 unionists; Riot Act read and bayonets fixed. Men remain firm. Charges of cruelty to unionist prisoners officially repudiated.
- May 5.—Marathon waggon burnt. Bierbank Station team burnt 12 miles from Charleville; driver taken forcibly to union camp. McElroy and Hewitt charged with burning Gumbardo shed—committed.
- May 6.—Attempt to burn Biddenham woolshed. Mick, an aboriginal, confessed firing under compulsion on sentinel at Delta.
- May 7.—Attempt to burn woolshed at Darr River Downs. Union camp at Clermont demand strike pay. For grass burning at Waroonga—three men sentenced to three months' imprisonment, four to one month, and several fined. Twenty special constables from Brisbane reach Barcaldine for Muttaburra. Dillon and McGrath, Barcaldine unionists, sentenced to six months' imprisonment with hard labour, for assaulting military; several fined for abusive language.
- May 8.—Dillalah out-stations (3) burnt by unionists. Eundalla woolshed surrounded by unionists. Mabbot retracts statement as to ill-treatment of unionist prisoners. Fourteen unionists take away the only man from Tillboora; attempt to burn Cambridge Downs.
- May 9.—Patrol sent to Dillalah; disturbance expected. Men at Bogadoon resumed work and sworn in as special constables.
- May 11.—Townsville branch of Queensland Typographical Association refuse to make levy in aid of shearers, and secede from District Council of Australian Labour Federation, and also request the Queensland Typographical Association to withdraw therefrom.
- May 12.—Twelve men identified as implicated in riot at Ravensbourne. Stations about Cunnamulla visited by unionists, who intimidated and called out station hands and rabbiters. Kewley arrested for perjury.

- May 13.—100 bullocks driven out of Granada paddocks on 7th, and left five miles from fence. Three men arrested in connection with burning of Milo shed.
- May 14.—Twelve prisoners committed for trial for arson at Lorne shed—bail refused. Rumoured intention to burn new railway station.
- May 15.—Carriers at Barcaldine decide by 50 against 34 to return to work. Letter from Australian Labour Federation to Premier, demanding immediate passing of an absurd labour bill. Unionists visit Diamantina Station, and threaten to remove employees by force.
- May 16.—Frank Reynolds, a member of Barcaldine District Council of the Australian Labour Federation, expelled for expressing opinions adverse to strikers. Union delegate at Cunnamulla called upon unionists at a distance from that town to deposit their tickets with the chairman of control. Eighty-eight free labourers left in "Wodonga" for Rockhampton. Blackall meeting of sympathy with C. Carkeek, who had been deposed from the magistracy for public manifestation of sympathy with Kewley when arrested for perjury.
- May 17.—Strike Committee at Barcaldine refuse to sanction resumption of work by carriers.
- May 18.—Unionists destroy about a mile of marsupial netting fence at Burenda. Premier replies to letter of Australian Labour Federation; nine unionists committed at Blackall for firing Lorne woolshed, March 19th.
- May 19.—Raid on Chinese gardens at Barcaldine by unionists.
- May 20.—Freedom of contract defined by Council of Federated Employers' Union of Queensland as "the right of any worker to accept work from any employer, and the right of any employer to engage any man wanting work; that is, the right of any person to give or accept work without interference or molestation." Jury at Rockhampton agree; Ryan and Fry acquitted; verdict of guilty on all counts against George Taylor, organiser central district; W. Fothergill, secretary Central District Council; H. O. Blackwell, secretary Labourers' Union, Barcaldine; W. J. Bennett, member strike committee, Barcaldine; A. J. Brown, member strike committee, Barcaldine; R. Price, W. Hamilton, J. A. S. Stewart, chairman Sandy Creek camp; P. J. Griffin, chairman Capella camp; H. C. Smith-Barry; E. H. Murphy, agent Maranoa branch Shearers' and Labourers' Union; Alex. Forrester, organiser Maranoa district. Sentence:—Three years' imprisonment, and recognisance for good behaviour for further 12 months; failing recognisance continue in gaol. Peak Downs rioters—sentenced:—T. Lowry, three years' imprisonment; D. Murphy, three years' imprisonment; J. T. Heathcote, three years' imprisonment; P. J.

Dobbyn, two years' and a-half imprisonment; W. Dover, two years' imprisonment; D. J. Bowes, one year and a-half imprisonment; all to find sureties for good behaviour for one year or stop in gaol; J. Martin, for sedition, sentenced two years' imprisonment, and find surety for good behaviour for two years.

