CHAPTER 7
Australian Labor Party,
New South Wales Branch
Annual Conference, 2 - 13 June 1923

Report in The Australian Worker

This is the NSW ALP washing its dirty linen in public. Factional warfare reached a very bitter level in 1923, and this Conference is remarkable for replacing the AWU-dominat ted Executive with one dominated by a group of more radical unions led by the Miners’ Federation. An enormous amount of Conference time was occupied in discussing electoral malpractice allegedly overseen by the AWU. The reader will learn more about the technology of ballot boxes with sliding panels than about changes in Labor Party policies. Labor Party corruption had been one of the most important issues in the 1922 NSW election, with repeated allegations of Tammany Hall bossism, intimidation and ballot rigging. Federal MP, JH Catts, had denounced the State Executive in the Commonwealth Parliament, while NSW parliamentary leader, James Dooley, also publicly accused the Executive of corrupt practices. The Executive responded by expelling both from the party, and imposing AWU supporter, Greg McGirr, as leader of the NSW Labor Caucus. The direct result of this infighting was intervention in the NSW Branch by the Federal Executive in April 1923. Its decision was to leave the resolution of issues to this Annual Conference, although significantly offering no support for McGirr’s leadership of Caucus. It imposed WF Dunn, Dooley’s deputy-leader, as the interim leader of the parliamentary party. (The documents of Federal intervention are reproduced here.)

The interesting question to ask is how the AWU, so strongly entrenched in power in Sussex Street, and with all the levers of factional control in its hands, could lose control of the Annual Conference. (That was not a mistake that its successor, the Trades Hall faction backing Lang would repeat.) In most years an appeal to the Federal Executive would favour the AWU, which was strongly represented in most other States. But not in 1923, where the Federal Executive left the ultimate decisions to State Conference, while taking control of credentialling delegates beforehand. The crucial organising was conducted in the Labor Council, led by the Miners’ Federation; it mobilised a majority of delegates opposed to
the AWU and, with the help of the Brisbane Federal Conference (based on decisions made at the 1921 All Australian Trades Union Congress), achieved the readmission to the party of many radicals who had split from the party in 1919, including Albert Willis and Communist Jock Garden. The fundamental reason for the successful mobilisation was that the smell of Bailey’s AWU machine was so rank that even many of its former allies could not tolerate it. Even The Worker, the AWU’s own paper, was very critical of the State Executive, as was Federal MP and member of the AWU, Arthur Blakeley. Thus, recourse to even further manipulation of ballots and delegates would only have worsened the situation. Without the metropolitan and mining unions and branches being at least divided among themselves the AWU had no chance. That left the so-called ‘Trades Hall Reds’ in control of the Executive – along with a Caucus led by John Thomas Lang, with the support of Trades Hall.

The leading figures of Lang’s faction in the 1923 Executive, who took the presidential and vice-presidential positions, were Albert Willis (Miners’ Federation), Edward Magrath (Printing Trades) and James Tyrrell (Municipal Workers’ Union). The Secretary was William Carey (Water & Sewerage Employees Association). Although the faction depended upon a coalition of trade unions for its survival, one observation should be made about these men – each was unchallengeable in his own union base. Nor were they ‘red’. They were union bosses, not mere delegates. Once in power they could command loyalty from union members so that it is best to regard the faction as led by a group of very strong individual men rather than as a coalition of trade unions. This fact makes it even more remarkable that for the next ten or fifteen years they (and other equally powerful figures who joined them, such as Jock Garden or John Beasley) would succumb to the influence of an even stronger individual – John Thomas Lang.
Federal Intervention in the NSW Branch, ALP

(The Australian Worker, 25 April 1923)

NSW Labor Dispute. State and Federal Executives Issue Joint Statement

Following on the intervention of the Federal Executive into the dispute between the New South Wales Labor Executive and the Parliamentary Party, and the decisions arrived at, the following official statement has been issued to leagues and affiliated unions by the two Executives:

In view of the feelings in the minds of supporters of Labor in all the States re the disunity prevalent in the State of New South Wales, and the many requests received for intervention, the Federal Executive of the Australian Labor Party, in conjunction with the New South Wales State Executive, has met.

It is agreed that discipline must be observed in the Movement. To that end it has earnestly desired that all Laborites will loyally abide by the decisions arrived at. It was urged that the Federal Executive take the management of the June Conference out of the hands of the State Executive. Without investigating the statements made it was decided that all matters in dispute should be determined by the forthcoming New South Wales State Conference. The following procedure was agreed to:

1. The New South Wales Executive is prepared to give every assurance to the Federal Executive that no obstacle will be placed in the way of a free and open Conference, and agrees to appoint a committee, consisting of one representative appointed by the majority of the State Executive and one representative appointed by the minority of the State Executive, with a Chairman appointed by the Federal Executive. Such Committee to decide all matters in dispute relative to the convening of the next New South Wales State Conference, and to certify to the correctness of the credentials of the delegates appointed to same.

2. All branches shall be instructed that they must reconstitute themselves on a pre-dispute basis for the purpose of electing delegates to Conference. No new branch or members thereof established from date hereto shall be permitted to participate in the selection of a representative to the Conference.

3. The Parliamentary Party to function as one body under the Deputy-Leader elected by the Parliamentary Party at its pre-sessional meeting.
(4) That Mr Dooley have the right to appeal to Conference. The decision of Conference to be final.

(5) That the Federal President, Federal Vice-President, and Federal Secretary attend the New South Wales State Conference as official representatives of the Federal Executive.

(6) That Mr A Stewart be appointed Chairman of the Committee referred to in paragraph 1 hereof.

We sincerely trust that organisations will fall into line in a spirit of unity to give the best effects of the forthcoming Conference to the Movement in Australia. All are invited to come together in a spirit of harmony and toleration to restore that unity which is essential to the progress of the Movement towards that destiny which is the ultimate goal of Labor throughout the world.

With that end in view we appeal to all sections of the Movement to bring their differences to Conference rather than indulge in recriminations that must inevitably end in the disintegration of the Movement.

(Signed)
R Sumner, President, Federal Executive
John M Power, Pres. NSW Branch, ALP
Arch Stewart, Sec., Federal Executive, ALP
W Carey, Secretary, NSW Branch, ALP

Further Statement by NSW President

The following further statement has been issued to members of the NSW Branch of the Australian Labor Party by the President of the NSW State Executive:

“In accordance with the joint decisions of the Federal and State Executives, it is desirable that in all cases where differences have arisen in connection with the selection or delegates to the Annual State Conference, further activity should be suspended pending advice upon the matter. A clear statement of the circumstances in any electorate made to headquarters will secure full information. In the meantime all should bury the hatchet.”

State Executive Meets

At a meeting of the State Executive, held last Friday night, a motion was carried instructing Mr Dunn, temporary leader of the NSW Parliamentary Labor Party, to convene a meeting of the Party and secure an assurance from all member of the Party of their loyalty to the decisions of the State Executive. It was contended by those opposed to the motion that such a procedure was not warranted, and could only be suggested for the purpose of causing further friction between the State Executive and the Parliamentary Party.
Editor of “Worker” Attacked

Mr Thick secured the suspension of the standing orders to move that Mr HE Boote (editor of The Worker) be requested to appear before the Executive to give an explanation regarding various statements published in The Worker in regard to the Labor dispute. Despite the fact that it was pointed out that the Executive had no control over The Worker, the motion was carried.

Should Party Meeting Be Held?

Members of the Parliamentary Party, referring to the action of the Executive in instructing Mr Dunn to call a Caucus meeting, assert that there is absolutely no necessity for the calling of a meeting of the Caucus, and that the instructions to Mr Dunn can only be for the purpose of trying to humiliate Mr Dooley. They claim, further, that the Executive has no power to order a Party meeting. Should Mr Dunn decide to call a Party meeting there is a feeling that he will find the majority of members hostile to him, who would have it in their power to adjourn the meeting without transacting any business desired by the Executive. The majority of the Parliamentary members are averse to any meeting being called at the present time.

Mr Dooley's Comments

Mr J Dooley, commenting upon the question of leadership, made the following statement at the weekend:

“As the statements in the press regarding the leadership and deputy leadership seem to be clouded, I think it is advisable to explain clearly the position. The Federal Executive decision not to interfere with the leadership of the Party is made abundantly clear in clause 3 of the agreement. The word 'deputy leader' is used not by accident, but intentionally. The Federal Executive realised that the position regarding the leadership and deputy leadership is entirely in the hands of the Parliamentary Party. The deputy leader may act for the leader at any time, and under the instructions and directions of the leader. No outside body has the right to give instructions to the deputy leader. The Parliamentary Party, and that alone, can give him instructions.”

The Terms of Settlement

Commenting upon the terms of settlement arrived at by the Federal and State Executives, Messrs Lang and Loughlin, two of the spokesmen for the Parliamentary Party before the Federal Executive, have issued the following statement:
“The decision only became available on Friday evening, and there has been no opportunity since then to have it considered by members, but it seems to be generally acceptable to our side.

“The recognition of Mr Dooley and his followers, and of Mr Dunn as deputy leader, goes about as far as it is possible to go to bring the Party back to a pre-dispute basis until Conference has declared itself on the issue.

“The request for a full Conference has been met by the enfranchisement of the affected leagues without their being obliged to undergo the humiliation of rescinding their resolutions, while a clean Conference has been reasonably assured by the placing of all league matters relating to the election of Conference delegates under the control of a committee with a Federal chairman.

Work for the Future

“The Movement’s right to express itself having thus been protected by the Federal intervention, we can now proceed with our work with every hope of ultimate success. The causes of the dissensions and recriminations, which have been noticeable in the Movement for the past couple of years, must be unrelentingly traced and ruthlessly removed, to prevent any recurrence of the prevailing trouble. This urgent need for a radical investigation and subsequent treatment of root causes must not be sidetracked by the minor question of leadership, or by subtle suggestions that the principle of Executive control within the Constitution is at stake.

“An honest facing of our difficulties now will remove the possibility of future dissensions and schisms, and will enable the Party to act unitedly and energetically in the interests of the people for whose benefit the Movement was organised. Our thanks are due to the Federal Executive, whose work has brought the hope of better days for Labor in this State.”
Executive Report of NSW ALP for 1922

(Mitchell Library Manuscripts, 329.3106/3)

[Note that, after discussion in conference, significant parts of this Executive Report were not accepted. For example, the section headed “Dooley, Gardiner and Charlton Circular” was rejected and two paragraphs from a minority report substituted.]

Australian Labor Party, State of New South Wales,
Executive Report, 1922

Ladies and Gentlemen,

The 32nd Annual Report and Balance Sheet of the Australian Labor Party, State of New South Wales, is hereby submitted for your consideration.