- May 21.—J. Toohy fined £15 or three months' imprisonment for attempting to communicate with prisoners in Blackall Gaol. Intimidation cases at Adavale. Waldrick sentenced eight months' imprisonment, and Wm. and Fred. Smith three months' each. Of thirteen men charged with raiding Chinese gardens at Barcardine, three discharged, two sentenced one month's, and nine to three months' imprisonment.
- May 22.—Report that unionists killing cattle on runs about Charleville. J. Graham and J. K. Williams charged at Roma with firing Amby Railway goods shed.
- May 23.—Free labourers struck at Coreena against employment of two unionists, before settlement of freedom of contract. New Carriers' Union found at Barcardine on free contract basis.
- May 24.—Valuable stack of hay burned at Thurulgoona.
- May 25.—Argentine co-operative settlement scheme unfolded at Barcardine by W. Lane.
- May 26.—Kewley, of strike committee, arrested as "accessory before the fact" in burning of Lorne woolshed. Unionist endeavouring to import arms and ammunition from N.S. Wales over border. Unionists at Glenariff and Rockwood, when travelling up Tower Hill Creek, cut down fences, destroy and burn gates, and otherwise destroy property.
- May 27.—Two unionists captured in act of destroying fence and firing grass at Lammermoor Station. Government Analyst reports that water from bucket at Mitchell Downs more than fully charged with strychnine.
- May 28.—Conspiracy and other prisoners from Rockhampton landed at St. Helena. Unionists reported destroying and burning fences on main Charleville and Cunnamulla road. M. Leigh, one of jury in conspiracy cases, maltreated at Mount Morgan.
- May 29.—J. White sentenced to two months' imprisonment for assaulting Sub-inspector Dillon, at Clermont, March 7. 42 special constables sworn in at Jundah.
- May 30.—"No true bill" found in case of P. McElroy and G. Hewitt, committed at Adavale, on charge of arson at Gumbardo woolshed; and in case of J. Jermyn, committed at Charleville on charge of unlawful assembly. Rabid speech at Rockhampton of G. Casey, organiser Australian Labour Federation. Unionists organise a system for "safe" destruction of property. All gates from Charleville to Coongoola resumption destroyed, except two on Mangalore Station.

- May 31.—Violent speech at Barcaldine by G. Casey, organiser.
- June 1.—D. K. Russell, publican, at Hughenden, boycotted by unionists. At Blackall four men sentenced three months' imprisonment for intimidation. Two of Lorne rioters committed for arson at Minnie Downs and Langlo Downs. Ryan, one of the two acquitted of conspiracy at Rockhampton, resumes chairmanship of strike committee at Barcaldine; he counsels constitutional, rather than violent, measures.
- June 2.—Much intimidation in St. George district. Unionists threaten to burn Whyenbah shed when shearing commences. Several rifle shots fired at Burenda wool-shed; tracks of footmen found and followed. Dias, labour leader, arrested at Hughenden for threatening incendiarism. Williams and Graham committed at Roma on charge of firing railway goods-shed at Amby.
- June 3.—Unionists at Cunnamulla endeavour to negotiate for supply of goods on six months' bills. Augathella: Six men sentenced to five months' imprisonment for having mutton in possession they could not account for. Six men arrested on charge of assault on Lee at Mt. Morgan.
- June 4.—C. Anderson sentenced at Charleville three months' imprisonment for intimidation at Riversleigh. A. Irwin and J. Jeffreys sentenced at Townsville by Justice Cooper to seven years' penal servitude for arson on Lammemoor Station.
- June 5.—Strike pay, at 3s. 2d. per man per week, substituted for rations at Barcaldine. Major De Vœux proceeded from Barcaldine for Charleville.
- June 6.—Over 230 free shearers and labourers left Brisbane in s.s. "Aramac" for central district. Taylor and Delve convicted of assault on Lee (one of the jury in conspiracy cases) at Mount Morgan fined each £5 for assault, £2 for destruction of property, and £2 10s. for value of damage. T. McKenzie, a unionist, arrested at Clermont on charge of being concerned in the cutting of the Ebor Vale railway bridge in March; much sickness in camp at Barcaldine. Reported 50 free shearers left Melbourne for Queensland in s.s. "Wodonga." Waggon, 16 sets of harness, and 16 bales of wool, belonging to Burenda Station, burned by unionists on Augathella and Morven road.
- June 8.—Kewley, member of strike committee, committed at Blackall for trial at Rockhampton, on charge of aiding and abetting in burning Lorne woolshed. Some men in all camps returning to work.
- June 9.—Unionists applying for work in several districts, offering to sign agreement; general impression strike about to be declared "off." Attempt to burn the shop of N. J. W. Neilson (secretary of Warrego Pastoralists' Association), at Augathella. Boundary rider's hut and some fencing burned at Thurulgoona Station.