New Branches

During the year new branches have been formed and old branches resuscitated at the following centres: Homebush, Flemington, Strathfield, Oaklands, Newlands, North Auburn, Gerringong, Boolaroo, Sylvania, Brewarrina, Summer Hill, Dora Creek, Lambton, Coolamon, Wee Waa, Lyndhurst, Nambucca, Darlington, St Peters, Epping, Merrylands, North Ryde, East Maitland, Coolac, Linbourn, Rose Bay, Mogriguy, Thirroul, Howlong, Austinmere, Galong, Murrurundi, Gunnedah, Lightning Ridge, Manilla, Crookwell, Balldale, Cumnock, Newtown East, Camdenville, Ulmarra, Urana, Werris Creek, Harden, Narulen, Manildra, Undercliff, South Lidcombe, Cronulla, Rosebery, Blayney, Portland, Walgett.

The following unions have also affiliated under Rule 18 and Rule 6:--

- Rule 18: Federated Iron Workers, Saddlery Trades; Rule 6:--Trolly and Draymen.

Executive Meetings

During the year the Executive have held 33 meetings, including special meetings. The personnel of the Executive was altered in consequence of members nominating for selection for members of Parliament, and having to resign in accordance with the Rules, alternate members taking their places.

Deaths of Members

Since Conference last assembled the Movement has lost the services of that sterling old battler, Jabez Wright, member for Sturt. The sad news of Mr Wright’s demise was received with profound regret throughout the
Labor Movement, to the advancement of which he had practically devoted the whole of his life.

_Sturt Vacancy_

The vacancy caused by the death of Mr Wright has been filled by the election of Mr E Horsington, the next highest Labor candidate in the last ballot in 1922 in accordance with the provisions of the Electoral Act.

_Disintegrating Influences_

Immediately subsequent to the close of last Conference allegations of corrupt practices in connection with the Movement were circulated in the columns of the press, and anonymously, which resulted in the Parliamentary Party and Executive holding joint meetings for the purpose of allowing any member who desired to make definite charges and substantiate them. An invitation was extended to place all such charges in writing before the Executive, and a committee was appointed consisting of Messrs JM Power, C Last, and HL Brown, to prepare a report for presentation to Conference. The report is as follows:

_Report of Committee re Conference with Members of Parliament in September Last_

To Members of the Executive

Ladies and Gentlemen,

During August and September last a press campaign came into evidence, and had every appearance of being intended to further disrupt the Labor Movement.

Almost daily reports appeared in regard to meetings of the Parliamentary Party, setting out statements alleged to have been made by members of Parliament, which seriously reflected upon the Executive and upon the Movement generally.

The Executive was anxious to avoid further conflict, which could only have had a harmful effect upon the cause of Labor, and, therefore, refrained from replying or making any statement through the press. It was confidently felt that the reports would be promptly repudiated by the Party as untrue.

After waiting a considerable time, however, no such repudiation or explanation was forthcoming from the Party, and the Executive was therefore compelled to believe that the Party was prepared to take the responsibility for such statements.

Notwithstanding this failure by the MsP to do the fair and decent thing through the press, the Executive still refrained from public controversy, and invited the Parliamentary Party to meet it and repeat the statements or make charges if they were prepared to do so.
It is regrettable that a very poor response was made to this invitation, as at the first meeting only about one-third of the members attended, whilst at following meetings their attendances were practically nil.

The members completely failed to submit any definite charge or make any suggestion worthy of note that would assist the Movement, and the Committee is forced to the conclusion that the whole incident is more the outcome of personal feeling within the Party than of a well-judged attempt to place the interest of the Movement first.

The Committee also recommends that this statement, if adopted, be incorporated in the annual report to Conference.

(Signed) Harry L Brown, JM Power, C Last
Members of Committee.

Selections: Cook, Werriwa, Reid

Many statements made regarding the conduct of selection ballots in the press, and in Federal Hansards, caused the Executive to take greater care in safeguarding the integrity of such ballots, and upon allegations of corrupt practices in connection with the Cook, Werriwa and Reid selection ballots being made, an exhaustive examination of the circumstances surrounding these ballots was undertaken, with the result that each was declared null and void, and a selection by secret ballot of the Executive was taken; in each case the candidate selected by the Executive won the seat by huge majorities, which in itself shows that the electors appreciated the action of the Executive in their efforts to preserve the purity of the ballot.

Result of Federal Elections

For the first time since the great betrayal of 1916, the Australian Labor Party is again the strongest party in the House of Representatives, though still nine short of a majority over all other parties. At the last general elections 25 pledged Labor men were returned, and on this occasion the number is 29. Of the previous 25 three went back on their pledge, two of them ratting to anti-Labor, and none of these got back. They were Considine, Higgs and Catts. All three have been beaten by official Labor candidates.

In this State we captured the new electorate of Reid, which compensated us for the wiping out of the Barrier electorate. We also took Barton, a new electorate, from Hector Lamond. Reid was won by Mr Percy Coleman and Barton by Mr FA Macdonald. New South Wales has returned three new members to represent Labor, the third being Mr EC Riley, whose outing of JH Catts for Cook was perhaps the most popular victory in Australia. To new and old standard-bearers who have won seats, Labor’s congratulations are tendered.
Labor captured two seats in the Senate and with a satisfactory poll would have got all three. The defeat of Josiah Thomas for the Senate and of Hector Lamond in the House of Representatives leaves WM Hughes the only representative of the 1916 breakaway still in Parliament. Next election we hope to settle Senator Duncan, who joined the Nationalists later.

The Catts Party
JH Catts, who long had been under grave suspicion, took his expulsion from the Labor Movement keenly. He made the most bitter assertions against men with whom he had been associated for many years. The anti-Labor press took him up, but he and his anti-Labor colleagues failed miserably. The Catts Party ran six candidates for the House of Representatives, and one for the Senate. Every one of them but JH Catts himself lost the deposit, and the whole seven of them were at the bottom of their respective polls.

Mr Charlton's Health
The illness of Mr Charlton in the middle of the election campaign came as a shock to the Movement throughout Australia. The success of his operation was most gratifying to the people.

Calare and Macquarie
Although Labor won new ground in this State, our advantages were discounted by the loss of Calare and Macquarie. The poor attention paid by Messrs T Lavelle and S Nicholls (the beaten members) to their Parliamentary duties lost us the seats, which we may have trouble to regain, and certainly cannot recover until the next general elections. In the interests of the Movement there should be placed in the Constitution of the Australian Labor Party machinery to deal with unsatisfactory representatives. It is necessary that we shall insist upon proper service being rendered, and that the retention of the official endorsement shall be dependent upon such requirements being met completely.

To Organise Electorates. What Federal Members May Do
It is in the power of every Federal member to discover who did and who did not vote at the last elections. Under the Federal Act, the checked rolls of the returning officers, showing the ticks against the names of all who used the franchise, may be inspected, and the ticks copied into the clear roll belonging to the member. From this it will be seen where the non-voters are, and just who require to be organised. Of course, members cannot do the door-knocking themselves; they have their duty. But they can provide workers in the Labor Movement with marked rolls so that
voters may be followed up, and instructed as to why they should take the trouble to cast their ballot.

Anti-Labor Press Propaganda
Nationalism having disgusted the people of Australia, the only possible hope it had of making a figure was to brand other parties as equally black. The anti-Labor press clutched at everything possible to infer that there was trouble within the ranks of the ALP. The Catts stuff was wallowed in, the selection ballot protests (lodged under the rules and regulations of the Party) were used to misrepresent the Party as split and rent by internecine strife.

Dooley, Gardiner and Charlton Circular
As soon as the Federal elections were over Messrs Dooley, Gardiner and Charlton issued to the branches and unions a circular without the knowledge of the Executive, which appeared to attack the Executive’s conduct of the campaign and reflect on the integrity of members. The first intimation the Executive received was through the columns of the daily press. So serious did the position seem to the Executive that steps were immediately taken to obtain an explanation of their action, and the following report was forwarded to members of branches and unions in connection therewith:

Ladies and Gentlemen,

The Executive desires to state that it has carefully investigated and considered the circular issued over the names of Messrs Charlton, Gardiner, and Dooley, and begs to report as follows:

The Committee arrived at the conclusion that any evil likely to arise from the circular would be caused by the press interpretation thereof, and any agreement in the minds of members of the Movement or the public therewith.

It was therefore deemed advisable to have a statement from the signatories to the circular on the point.

The communication to these gentlemen and their replies are herewith submitted, and the Executive decided that a copy be forwarded to all branches and unions throughout the State, and that these bodies be advised that the best interests of the Movement would be served by discussing the proposals in the light of these replies, ignoring entirely press interpretation and deductions.

Copy of Letter Forwarded to Messrs Charlton, Gardiner, and Dooley

“Gentlemen,

“As you are no doubt aware, the circular recently issued to branches over your names has given rise to much comment in the press, and has caused considerable discussion and some resentment in the Movement.
“The press endeavors to convey the impression that the circular contains inferences and innuendoes reflecting upon the Executive, and is intended as a challenge to that body.

“Senator Gardiner attended a meeting of the Executive and definitely repudiated such interpretation, and as there is a good deal of opinion being expressed to the effect that the deductions made by the press are not unreasonable, the Executive would be pleased to have a statement from you in regard to the matter.

“Such statement would probably assist to clarify the position, and would tend towards an avoidance of further rupture.”

Copy of the Hon Matt Charlton’s Reply

“Dear Sir,

“Yours of the 9th instant duly to hand re recent circular issued to branches and unions, signed by Senator Gardiner, J Dooley, and myself.

“I desire to state that I had no intention of reflecting on the Executive or any member of same – my only object was to make recommendations for consideration, with a view of strengthening the Movement. I regret that my state of health, which is gradually improving, does not permit me attending the Executive meeting. This would be more satisfactory. I fully realise the great responsibility cast upon the Executive in controlling a great movement like ours, and I desire to convey my appreciation of the manner in which it cooperated with myself, as Leader of the Federal Party, in the conduct of the recent campaign.

Yours fraternally,

M Charlton

Copy of Senator A Gardiner’s Reply

“Dear Sir,

“The circular to leagues and unions signed by me, in conjunction with my colleagues, Messrs Charlton and Dooley, was not intended (as interpreted by the press) as a charge of corruption against the Executive or any member of the Executive. And therefore I stand by every sentence in the circular.

“The utter lack of organisation noticeable everywhere prompted the issue of that call to leagues and unions to remodel the Constitution, so that we may remove disputes within the Movement, and secure in our own ranks something approaching the harmony that is shown in the forces opposing us.

Yours fraternally,

Albert Gardiner”

Copy of Hon James Dooley’s Reply

“Dear Sir,

“I wish to make it absolutely clear that in signing the circular in conjunction with my colleagues, Messrs Charlton and Gardiner, I did not charge the
Executive, nor any member thereof, with corruption, neither did I mean to convey or infer any such charge. My sole object in issuing the circular was that, in my opinion, some of the suggestions, if not all, would be for the advancement and improvement of our Movement.

Yours faithfully,
James Dooley”

That whilst full discussion and expression of opinion upon the proposals is quite in order, branches and unions are requested to refrain from pledging their delegates until such delegates have participated in a discussion on the matter at Conference.

The Executive is of the opinion that the pledging of delegates upon a matter to be discussed at the Annual Conference must be avoided, inasmuch as a general adoption of such practice would destroy the value of Conference, and, in fact, render the term itself a misnomer.

It was also decided to forward copies of the replies to the Interstate Executive and to the press.

Trusting that you will have this very important matter placed before the next meeting of your members for their earnest consideration.

Yours faithfully,
W Carey,
General Secretary.

The circular of the Parliamentary leaders was seized upon as proving that they were out after the scalp of the Central Executive, and the first men to deny this absolutely and emphatically were the leaders themselves.

**Legislative Council**

In August, 1922, a charge against Mr Dooley regarding the appointment of JB Suttor to the Legislative Council was made by Mr M Hynes, who had been Secretary of the Mount Victoria League, and was referred to the Disputes Committee for inquiry and report. Owing to the Federal elections the Disputes Committee withheld its report until the campaign was over, and on February 19 it presented it to the Executive for consideration. After dealing with the report exhaustively at three meetings it was adopted by 20 votes to 7 votes.

**Finding of the Disputes Committee of the ALP in the Matter of the Appointment of Mr JB Suttor to the Legislative Council**

Your Committee reports that the finding in the above matter has been available for some time, and could have been presented earlier, but on account of loyalty to the ALP, and to prevent it being used against Labor men in the recent Federal elections, and also being used as a lever for the
purpose of disrupting the Party, the Committee decided to hold it over until after the Federal elections.

The Committee held a most exhaustive inquiry, extending over 20 sittings, and gave every person interested every facility to prove or disprove the allegations. Many witnesses were examined, amongst who were Messrs Dooley, Hutch, McKell, MsLA, Mr Suttor, MLC, Messrs Hynes, the President, and other officers of the Mount Victoria League, Messrs Carey and Gibbs of the Head Office, and others.

The available books, records, and ticket butts of Mount Victoria ALP Branch were produced and examined.

The list of certified members from the Secretary of Mount Victoria Branch were scrutinised.

The books in the Head Office in connection with Mount Victoria Branch and the cheque book of moneys paid for books of tickets and the record of all members sent out were examined.

Mr Suttor failed to produce any ticket showing that he was a member of Mount Victoria or any other branch of the ALP during the period of three years, or any part of it, prior to his appointment to the Legislative Council.

The book produced from Mount Victoria Branch does not bear any signature of Mr Suttor having signed the roll book at any time.

No evidence was given that Mr Suttor had ever been proposed or accepted, as a member of the ALP.

Mr Suttor stated that about eight years ago he joined the Mount Victoria Branch, but ceased his membership for some years, and then rejoined in a period that would give him continuity, making him eligible for appointment to the Upper House, but Mr Suttor’s name does not appear on any list furnished to the General Secretary during any period as being a member of the ALP.

Mr Suttor admits having met Mr Hynes in Sydney after he was appointed to the Upper House, and on two occasions states he paid Hynes money, but gave it to him out of charity, and not for services rendered by faking tickets to make it appear that he was eligible for appointment as MLC.

Mr Suttor states his knowledge of Hynes was only limited, but he searched for him for some time round Woolloomooloo when he heard that Hynes wanted money, and gave him a certain sum; at the same time he knew of other deserving cases, but his charity was not extended to them.

For years past Mr Suttor has been a resident of Sydney and suburbs, and not a bona fide resident of Mount Victoria, which place he only visited at week ends, such visits coinciding with the visits of Mr Dooley.

The Committee gave Mr Suttor some months to search for and produce any ALP ticket issued to him, but he failed to do so. No ticket butt other than the a faked ones referred to by Hynes are in existence
regarding Mr Suttor, and no evidence, apart from Mr Dooley’s statement “that Suttor gave him valuable assistance during election periods”, and that of Mr Mutch, who stated that Suttor drove him to several meetings in his car in the Botany electorate, and of the President of the Mount Victoria ALP, who stated that Mr Suttor had given a few shillings in payment for social tickets, was elicited showing that Mr Suttor had helped in any way Labor’s cause.

Mr McKell, whom Mr Dooley stated had been assisted by Suttor, denied having ever received assistance in any form from Suttor.

The abovementioned items were regarded as personal matters with an underlying motive.

Mr Dooley, after several requests to attend a meeting of the Committee, eventually did attend, and made a written statement denying the statement made by Hynes, and produced a statement from the Inspector-General of Police that Hynes had a bad record.

Hynes had previously stated that any trouble he had been in was prior to his meeting with Mr Dooley, who had a full knowledge of such lapses, had then enough confidence in him to appoint him as a paid organiser and chief canvasser in Mt Victoria.

Hynes admits having faked the ticket butts, and states that Suttor was never a member of the Mt Victoria Branch during his period of secretaryship. The Committee must endorse that statement after having examined all documentary evidence in the case, and the list of members of Mt Victoria ALP made out by Hynes as secretary in his own handwriting, sent to the Head Office prior to Suttor’s appointment.

Hynes’s character is undoubtedly besmirched, but all this was within the knowledge of Messrs Dooley, Suttor and Payne before they engaged him for the purpose he asserts they did. But in fairness to Hynes it must be stated that he has a clean record, so far as we know, since he became associated with the Labor Movement.

The Committee unanimously agree that Mr Suttor was not eligible for appointment to the Legislative Council under the auspices of the ALP, that he had not the necessary qualifications in accordance with the Rules, the evidence submitted did not support the case that he at any time was imbued with Labor principles or ever did anything in Labor’s cause to warrant his appointment as MLC, and that by his appointment injustice has been done to the rank and file.

The Committee regrets the part played in this case by one honored by the Movement and placed in the position of a leader, and are of the opinion that Mr Dooley, in spite of his protests to the contrary, was well aware of the fact that Mr Suttor was not eligible under the Rules of the ALP to be nominated to the Legislative Council, and that he solicited votes in support of him, not because Mr Suttor was a Labor man, but out of personal motives to secure his own political ends and to compensate
Mr Suttor at the expense of the ALP for any personal assistance he may have given him.

Mr Dooley attempted in his explanation to justify any action taken by him by the fact of the 1920 Executive having endorsed and forwarded amongst others Mr Suttor’s application. That can be discounted by the fact of some hundreds of applications having been dealt with en bloc and certified to by League secretaries with the understanding that the final review and scrutiny would take place at Parliament House, when the Labor Party had them under consideration, and each applicant would be certified to by the members of the district. That procedure was apparently adopted, and Mr Dooley triumphantly piloted Mr Suttor into the Legislative Council. Though it is unpleasant to have to state, we are forced to concur in the belief that Mr Dooley was well aware of all the circumstances surrounding this corrupt appointment, and placed himself above the Movement in advocating such appointment.

Realising that the great Labor Movement relies upon the Central Executive to keep the political Movement clean, correct all abuses and corruption, and to deal out even-handed justice to all, we make the following recommendation.

We recommend that League secretaries be notified that Rule 10 must be strictly adhered to, and that a compiled list of league membership be kept in the ALP office. No person shall be endorsed whose name does not appear in continuity upon certified lists in ALP office, and every evidence of bona-fides thoroughly investigated.

(Signed) G Rowland
Chairman

Owing to a fresh outbreak of disintegrating statements appearing in the daily press on January 12 last, the Executive adopted the following resolution, which was conveyed to each member of the State Parliamentary Party:

“That the Executive hereby directs that any member of the Movement who hereafter promotes dissention within the ranks of the ALP by engaging in public recriminations with other members of the Movement or other practices of a reprehensible or disintegrating character shall be visited by the extreme penalty of expulsion, but all members shall have the right to bring all differences to the Executive for adjustment.”

Expulsion of Mr J Dooley

On Sunday and Monday, February 25 and 26, articles appearing over the signatures of Mr Dooley in the columns of the daily press were considered by the Executive at the meeting held on March 1, 1923. After consideration of the whole of the circumstances it was agreed, and a resolution was adopted by a large majority as follows: “That Mr Dooley’s defiance of Conference resolutions and Executive decisions automatically
places him outside the Labor Movement and this Executive therefore
determines to immediately call for applications for the position of
leadership of the State Party”.

The latter portion of the resolution makes a unique step in the
procedure of the Movement, and the justification and authority for the
Executive’s action is based upon the following ruling of the President,
which was given at the last Conference, and having been adopted is now
incorporated in the Constitution as Rule 33, which reads as follows:

“The Executive between Conferences has plenary powers to deal with all
matters of Policy, Platform and Rules, and their decisions must be observed
by all members of the Movement. But any member of the ALP shall have
the right of appeal to the Conference next following from any Executive
edict.”

Although the Executive action was the outcome of the crisis reached with
Mr Dooley after the publication of the facts of the Suttor case, it is
necessary that ALP members should be advised that this incident,
discreditable enough in itself, was only one of the contributing causes to
Mr Dooley’s forfeiture of the confidence of the Executive.

The Executive, while taking a serious view of the circumstances
surrounding the Suttor appointment, and Mr Dooley’s knowledge of that
gentleman’s lack of continuity of membership, had determined to leave
the whole matter in the hands of Conference, but Mr Dooley’s attack on
the members of the Executive brought him within the scope of the
resolution supported by Mr Dooley himself at the Executive meeting at
which it was adopted.

In Conclusion
The General Secretary desires to thank the President and Executive
members for their unfailing courtesy and unfailing attention given to the
many problems that have been placed before them from time to time.
The sincere regard of members for the best interests of the Movement has
resulted in a harmony of discussion which has greatly facilitated the
consideration of the numberless matters submitted during the year for
the Executive’s decision.

W Carey,
General Secretary

Parliamentary Labor Party’s Report
The 1922 election placed our Party in Opposition. The election itself was
the result of extraordinary circumstances. At a time when much of the
legislation we had promised the people had been advanced various
stages, or had been drafted ready for presentation to the House, the
Speaker resigned. Without a member outside our own ranks occupying
the chair we had no majority. Our Government resigned. The Nationalists were then in the same predicament and could not carry on. The Labor Party was again placed in control of the Treasury Benches and went to the electors as a Government.

Our defeat was not as great as it appeared. There were some seats in which a couple of hundred more votes to Labor would have returned the seat for Labor, and a sufficient gain should easily be obtained to place us in power next election. The Labor Government stood resolutely against a reduction in wages. The National Party celebrated its victory at the polls by acquiescing in the wholesale reduction of wages. They abolished the 44-hours, maintaining that its existence made for unemployment. They substituted 48-hours and immediately swelled the unemployed ranks by dispensing with the services of hundreds of men. So it is really the return to the 48-hours which has caused such widespread unemployment in this State today, and the party that said that once the 44-hours were abolished unemployment would practically cease has really made the position very much worse.

The Party fought strenuously against the amendment of the Industrial Arbitration Act, and vigorously contested any measure calculated to injure the people.