- June 10.—Arrest of Patton, a unionist, and three others, also unionists, for grossly indecent assault on blackwoman, at Amby Downs. 62 free labourers left Brisbane for Townsville in s.s. "Cintra." Arrest of G. Pont on charge of burning Lorne woolshed.
- June 11.—Various camps announce "no more funds;" advise men to go to work, but not to recognise freedom of contract.
- June 12.—Conflicting statements of Australian Labour Federation as to official declaration of closing the strike. Woolstore, and 165 bales wool at Pinkilla Station, Bulloo River, destroyed by fire.
- June 13.—Alleged outrage by free labourers at Hooper's public-house, Alice River, proved untrue. Distress and discontent at all camps reported.
- June 14.—Mass meeting at Barcaldine camp; violent speech, and ridiculous bravado by G. Casey, organiser Australian Labour Federation.
- June 15.—Colonial Secretary sanctions supply of rations to all men seeking work. H. Riley, a unionist, arrested on Mackenzie River, on charge of being concerned in the cutting of Ebor Creek railway bridge (See 6th). Procession of unionists at Cunnamulla, with disturbance; another violent speech by G. Casey at Barcaldine; he proposes a ballot, "gaol" or "starvation."
- June 16.—G. Casey arrested at Barcaldine on charge of inciting to commit arson (advising men to burn the premises of a store-keeper, lately secretary Carriers' Union). About 50 unionists propose to form a co-operative village settlement on Alice River.
- June 17.—General breaking up of camps.
- June 18.—Carriers' Union decide to resume work; railway navvies notify contractors they are willing to resume work.
- June 19.—*Courier* publishes proposal for a union republic *coup d'état*. Unionists at Charleville refuse to engage except on weekly basis; pastoralists, therefore, resolve to engage free labourers. J. B. McDonald, who had been arrested on a charge of complicity with McKenzie and Riley, in cutting Ebor Creek railway bridge, turns "Queen's evidence" at Clermont.





THE *Brisbane Courier*, of July 1, states that the following speech "contains sentiments entitled to some weight, from a traditional Queensland radical," the Hon. W.

Brookes, M.L.C. :—

"I BELIEVE that the working classes of Queensland are at heart sound and loyal to Her Most Gracious Majesty, and are as law-abiding and as peace-loving a lot of people as any colony can show. But I am more anxious to take this responsible opportunity of expressing these opinions because I speak here not to hon. gentlemen only, but, through the reporters, to the whole colony; and I would say further that if we search into the matter and try to find out the real cause of the trouble and the strike, we will find it in the labour leaders and nowhere else. The masters and men behaved well during the strike. Let me say a word for the station-owners. I have been supposed to be as hostile to the squatters as Hannibal to the old Romans; but circumstances have come to my personal knowledge which have shown clearly that in the most disturbed districts the working classes had no more constant, faithful, liberal, or better advisers than the station-owners; and their conduct under the name of the Pastoralists' Association shows that there was a dignity and kindness and consideration in all the manifestoes of that association which I am sure cannot fail to have a good effect upon those to whom they were addressed. But when we come to see such a state of things as we have seen, when sedition has been preached from waggons in the open air in Brisbane, and treason of a still worse character in the outlying districts, where the authorities were not so strong—when we see such things as these—then I think the time has come to deal with the matter properly. Were I inclined, and I am not particularly inclined, to find any fault whatever with the Government, as I have already given them high praise for their conduct of public affairs, if there was one spot on which I could put my finger it would be this, that the Government did not put these labour leaders in gaol half soon enough. They should have been taken one by one, like rats in a trap, and put into silence on the most abstemious diet known to gaolers. With reference to the ill-feeling, that is a very congenial paragraph also in the speech. I believe that the ill-feeling will die out. I think the working men will never again allow themselves to be subjected to such an Egyptian bondage and taxation as was imposed upon them by the union leaders. One of the labour leaders has said that good will come out of the strike. But there is one thing which will come directly out of it, and which has already come out of it. The working classes know it well, and will act upon it in future, and it is this, not to lend too greedy an ear to the ignorant, reckless men who have nothing to lose, and whose personal ambition overrides every other consideration. They will carefully abstain from following such bad advisers in future. Moreover, another good will come out of it, that they will remember in future not to endanger their own little properties, their peace, and their wives and children, by submitting to taxation amounting to such large sums of money, of which they stood in sore need, and depriving themselves of the opportunity of discharging the liabilities upon their properties at the command of the union agitators called labour leaders. The working men will surely have seen that while they have been pinching and remaining in debt to their butchers, bakers, and grocers, these self-constituted leaders have been living on the fat of the land in clover, so that I think that good will come out of the strike in that respect, and any ill-feeling will die out with the increase of intelligence. The masters will find that their interests are not different from the interests of their men, and that it is really to their own pecuniary interest to study the welfare and comfort, material and moral, of their men. And, on the part of the men there will arise a desire to give honest work for hard money, and lazy and desultory work will go out of fashion amongst the working men themselves. There is one thing, in regard to which I feel I may be touching upon irrelevantly, but I will ask hon. gentlemen to bear with me while I express the opinion which I have held very strongly during the last two or three years I have been in retreat, as it were. I have carefully avoided any public contact with this agitation. I was often asked, but I carefully abstained from having anything to do with it, yet still I would have liked to have had a finger in the pie; that is my nature, I suppose. I do observe one remarkable want. There seems to be somebody wanted in Brisbane to call the attention of the working men to the only way in which they can benefit themselves, and that is by resorting to the good old-fashioned rules of strict sobriety, industry, and thrift. If working men will carry out those rules, there will be no need whatever for them to go to politics for remedies."