When the Public Works Committee was to be formed the Party selected Mr Frank Burke as its nominee, and he was duly elected by the Assembly, topping the poll.

The Government’s attitude in regard to the workers’ interests is being closely watched, and every effort will be made to thwart their attempts to destroy the effect of Labor legislation.

During the year a well-known figure and an old identity in the Labor Movement, in the person of Mr Jabez Wright, passed away. His place in the Assembly was taken by Mr E Horsington.

Robt. E O’Halloran
Secretary

Municipal Labor Party’s Annual Report

Town Hall, Sydney.
March 10, 1923
The General Secretary, Australian Labor Party,
Macdonell House, Sydney.

Dear Sir,

I beg to submit for the information of the Executive a brief review of the operations of the Labor Party in the City Council during the year 1922.
As you are aware, there were only nine survivors from the disastrous general Municipal elections of 1921, the Civic Reform Party being represented by 17 members.

Immediately upon his accession to office the Lord Mayor (Alderman WP McElhone) adopted a most autocratic attitude. With the battle cry of “Spoils to the victors”, he, without consideration for justice, embarked on a biased and vindictive campaign with the objective of robbing the employees of privileges held by them as a condition of service.

The block boys were amongst the first to feel the force of this vicious campaign against the workers. Employees known to be Labor sympathisers were gradually and systematically singled out for dismissal, while the preference to unionists condition of employment, which had operated in the City Council for such a considerable period, was cancelled. The Lord Mayor even went to the extent of denying the working man the right to rise from the ranks to the highest position in the service, which was striking at the very root of democracy. Is it any wonder that within a short period of the entry of the Civic Reform Party to the control of the city the employees were in a state of uneasiness, which seriously affected the efficiency of the service?

He also introduced conservative methods of administration, which if allowed to pass unchallenged would, while being against the best interests of the ratepayers as a whole, have also detrimentally reacted on the workers.

The concessions were attacked by Alderman Courtenay, Alderman Nicholls, his colleague, making a persistent and determined effort to substitute day labor by contract in regard to the cleansing of the city. By judicious handling both these efforts were frustrated.

The next important move by the Civic Reform Party was the adoption of a scheme to purchase additional supplies of electricity from the Railway Commissioners, thereby making the City Council dependent upon the Commissioners for an adequate supply of electricity to meet the demands of consumers, The General Manager strongly advocated the scheme, while the Labor Party opposed its adoption. Notwithstanding our efforts the recommendation was carried, and whilst recognising the ability of the General Manager we are still of the opinion that such an arrangement, if carried out for any length of time, will prove fatal to this valuable undertaking. It is strongly believed by the members of the Labor Party that the Council can generate electricity cheaper than the Commissioners, our plant being more modern and economical, and with the necessary extensions carried out the cost of production would be appreciably reduced. Under these circumstances we ask: “Why go to the Commissioners, who have repeatedly failed to keep faith with the public?” For this reason alone we hold we were justified in opposing any scheme having for its object the binding of the City Council by a contract
for the supply of current from such an unreliable public department as the Railway Department.

As set out in the report of last year’s operations it was stated that with the modern plant installed the Council would be in a position to reduce the prices of light and power for 1923. Although the conditions have been the same and the expenses just as heavy the profits now showing point to a big reduction in the direction indicated, and under such circumstances we have nothing to gain by linking up with the Commissioners.

An investigation has been held into the Electricity Undertaking. The ex-Lord Mayor appointed a firm of accountants (Messrs Smith and Johnson) to carry out this work. They were given a free hand, without the imposition of any restriction as to the amount required to carry out a thorough investigation into the operations of every branch of the undertaking. Two or three members of the staff of this firm were detailed for the work, and at the end of approximately three months the firm submitted a report on its investigations, together with an account for 1,000 guineas. Although the report may be valuable – and according to the price paid for it there does not appear to be any doubt in this direction – I have yet to learn what advantage a firm of accountants can be as advisers to any undertaking, they not having the necessary technical experience.

On going through the report I failed to discern one recommendation that could be classed as original, the General Manager in his comments going so far as to term some of the recommendations as “rot and utter nonsense”.

Investigations on similar lines have been made into the City Surveyor’s and City Architect’s Departments, but the reports are not yet available. However, nothing of a sensational character can be expected from them unless it is in the nature of a caustic criticism of the capabilities of some of the persons appointed to investigate.

Another vindictive move against the workers was the alteration in the system of pay from weekly to fortnightly, this hardship being inflicted upon employees under the guise of economy. The Lord Mayor endeavored to create a sensation by the publicity given to the disclosures which were to be awaited in regard to the paint contracts. In the end he seems to have had his desires gratified when the Foreman Painter was forced out of the service.

He also promised a revelation in regard to the woodblocks, but his search must have been disappointing, as we are still waiting to hear the result of the investigations of this Heaven-sent administrator.

Though faced with overwhelming odium in the Council, the Labor Aldermen, in the exercise of tact and commonsense, battled along against this reign of conservatism and had the satisfaction of finding that
towards the close of the year the Lord Mayor had become so autocratic as
to cause a feeling of uneasiness within the ranks of his party.

Quick to take advantage of this we lost no opportunity of
accentuating the breach, without offending against the cardinal
principles of the Movement.

Gradually the position became more strained, and there was
ultimately a cleavage in the ranks of the Civic Reform Party over the
anxiety of the Lord Mayor to dispense with the services of the City
Surveyor, four members of the party declining to endorse the attitude of
the Lord Mayor on this subject, and further refusing to vote for his re-
election as a fit representative to carry out their platform for the year
1923 in a fair and reasonable manner.

Bitter recriminations appeared in the press upon the subje-
cct, and by throwing our weight at the opportune time we were successful in having
elected as Lord Mayor Alderman David Gilpin, from whom we could
expect much more sympathetic treatment than his predecessor.

This move on our part naturally brought forth howls of condem-
nation from the capitalistic press, but time, we think, will prove that
apart from the strategical success the change was in the best interest of
the City.

Yours faithfully,
JV Holdsworth,
Hon Secretary, Municipal Labor Party

Report of Federal Parliamentary Labor Party

The Parliament of the Commonwealth
Melbourne, 25th January, 1923.
Mr W Carey,
General Secretary, ALP,
Macdonell House, Sydney.

Dear Comrade,

I hereby furnish for the information of your Executive a brief review
of the activities of the Federal Parliamentary Labor Party for the year
1922.

During the year we suffered another severe blow by the death of our
trusted and esteemed Leader, the Honorable Frank Tudor. His sterling,
personal qualities and his intimate knowledge of Parliamentary pro-
cedure, together with his long experience in the Labor Movement,
rendered him invaluable to the Party. His loss is a great one, not only to
the Movement but to the public life of Australia. Mr Matthew Charlton
was elected leader in the place of the late Mr Tudor, and has fully
justified the choice of the Party.
During the last session of Parliament, our members, though numbering only twenty-two in a House of seventy-five members, were constantly on the alert to protect the people’s interests, and in many instances by contesting Government proposals were responsible for their modification and improvement.

Our Party censured the Government for permitting the dumping of foreign goods into Australia while thousands of Australian workers were idle. We also fought strenuously against the immigration schemes that were aggravating the unemployed problem. The Government was saved on these, as on all other questions, by the votes of the Country Party.

The motion of our Leader to have Old-Age and Invalid Pensions increased to £1 per week was defeated by the same combination of Nationalist and Country Party members.

The question of sugar occupied an important place in the activities of the Party, and a censure motion was moved by our Leader (Mr Charlton). The Party endeavored to reduce the price of sugar to 4½d per lb, but were unsuccessful in their efforts. The Government very reluctantly reduced the price from 6d to 5d. This reduction would not have taken place had it not been for the strenuous fight put up by the Labor Party. We were also responsible for the investigations by a Committee of the whole of the sugar trading scheme. The report fully justified the attitude we took up.

The Party also protested very strenuously when it was learned that the Government intended to dispose of the Commonwealth Woollen Mills, but owing to the great influence of the woollen manufacturers and importers on the Government, tenders were called for the purchase of the mills.

Had it not been for the vigilance of the Opposition the impudent attempt by the Amalgamated Wireless Company to put their Chairman on the Wireless Board as a seventh or “independent” director would have succeeded. Labor frustrated that scheme.

We were also successful, after an effective debate, in compelling the Government to remove from the Defence Retirement Bill clauses that unjustly differentiated between the Civil and Military staffs in the matter of compensation.

Labor’s smashing criticism of Mr Bruce’s Budget exposed the financial juggling of the Government which plundered the Trust Fund and Notes Fund to make a fictitious surplus. We opposed the vast expenditure on assisted immigration, and the gift of nearly £3,000,000 by remission of taxation to large landowners, big warehousemen, banks, insurance companies, and individuals with large incomes. But the influence of “big business” was too strong. After a considerable struggle the Government agreed to increase the Income Tax exemption for children.
The questions of Repatriation, improved medical service for New Guinea, consideration for workers discharged from Government factories, and many other matters affecting the well-being of the people received our closest attention.

The Labor Party’s fearless exposure of scandals connected with War Service Homes, the Wireless Agreement, the Kidman-Mayoh ship-building contract, the sale of flour to South Africa, and the selling of wooden ships for less than the public tenders, rendered a service to the community by assisting to purify the public life of Australia.

The constant and telling attacks by the Labor Opposition seriously weakened the Government’s position. The Nationalist Government went to the country discredited and was defeated by the awakened electors.

The Near Eastern crisis and the approaching elections gave the Nationalist Government an opportunity to again exploit the war feeling, but although strenuous efforts were made to breathe life into a very dead corpse, it failed. This was mainly owing to the declaration of our Leader, Mr Charlton, that Australia was not going to be dragged at the heels of every filibustering Prime Minister, and that before any pledges were given on behalf of Australia the people should be consulted.

The elections took place on December 16th, and it is satisfactory to note that the people have at last begun to realise the danger of the Nationalist Government to their happiness and prosperity. The Party went to the country with 22 members in the House of Representatives and two in the Senate. The people showed an increasing confidence in the Labor Party, and we will now have 29 members in the House of Representatives and 12 in the Senate, which is a total of 41 out of 111 in both Houses. It will be seen that with a continuance of the present swing towards the Labor Party in the Federal arena it is almost certain that a Labor Government will take office after the next elections. While the Labor Party is the strongest individual party in the House of Representatives, there is a majority of 17 in the combined anti-Labor parties.

Notwithstanding this, the new Parliament promises to be very unstable, and there is a probability that owing to intriguing and internal dissension in the ranks of anti-Labor forces a crisis may be precipitated which may lead to an early dissolution. The Labor organisations should bear this in mind, and keep in readiness for another fight, and, in this instance, winning fight.

Yours fraternally,
(Signed) Arthur Blakeley,
Secretary Federal Parliament Labor Party
Annual Conference of NSW ALP, 1923
(The Worker, 6, 13, 20 June 1923)

Day 1, Saturday, 2 June 1923


The enthusiasm associated with the old-time Labor Conferences was an outstanding feature of the NSW Annual Conference, which opened at the Trades Hall, Sydney, last Saturday afternoon. In view of the importance of the business to be transacted by the Conference there was a record attendance – fully 300 delegates being present when business was called on by the President (Mr JM Power). Many members of the Federal and State Labor Parties were present. The seating accommodation in the big Social Hall was taxed to the utmost, and it was with difficulty that all delegates and official visitors could be seated.

The proceedings were of an animated character, and the announcement of each vote was punctuated by loud cheering. From the start it was plain that the Conference was lined up in two opposing camps – one supporting the Executive’s recent actions, and the other strongly opposed to them. That both sides had been strongly organised there was little doubt. But from the very outset the anti-Executive section scored, and continued to score, gaining in strength, until late on Monday night an important test vote showed that it had a majority of between 70 and 80 votes.

Federal Executive Officers Present

President Power declared the Conference open with a brief mention of the importance of the matters to be decided. He intimated that officers of the Federal Executive – Messrs R Sumner (President), J Hannan (Vice-President), and A Stewart (Secretary) – were present, and invited them to take part in the proceedings. This announcement was received with cheers. For the position of minute secretary, Senator J Grant defeated Mr C Last by a large majority, while Mr C Roberts was elected timekeeper. These were gains for the anti-Executive section.

On the question of admitting the press, Mr C Last moved that the press be admitted. He pointed out that the press would get reports of the Conference if they were not admitted, but that such reports would be ex parte statements, whereas, if they were admitted, there would be no excuse for misrepresentation. If the daily newspapers did not give a fair
report of the proceedings, Conference would know how to deal with them. The motion was carried. It was also decided to admit the public to the back of the hall, provided there was room after the alternate delegates had been accommodated.

When it came to electing the credentials committee it was suggested that the committee appointed prior to the Conference, consisting of Messrs A Stewart, G Rowlands and J Tyrrell, should continue to act throughout the Conference. Conference endorsed this suggestion. A spirited contest took place for the election of the agenda committee, and the following were elected: Messrs J Howie, A Blakeley, EC Magrath, J Graves and J O’Brien. This was another win for the anti-Executive section, which was represented by Messrs Blakeley, Magrath and O’Brien.

A Letter from Mr Hynes

President Power read several items of correspondence. One letter was from the Paddington League asking that Alderman Jones (Paddington) be heard by Conference with a view to his readmission to the Movement. It was pointed out that he was in the same position as Aldermen Purcell and Falvey, who appealed to the last Conference and were readmitted to the Movement. Conference decided to hear Alderman Jones at a later date. Another letter was from Mr Hynes (a prominent figure in the Dooley-Sutter business), who protested against his expulsion from the Movement, and asked to be allowed to address delegates. It was decided that he be heard at a date to be fixed.

Move to Exclude Parliamentarians

The first real business of the Conference was a matter regarding the admission of members of Parliament. At a meeting of the State Executive last Thursday, a motion was carried that they be not admitted. Following on this, the Federal Secretary (Mr A Stewart), on behalf of the joint committee of the State and Federal Executives, forwarded the following letter to the State Executive:

“I am directed to inform you that the special committee appointed under the terms of the agreement between the Federal and State Executives holds that to prevent the admission of members of Parliament who are not delegates to Conference is a distinct breach of the understanding arrived at between the two bodies, as contained in clause 1 of the Agreement.

“It decides, therefore, that in accordance with the customs previously established, members of Parliament are to be admitted, but they must be accommodated in a portion of the hall set apart from the delegates. It is recommended that they shall not be permitted to take part in the debates before Conference unless they are directly affected individually or personally.”
Reasons for State Executive’s Action

Mr Denford (Ironworkers) opened the debate on the matter by moving that the action of the State Executive be endorsed. He did not consider that members of Parliament, who were not delegates, had any right to take part in the proceedings. Mr Howie (Coopers’ Union), who seconded the motion, said he hoped that the rank and file of the Movement would have enough intelligence to conduct their own business without allowing the politicians to butt in. If the Conference was an industrial one members would not be allowed to speak, and he did not see why they should have special privileges at this Conference.

Mr G Rowlands (Executive) said he had moved the resolution at the meeting of the State Executive to exclude the Parliamentarians. He wanted delegates to get fair treatment instead of having the time of Conference wasted by the airing of grievances by the politicians. Mr Bell (Albury) suggested that the Parliamentarians should be allowed to attend the present Conference, but should be debarred in the future. If they were excluded from the present Conference delegates might think there was some ulterior motive. Mr W Dean (Municipal Employees) favoured hearing the Parliamentarians. They had a case to put forward, as well as the State Executive, and Conference would have to judge which side was right.

After several other delegates had expressed their views a vote was taken. The motion was narrowly defeated – by 129 to 127. A division was demanded, and this showed that the motion was defeated by 130 to 121. This was a win for the anti-Executive section, and brought forth loud cheering.

Mr Dooley’s Appeal to Conference

President Power read a letter from Mr J Dooley, protesting against his expulsion from the Movement, and requesting that he be allowed to address the Conference. On the motion of Mrs Fowler (Botany) it was decided to hear Mr Dooley. There was a lengthy debate as to when Mr Dooley should address delegates. Mr Stapleton (Paddington) moved that he had heard on Monday night. Mr Denford moved an amendment that the Executive’s report be dealt with before Mr Dooley was invited to address delegates. He thought this was the proper course to take, because if the Executive’s action was not endorsed Mr Dooley would then automatically go back into the Movement. If, on the other hand, the Executive’s action was upheld, Conference could then decide what to do with Mr Dooley. Mr H Connell, MLA, opposed the amendment, which he said was equivalent to trying Mr Dooley in his absence. He thought that Mr Dooley should be heard first.
Mr D Stewart (Western Suburbs) moved as a further amendment. “That Mr Dooley be invited to be present when the Executive’s report was being considered, and to be allowed to speak”. Mr Garden (Sailmakers) supported the view taken by Mr Stewart. Mr Willis (Coal Miners) also thought that Mr Dooley should be present when the Executive’s report was being dealt with. He suggested that the matter be taken at 2 pm on Monday. Mr Lang, MLA, appealed to delegates to give Mr Dooley a fair trial. Mr Stewart’s further amendment was carried by 149 votes to 112. The result was loudly cheered by the anti-Executive section, and this brought forth hoots from those opposed to Mr Dooley. A division was then claimed, and the final result was 142 in favour of Mr Stewart’s amendment and 132 against.

Federal Labor Leader Welcomed

At this stage the President introduced the Federal Labor Leader (Mr Charlton), who was received with loud cheers. In the course of a few words, Mr Charlton expressed his pleasure at being present at the largest Annual Conference he had ever attended. He appealed to delegates to settle their factional disputes and line up to meet their opponents in strength. If they did this Labor would soon regain its former strength. The tide had turned, and what had been done in Queensland on May 12 would be repeated in the near future in the Commonwealth and in other States. Then Labor would come into its own.

All Parties to Dispute to be Invited

Mr Baddeley, MLA, (Coalminers), reopened the debate on the question of Mr Dooley’s attendance at Conference. He moved that the officials deputed to put the case for the Executive and Mr Dooley to be present at 2 pm on Monday, and that the Executive’s report be taken seriatim. He wanted to see a fair and open go for everyone. Mr JM Kelly (AWU) said that if Mr Dooley was to be allowed to attend, so should Messrs Suttor, Richards, Hynes, and others who were concerned in the Dooley-Executive business. He was not prepared to remain in the room and hear Mr Dooley if Hynes was not also invited to be present. Considerable interruption followed. Mrs Melville (Executive) suggested that the minority report from the Executive should be considered at the same time.

Mrs Fowler (Botany) drew attention to the fact that Mr Dooley was expelled, not because of the Suttor business, but because of what he stated in the daily press against Executive members. Hynes had nothing to do with that matter.
Mr Willis claimed that Mr Kelly was out of order on the ground that earlier in the proceedings Conference had decided to hear Hynes at a later date.

Mr J Kilburn (Bricklayers) said that for a working-class crowd to constitute themselves a jury to try a fellow-worker passed his comprehension. What they wanted was a cleaning up of the Movement, and they wanted it done in a complete manner. He supported the amendment to admit Hynes and Suttor.

Finally Mr Baddeley accepted the amendments of Mr Kelly and Mrs Melville, and the motion was carried.

**Order of Business**

Shortly before the end of the evening session on Saturday Mr Magrath presented a report from the agenda committee suggesting that the business before the Conference should be taken in the following order:

1. The standing orders should be established, and arrangements made for the election of officers for the coming year.
2. Election of returning-officer.
3. Appointment of scrutineers.
4. President’s address.
5. The report of the Federal officers (Messrs R Sumner, president; F Hannan, vice-president; and Arch Stewart, (secretary).

Mr Howie, on behalf of himself and Mr Graves, submitted a minority report recommending that Conference should take the report of the Federal officers upon intervention at the same time as the Dooley matter, and that the State Executive’s report should be dealt with at the same time. After a short discussion, the majority report submitted by Mr Magrath was adopted by a large majority. Conference then adjourned till Monday.

**Day 2, Monday, 4 June 1923**

**Alterations to Standing Orders**

The greater part of the morning session on Monday was taken up with a discussion regarding the Standing Orders. Mr J McGarry (Furniture Trades) moved that clause 10 be altered to read that nominations for officers and Executive Committee be received until 9 pm on Monday, June 4, ballot papers to be issued at 1 pm on Wednesday, and the ballot to close at 9 the same night. Mr Stewart (Western Suburbs) moved an amendment that Clause 10 be deleted for the time being, and come up for
discussion at a later stage. A second amendment was moved by Mr Cleary to provide for day sittings, while a third amendment by Mr Denford (Ironworkers) was that the clauses of the standing orders be taken and discussed individually. All the amendments were defeated, and the motion by Mr McGarry was carried.

A delegate drew attention to the great waste of time in taking divisions, and moved that no division be taken in those cases where the majority on a show of hands was more than 10 votes. The motion was defeated.

On the question of the election of a returning officer, Mr Lang, MLA, nominated Mr W Gibbs (Assistant-Secretary). Mr J Kelly seconded the nomination. There were no other nominations and Mr Gibbs was declared elected. For scrutineers, Messrs H Walker, J Higgins, EC Riley, and Ewen were elected.

**The Ballot Box**

Mrs Dwyer (Women Workers) asked that the ballot box used at the election of the last Executive be used for the present election, also that it should be placed in the hands of the returning officer and scrutineers for examination prior to being used. This would show that there was nothing wrong with it. She referred to the allegations about ballot boxes with sliding panels, and said she was one of a committee which investigated the allegations. They found two with sliding panels, and she wanted to see the person responsible for those ballot boxes dealt with. There was not a score of ballot boxes with sliding panels as had been alleged by some persons, including Mr Lang, to the Federal Executive. She only knew of two, and if Mr Lang knew of any more it was his duty to state where they were.

Mr AC Willis took a point of order that as the matter had to be gone into thoroughly at a later stage discussion about the ballot boxes with sliding panels should not be discussed now. The President sustained the point of order.

Mr Hutchinson, supporting Mrs Dwyer, alleged that Mr George Cann had gone to leagues and unions stating that the Executive ballot box was “crook.” (Uproar) Mr Cann replied, “That is a deliberate lie!” and added that he was referring to the boxes with the sliding panels, not to the Executive ballot box. Mr Hutchinson said he was prepared to stand by any statements he was making to the Conference, and to bring witnesses to prove that what he was saying was correct. (More uproar) He wanted the General Secretary (Mr Carey) to verify that the ballot box now at the office was the one used for taking last year’s Executive ballot. That ballot box had been placed before the Federal Executive, and they were satisfied that it was all right, and that there was nothing crook about it.
**When Executive Box was Examined**

Mr Mills moved, as an amendment, that it be left to the discretion of the returning-officer and scrutineers to select the ballot box to be used. He did not know whether the ballot box used last year was “crook” or not. He did not know that it was nine months afterwards that it was examined, not immediately after the election of the Executive, as was being inferred. There was not the slightest doubt that “crook” ballot boxes were in existence. As the matter of a full investigation of the ballot boxes was to come on later he hoped the motion would not be carried.

Mr J Lang seconded the amendment. The ballot box used at last Conference would be wanted during the investigation into the question of ballot boxes; therefore it should not be used for the present ballot. He wanted last year’s ballot box to be examined by delegates. The returning-officer and scrutineers could select any ballot box they desired.

**Mr Dooley’s Expulsion**

At the opening of the afternoon session, Mr Blakeley, MHR (AWU), referred to the business before Conference, and moved that the majority report of the Executive should be taken first, and then the minority report. After that Mr Hynes should make his accusations, and Mr Dooley should be heard in defence. He didn’t want to see Hynes coming to the Conference and making charges after Mr Dooley had stated his case. Hynes should be heard first.

Mr Blakeley’s motion was the signal for disorder from the anti-Dooley section. Mr O’Dea (Shop Assistants) accused Mr Blakeley of trying to cloud the issue. Mr McLelland opposed the motion. Mr Willis contended that the procedure had already been decided. Finally, Mr Blakeley’s motion was carried by a large majority.

**Accusations against Miners’ Delegates**

Uproar took place when one of the delegates from the Miners’ Federation stated that Mr Kelly (AWU) had made statements reflecting on the miners’ delegates, and demanded that they be withdrawn. Mr Willis (Coalminers) added that Mr Kelly had deliberately accused some of his fellow-delegates of being in the pay of their leaders. That was a deliberate untruth. Another delegate demanded that if Mr Kelly could not prove his allegations he should be expelled from the Conference. Mr Kelly replied that he had been insulted by them, but he was prepared to withdraw the allegation if his information was not correct.

Mr Willis: What is your information? Out with it!
Another delegate demanded that Mr Kelly be made to withdraw without qualification. Amidst disorder, Mr Kelly withdrew his statements unconditionally.

**Mr Dooley at Conference**

At this stage Mr Dooley entered the Conference, and was given a rousing reception. This was followed by hooting from some of the delegates and from the audience at the back of the hall, but counter-cheering followed. Mr Dooley was given a seat on the platform. The President appealed for order, warning the audience at the back of the hall that no interruption would be tolerated. Mr Lang, MLA, asked if Mr Hynes was present, and if not that the business be delayed a few minutes till he could be located. Mr Carey (General Secretary) said he had tried to find Hynes but could not, but his address was known. On the suggestion of Mr Lang it was decided to send a motor car to Hynes’s house and bring him to Conference.

Mr McLelland then opened the discussion on the Executive’s report. This was the first opportunity they had of presenting a case to country delegates, and he hoped they would not allow their judgment to be warped by prejudice or suspicion. He asked for a square deal for the Executive, and nothing more.

**Trying to Locate Hynes**

At this stage Mr Denford reported that he had gone to Hynes’ house, but did not find him, as he had gone to the races. (Laughter) Mr Denford added that he had been told that they could see Hynes when he returned. The President instructed Mr Denford to go to Hynes’ house again at the tea adjournment and bring him to Conference for the night session.

**Unconstitutional Leagues**

After Mr McLelland had formally moved the adoption of the first clause of the Executive’s report dealing with new branches, Mrs Fowler (Botany) alleged that certain leagues at Newtown had been formed unconstitutionally. She referred to Newtown East and Camdenville. She said that Executive officers had no right to participate in the formation of those leagues. She moved that the matter of new branches in the metropolitan area be referred back to the incoming Executive and the remainder of the clause adopted.

A delegate from Newtown said that the new leagues had been formed by a few disgruntled persons who could not get their own way in the old leagues. A country delegate said that at the present time members of Parliament were not doing their duty in the matter of organisation. For
eight months in the year they did nothing. They should take a more active part in organising work.

Mr Charlton (Federal Labor Leader) said it was a big mistake to suppose that members of Parliament did nothing during recess; they were continually busy performing various duties for their constituents. Two-thirds of his electorate (Hunter) was organised, and delegates were present at Conference. He would remind them that he went into the Hunter electorate and won it for Labor, and had held it ever since.

Mr Frank Burke, MLA, supported Mrs Fowler. Newtown was honey-combed with leagues. He would like to see as many leagues as impossible, providing they were legitimate ones. The leagues under discussion crept up prior to the Federal election, when there was an attempt to have a particular man selected. In his opinion the Executive tried to smash the existing Newtown leagues.

Mr McLelland denied this allegation. The amendment as moved by Mrs Fowler was carried.

Parliamentary Party v Caucus

Mr McLelland then moved the adoption of the clause in the Executive’s report under the heading of “Disintegrating Influences”. He said that immediately subsequent to the close of last Conference allegations of corrupt practices in connection with the Movement were circulated in the columns of the press, and anonymously, which resulted in the Parliamentary Party and the Executive holding joint meetings for the purpose of allowing any member who desired to make definite charges and substantiate them. An invitation was extended to place all such charges, but the Parliamentary Caucus did not bring its charges to the Executive but had adopted measures which brought the matter into the columns of the daily press.

As regards the allegations of “crook” ballot boxes, they were made in 1920, not during the lifetime of the 1922 Executive. Further, the Executive had not conducted a selection ballot during the year, yet it was branded as corrupt because of the existence of the “crook” ballot boxes. The Executive resented the charges made in Caucus, and because the Parliamentary Party did not come along with its charges the Executive refused to institute a heresy hunt. There must be definite charges before any cleaning up could be done. Finally a committee was appointed to draft the following reply:

“TO MEMBERS OF THE EXECUTIVE: Ladies and Gentlemen, During August and September last a press campaign came into evidence, and had every appearance of being intended to further disrupt the Labor Movement.

“Almost daily reports appeared in regard to meetings of the Parliamentary Party, setting out statements alleged to have been made by members of
Parliament, which seriously reflected upon the Executive and upon the Movement generally.

“The Executive was anxious to avoid further conflict, which could only have had a harmful effect upon the cause of Labor, and, therefore, refrained from replying or making any statement through the press. It was confidently felt that the reports would be promptly repudiated by the Party as untrue.

“After waiting a considerable time, however, no such repudiation or explanation was forthcoming from the Party, and the Executive was therefore compelled to believe that the Party was prepared to take the responsibility for such statements.

“Notwithstanding this failure by the MsP to do the fair and decent thing through the press, the Executive still refrained from public controversy, and invited the Parliamentary Party to meet it and repeat the statements, or make charges if they were prepared to do so.

“It is regrettable that a very poor response was made to this invitation, as at the first meeting only about one-third of the members attended, whilst at following meetings their attendances were practically nil.

“The members completely failed to submit any definite charge or make any suggestion worthy of note that would assist the Movement, and the Committee is forced to the conclusion that the whole incident is more the outcome of personal feeling within the Party than of a well-judged attempt to place the interest of the Movement first.

“The Committee also recommends that this statement, if adopted, be incorporated in the annual report to Conference.

“(Signed) Harry L Brown, JM Power, C Last, Members of Committee”

**The “Crook” Ballot Boxes**

Mr G Cann, MLA, referred to statements made by Mr Hutchison earlier in the day. He (Cann) saw the Executive ballot box nine months after it had been used for the taking of the Executive ballot, and at that time he could see nothing wrong with it. But on the night it was shown to him he was taken into the Secretary’s office and shown a ballot box with a sliding panel in it. He made no statement that the Executive ballot box was crook. What he said was that there were “crook” ballot boxes in existence. So long as there was one “crook” ballot box in existence there would be crooked work. He was told that a special committee was at work trying to find out who was responsible for the “crook” ballot boxes. The names of two members of the Movement were mentioned in connection with them. The ballot boxes with the sliding panels were similar to the Executive ballot box.

Mr Lang, MLA, moved an amendment, “That clause 2 of the report of the minority of the Executive be substituted for the clause under discussion”. This was ruled out of order, and he thereupon moved: “That
discussion of the clause be deferred, and that it be taken in conjunction with the minority report”.

**President Power’s Observations**

President Power, in defining the scope of the debate, said that any person who said that all was well with the Labor ballots did not know what he was talking about. Much of the matter that caused the coming together of members of the Executive and the Parliamentarians was not so much the statements by Caucus members, but the insinuations made in the press. It was a clear indication that there was something wrong with the Movement when private matters appeared in the press. He believed that Caucus should have appointed members to make statements in reply to those appearing in the press. Things had been stated in the press regarding Executive meetings which were the very reverse to the truth.

As regards the faked ballot boxes he knew nothing about them, or how or by whom they were made, or who gave the order. He wasn’t a member of the Executive at the time. But about 12 months ago he did discover that crook ballot boxes were in existence, and he would say they had been deliberately made “crook”. Neither of the two boxes had been used in conjunction with the last election of the Executive. The Executive had appointed a committee, which had made inquiries, and, as far as he knew, it was impossible to get the address of the person who constructed the boxes, and who alone could give the information required. He (Mr Power) was told that the man who made the boxes had stated that he had been instructed to make them “crook”. On the other hand he had seen a later statement by the man denying that he had made any “crooked” boxes. Regarding what took place at the last meeting of the Executive, the proposal to send the report on the boxes to the Conference was rejected, but such a decision could not prevent the Conference getting the report if it desired it. The document could be secured if necessary.

**Documents Demanded**

Mrs Dwyer said that Mr Rowlands, chairman of the investigating committee, had a report on the matter which could be furnished to Conference.

The President said this would be done at a later stage.

Mr Buckley, in a personal explanation, said he wished to clear his name regarding the “crook” ballot boxes. He could give an emphatic denial to any charges made against him. He demanded that the report be presented, and the matter fully investigated.

Mr Tom Arthur said it was true that he had been returning officer at the time. He, too, wanted to clear his name in the matter. He demanded that an officer be despatched to the Secretary’s office to bring
immediately to Conference the report, which should show his evidence before the committee and the minutes of the last Executive meeting.

This was agreed to. It was also decided to submit to Conference a signed statement by Mr Stapleton (Paddington). Mr Buckley also asked that the minute-book of Caucus be produced at Conference. Mr EC Riley, MHR, asked that the General Secretary’s letter of July 7, 1922, dealing with the “crook” ballot boxes be read to Conference.

*Secretary Carey’s Letter to Executive*

The President read the letter, which was as follows:

“On Wednesday last Mr Will Ennis, editor of the *Labor News*, challenged the ALP ballot boxes.

“Mr Ennis stated that the previous afternoon he had heard at Parliament House that the Clerical Association had discovered a sliding panel in a ballot box borrowed from us. He made inquiries next morning at the office of the Clerical Association, and Messrs P Coleman and Les Smith bore out the story. They said they had found a loose panel in a cedar or redwood box.

“As the ALP had no cedar or redwood box, I returned with the editor of the *Labor News* to the office of the clerks, and invited Messrs Coleman and Smith to find such a box amongst ours.

“They came back to Macdonell House with us, and indicated the box, through paper they had plastered over the loose board and the slot, part of their stamp being visible. They had made a mistake about the material, but not as to the sliding panel.

“We were reinforced by Messrs Power and Gibbs and discovered that, of the eight boxes on the premises, two were fraudulent. Quite likely the others would yield to a hammer tap, but were too tight to slide.

“There are five more boxes out on loan to affiliated unions or branches, and not returned.

“Each sliding panel has been camouflaged with nail heads, clearly providing that the thing was done with intent, and was not due to the maker scamping his job. Also, somebody knew how to work the oracle, for in one case, the unnailed board was shifted by a hammer, as marks upon it show. It was so tight that the tongue of the panel which fitted into it was torn away.

“Mr Coleman stated that his union borrowed the box in February, but they returned it without reporting the discovery – in effect because he was too ashamed of it. The man who actually found that the board moved was Mr Lynch, of the Clerical Association. About five are stated to have been present at the time.

“The order for the boxes was made prior to the selection ballots for 1920. The returning officer was Mr Tom Arthur and he was authorised to have the work done. The boxes were not delivered at this office until after those
ballots, the returning officer having accepted and distributed them among
the various bodies that were engaged in the taking of the ballots.

“I objected to the extortionate price demanded, and I held back portion of
the money; but Mr AW Buckley stated that the maker was a most deserving
constituent of his, out of employment, and the Central Executive instructed
me to pay the rest of the money. I made out a cheque for this to Mr Buckley
personally, and the receipt is signed by John Cummings.

“Since it is over two years ago that the boxes were made, and as several
organisations may have made discoveries similar to that of the Clerical
Association, it is no wonder that stories of corruption have been floating
around. In my opinion, therefore, we should be equally open in dealing
with the suppression of this fraud, now that it had come to our official
knowledge.

“Both the Movement itself and every official of the Movement have
everything to lose by the adoption of the Star Chamber tactics which would
put us under a cloud for ever, merely to shield those responsible, whoever
they may be. (Signed) W Carey”

The President said that a committee was appointed by the Executive to
deal with the matter. He did not know that any report came before the
Executive until last week. He regretted that the matter was not referred
to him immediately or he would have taken good care to deal with it.

Mr Coleman’s Observations

Mr Coleman, MHR, late Secretary of the Clerical Association, dealt with
the discovery of the boxes, as outlined in Mr Carey’s letter to the
Executive. He did not blame members of the Executive for the
crookedness. If the Executive knew the boxes were “crook” they would
hardly loan them out to unions to be discovered. The discovery by the
Clerical Association was not reported at the time because it was thought
that the box was defective and had been lent to the union by the
Executive in error. He suggested that in future galvanised ballot boxes be
constructed, and hoped that the person responsible for the “crook” boxes
would be suitably dealt with.

President Power produced the statement signed by Mr Stapleton
(Paddington) regarding a conversation between him and a Mr Cum-
nings. The President added that the Executive had got in touch with Mr
Cummings, but could not get him to attend any meetings. Last week
members of the investigating committee went to Mr Cummings’s house,
and secured a statement from him in which he denied the allegations
made by Mr Stapleton. He had made boxes, but they were all honestly
made.
Who Ordered the Boxes?

Mr Tom Arthur objected to his name being used in the matter. The minute book would show that he had no authority to give any orders for ballot boxes. It was true that he was returning officer at the time. He asked for the production of the minute book. Mr Carey said that Mr Arthur’s name was not mentioned in the matter. He did not know who ordered the boxes, and they were not delivered to the ALP office until after the ballots had been taken. He could not say who ordered the boxes. Mr Buckley, in answer to a question, said that Mr Cummings was a resident at No 10 Richard’s Avenue, Surry Hills, before he (Buckley) went to live there. He took over the house, and Cummings remained there for a couple of weeks till he got another house on the other side of the street.

Mr Arthur said he did not give the order for the ballot boxes nor take delivery of them.

A Quaint Suggestion

At the night session of the Conference Mr G Rowlands, chairman of the special committee which investigated the allegations regarding the ballot boxes, detailed the inquiries that had been made by the committee. The committee interviewed the man who was stated to have made the “crook” boxes, but he repudiated having made any “crook” boxes. He also denied the allegations made by Mr Stapleton. The Executive officials knew nothing of the crook boxes until the matter was brought to light by the Clerical Association. Boxes had been loaned out to unions, and who was to say that somebody had not sent back “crook” boxes in exchange for good ones supplied to them? (Laughter)

Mr Stapleton (Paddington) said he wasn’t making any charge against any member of the Movement. What he did do was to appear before the special committee and state what had been told him. He was prepared to stand by that statement.

Mr J Lang, MLA, said that the fact that “crook” ballot boxes existed was proof of corruption. The Executive had admitted the existence of the “crook” boxes. He read a statement signed by Mr Lazzarini, MLA, which set out that a man had declared that he and another man had made twelve “crook” ballot boxes, with sliding panels so constructed that a person’s hand could be inserted into the box. This man was prepared to appear before the Conference and affirm the statements made, also to identify the boxes he had made.
Executive Should be Placed on Trial

Mr Lang (continuing) said that the cause of the dissension throughout the State was the rottenness of the Executive – (uproar) – in aiding and abetting the corruption. The Executive were told about the “crook” ballot boxes last July, yet they deliberately endorsed one candidate for Cook and another for Reid. (Disorder) The Executive should be placed on trial and found guilty or innocent. The charge should not be who made the boxes, but who had allowed the fair name of Labor to be dragged in the mud. The Conference should appoint a committee to find out who were the guilty persons, and Conference should be given power to deal with them. He asked the Conference to reject that portion of the Executive’s report under discussion and adopt clause 2 of the minority report.

Mr G Rowlands challenged Mr Lang to name anything against him. This brought angry hoots from the delegates. At this stage it was announced that every effort had been made to get Mr Hynes to come to the Conference, but without success. Hynes had stated that he had no intention of coming to Conference. Mr Denford, who had tried to persuade Hynes to come to Conference, said that the inmates of the house made it very clear to him that Hynes would not put in an appearance at the Conference.

Was there a Motive?

Resuming the debate Mr Mills (Wharf Laborers) said he did not blame the outgoing Executive for making the “crook” ballot boxes, but they did their best to hide the business instead of exposing it. When the matter was up before the Executive last week, he had asked that the matter be sent to Conference, but the Executive refused to do so. It withheld it for some unknown reason. Whether it was to hide and shield certain persons he did not know. He, too, wanted to see Conference adopt clause 2 of the minority report.

Mr G Sutherland said he was not a member of the Executive in the year the ballot boxes were made. He suggested that the person who was supposed to have made the boxes should be brought to the Conference and allowed to state just what was the truth about the matter. He wanted everybody connected with the matter brought before the Conference and the whole business cleared up.

Mr O’Dea said that material evidence had been withheld from the committee investigating the matter. He claimed that Mr Coleman did not come forward with his evidence as early as he should have done. The Executive did not want to cloak the matter up. They had intended bringing it before the Conference. He hoped that the Conference would get at the bottom of the matter.
Bigger Issues at Stake

Mr Baddeley, MLA, (Miners), said that last year, when he was elected, he heard all sorts of rumours about corruption, faked ballot boxes and so on. He set out to do his best to get investigations made. Allegations were hurled at him everywhere, but he considered it his duty to help clean up the Movement. Last August he brought the matter to Caucus, and moved a resolution which was conveyed to the Executive, which in turn asked him for definite statements. At that time he came to the conclusion that the Executive was trying to “put one over” on the Parliamentary Party. He told Caucus members that it was their duty to go to the rank and file and explain everything. It was not thought advisable to do that at that stage. About that time the joint circular was issued by Messrs Dooley, Charlton and Gardiner. The evidence now before Conference clearly showed that the Executive knew all about the faked ballot boxes last July. He was out to see the Movement cleaned up. There were bigger issues at stake, and it was time they commenced to do something for the working people.

Mr CC Lazzarini, MHR, said the statement referred to by Mr Lang came into his possession shortly before the intervention of the Federal Executive. He supplied delegates with additional details regarding the statements made to him by the man who said he had made the boxes. He wanted the Conference to appoint a special committee to thoroughly investigate the statements that had been made.

Executive’s Responsibility

Mrs Melville, a member of the minority section of the Executive, said that time and again members of the minority section pressed to have this matter cleaned up. They were told that the committee was sitting. The Executive made an attempt to throttle the matter last Thursday night. Mr Mills requested that the matter be referred to the Conference, but that suggestion was turned down. She blamed the Executive for not putting one of the “minority” members on the investigating committee. Despite the fact that certain persons were under a cloud, the Executive endorsed them for selection. She demanded that a committee be appointed to inquire into the matter. The Executive was not responsible for making the ballot boxes, but they were certainly responsible for shielding certain men. She said that it was useless trying to bring anything before the Executive, because when statements were made by members of the minority section they were assailed with cries of, “You belong to the Catts-ites!”

Mrs Bailey (Executive) said that the first they knew of the “crook” ballot box was when Mr Coleman reported it. They had tried to find the man who made them, but failed. In her opinion every trouble that
occurred was due to a politician or an aspiring politician. Whenever they made an attempt to clean up the Movement they found a politician in every dirty corner. Rather than be mixed up with any more disputes she would sooner be off the Executive.

Miss May Matthews said she knew that “crook” ballot boxes were in existence in 1920, and reported the matter to Mr Power, asking that action be taken.

The President said that Miss Matthews’s statement was true, but at that time he was not a member of the Executive.

The Cook and Reid Ballots

Mr Ely (minority Executive) said he came on the Executive when the “crook” ballots were being dealt with. The first Cook ballot had been declared null and void. Mr Riley topped the poll. Mr Rowlands was appointed by the Executive to conduct the second Cook ballot, and although Mr Riley was again at the top of the poll it was again declared null and void. He found that Mr Arthur had been endorsed by the Executive, notwithstanding that his name had been mentioned by Mr Carey in his report on the ballot boxes. It was only by the narrow margin of one vote of the Executive that Mr Riley finally got the selection. He added that Mr Rowlands also went out to the Reid electorate to advocate the claims of Mr Buckley.

Mr Rowlands said that was not a fact.

Mr Ely said it was true that Mrs Bailey did stand up for Mr Coleman in the Reid selection, because she saw the crooked work that was going on behind the scenes. She realised that there was a conspiracy against both Riley and Coleman. He (Ely) knew nothing of the letter regarding the “crook” ballot boxes till last week, although it was written by Mr Carey last July. He hoped the Conference would adopt the minority report.

Mr Stuart-Robertson, MLA, said that there was no doubt in his mind that the Labor Movement wanted cleaning up, but he would not condemn anybody on ex parte statements. He thought that the matter of the “crook” ballot boxes should be referred to a committee for thorough investigation before any action was taken. At a later date he proposed to expose some of the crookedness in connection with selection ballots.

Faked Union Tickets

Mr Shieles (Clerical Association) said that nothing so far had been said about the faking of union tickets. It was not so much a question of “crook” ballot boxes as of “crook” voting at selection ballots. In the Cook and Reid selections they could not verify some of the people who voted. Regarding the faked ballot boxes, if they were not delivered to the ALP
office, to what room in Macdonell House were they taken? He contended that it was useless appealing to the Executive on any matter when the cards were already stacked against the appellant.

Mr J Howie (Coopers’ Union) said that in every selection ballot the pence cards of the unions were hawked round the electorates. There were dozens of ways by which crook work could be done. Crook work was creeping everywhere. He moved, as an amendment, that a committee of five be appointed to inquire into the whole matter, and report to Conference at a later date.

This amendment was seconded by Mr T Bartle, but was ruled out of order by the President.

Executive Censured

On a vote being taken, the amendment to reject certain portions of the Executive report and adopt in their place clause 2 of the minority report was carried by 187 to 110. The result was received with loud cheering, and marked a distinct defeat for the Executive.

The clause of the minority report referred to reads as follows:

“2. The Dooley-Gardiner-Charlton Circular

“On December 21, 1922, the Federal and State leaders, inspired, no doubt, by the allegations of corrupt ballots, issued a circular to branches and unions making suggestions whereby the Movement might be strengthened and cleansed. The circular was not referred to the Executive, but in view of the fact that members of the Executive are members of leagues and unions, the circular would come under their notice, leagues and unions being the only bodies competent to accept or reject the proposals contained therein.

““We consider that the leaders acted within their rights, and had every reason to be dissatisfied with the existing state of affairs. The selection ballots taken in Cook, Werriwa and Reid were declared null and void, in consequence of corrupt practices, yet the majority of the Executive, although it had the evidence before it, took no action in the direction of punishing those responsible for the corrupt practices, neither were steps taken to punish those responsible for the introduction of fraudulent ballot boxes.”

Conference then adjourned till Tuesday night (June 5).

Day 3, Tuesday, 5 June 1923

More Revelations

The debate on the “crook” ballot boxes was resumed last night. Mr J Howie (Coopers’ Union) moved, “That a committee of five be appointed to examine existing evidence regarding the alleged ‘crook’ ballot boxes”.

356
Mr T Arthur, who seconded the motion, said that as his name had been mentioned in connection with the matter, he intended to tell Conference what he knew about it. “After the Executive decided to have the ballot boxes constructed”, he said, “a few days afterwards I, during the lunch hour, went to the ALP rooms to see Mr Carey as to what was being done regarding the construction of these boxes. Messrs Catts, Bailey, Stuart-Robertson, and several others were present while I was waiting to see Mr Carey. A gentleman who was there said he was the person who was making the boxes, and that they would be delivered the following Friday afternoon. I had ordered the ballot papers from The Worker office, and had counted them, and placed them in a tin trunk, which I locked with a padlock, and that was placed in the back of the ALP rooms.

300 Ballot Papers Missing

“The following morning when I called at the office I discovered that the ballot papers had been disturbed. Out of 6000 or 7000, some 300 were missing. I then had fresh ballot papers printed a different colour, and numbered. I told President Lambert and Mr Carey (the Secretary) what I had done. We were the only three that knew.

“On the following Friday there were inside the ALP doors a number of ballot boxes, twelve or thirteen. The deputy returning officers had previously received instructions from me to report at Macdonell House before 8 o’clock on the Friday night, and I would hand them the whole of the material to take the ballot with. Owing to my discovery about the missing ballot papers I refused to give the material to them until the following morning at 9 o’clock.

Ballot Conducted

“The ballot boxes were indiscriminately chosen by the deputy returning officers, and I handed them their material. They took the boxes away between 9 and 10.15. Their instructions were to seal and sign the ballot boxes and return them to Macdonell House. The ballot boxes were returned as instructed, and the counting of the ballot continued until 3 am on Sunday. The ballot boxes were then locked up. Next day someone asked for their ballot box back. I refused to allow anything to be touched until the Executive endorsed the candidates. There was no protest of any kind from any candidate. The candidates selected were Messrs Jack Birt, Minahan, Buckley, Tom Smith and Mick Burke. Later I had a request from Mr Stuart-Robertson for the loan of a box. I lent him a box.
A Borrowed Box

“The ballot box which I lent Mr Stuart-Robertson subsequently was never returned by him to me. He borrowed it for someone in Balmain, and afterwards I heard it went to Glebe. Last night Mr Ely tried to drag my name into the mud. It is a significant fact that a ballot box should be discovered in the Clerks’ Union’s office, and returned eight months after its discovery. It is a significant fact that Mr Riley happens to be a member of the Clerks’ Association, and Mr Coleman comes to light.”

(Interruption)

Mr Riley, MHR: “That’s a lie!”

Mr T. Arthur: “It is not a lie. I want this committee appointed, so that it can clear me in the matter. I am prepared to do my best to help root out the culprit responsible for the ‘crook’ ballot boxes.”

Investigation Committee Appointed

The motion was carried, and Messrs Howie, O’Reilly, Rees, Smith and Willis were appointed as a committee of investigation. Mr Willis asked for a definition of the committee’s powers. The President replied that the resolution gave the committee authority to command everything at the disposal of the Executive in the matter. It was also empowered to hear anybody and seek whatever information it desired.

Debate Resumed on Executive’s Report

Mr O’Brien (Painters’ Union) moved the resumption of the debate on matters leading up to Mr Dooley’s expulsion. This was carried unanimously. It was decided to deal with the appointment of Mr Sutor to the Upper House, and the subsequent expulsion of Mr Dooley, as set out in the Executive’s report, also clauses 4 and 5 of the minority report dealing with the Dooley-Sutor trouble and the expulsion of Mr Dooley.

Mr McLelland moved the adoption of the Executive’s report on the matter. He said that when it was before the Executive for consideration there was much in it with which he agreed, such as concerning the appointment of Mr Sutor to the Upper House. There were other portions to which he took exception, and because of that he did not vote for the adoption of the report.

An Executive Plot

Mr Ely (minority section of the Executive) said that the minority section of the Executive disapproved of the Executive’s handling of the Dooley-Sutor trouble. The matter was brought before the Executive without any evidence whatever. The only evidence they had was based upon the
word of a man named Hynes, and on that the Executive adopted the report. But before doing so they handed it out to the press. It had been declared that there was but one copy of the report in existence; yet it had appeared in the press verbatim days before it was adopted. That proved conclusively that there was a conspiracy to destroy Dooley. The Executive knew full well that Dooley wasn’t going to sit down under that attack and not reply to it. They knew that Dooley would reply, and they took precautions (in January) to adopt a motion that anybody going to the press with recriminatory statements would be automatically declared outside the Movement. The whole thing was a plot. Dooley was to be expelled if he replied to the statements in the press and the report was given out to bait him. For that act the whole Executive should be thrown out of the Movement.

The Executive knew there would be a howl from the leagues, so they muzzled free speech, taking fine care that the rank and file should not be allowed to raise a protest. Yet these were the people who a short time ago held up their hands for freedom of speech. When Mr Dooley apparently had gone to the press in reply he was not invited by the Executive to explain if he had authorised the matter published. It was taken for granted that what appeared in the press was correct, and automatically ruled him out. The whole thing was a move to get rid of Dooley and get McGirr into the leadership. He did not think Conference would stand for the Executive putting a man out of the Movement without giving him the right of defence.

“Arrogant Presumption”

Mr A Blakeley, MHR, said that the character of certain men in the Movement had been impugned. They had been dishonoured. The expulsion of Mr Dooley was the extraordinary action of an extraordinary body of men. The only evidence which the committee had and upon which it based its decision was the word of Mr Hynes. Yet this was taken as full and as complete as possible for the “drowning” of a man and his honour. Was there even a capitalistic court that would convict a man on such evidence? The arrogant presumption of the Executive in declaring 23 members of the Parliamentary Party outside the Labor Movement was the most stupid thing ever done. These men were taken from the workshops, the mines, the quarries and the bush because of their honour and character and placed on the highest pedestals in the Movement. Then the Executive came along and expelled them. In the same way the Labor leagues, because they would not be bludgeoned, were declared bogus.
Free Speech Stifled

After that the turmoil started. It came first only as a ripple, then as a wave, then as a mountainous sea. The Executive was like the woman who tried to sweep the sea back with a broom. They said, “Thou shalt not criticise. We are above criticism. You shall not discuss this action of ours”. For 600 long years our predecessors had given their life-blood for free speech. There had been an eloquent speech on the matter that very night. They had experienced the violence of Tory autocrats in Australia in past days. There was Irvine’s infamous attempt to stifle free speech. There was the attempt by Wade in New South Wales. But none succeeded. Hughes tried it during the war, but in his maddest moments he did not contemplate action such as was taken by the Executive. (Cheers) There was surely a sense of justice in the Conference, and he relied upon delegates doing the fair thing.

Case for the Executive

Mr HL Brown put the case for the Executive. He said the Dooley matter had been investigated by the Disputes Committee, which made its report to the Executive. The Executive asked for additional evidence, but none was forthcoming. He moved a motion that the matter be referred to this Conference, but subsequently withdrew it, and the committee’s report was endorsed by the Executive. Regarding the report in the press, he said it was unfortunate. (Laughter) They tried to find out who gave the report for publication, but failed to locate the culprit. (More laughter) He said that Mr Dooley was not expelled for any connection with the Suttor business. It was for making recriminatory statements in the press. The debate was adjourned till tonight (Wednesday).

Labor and Immigration

A letter was received from the West Australian Branch of the ALP suggesting the advisability of establishing Labor immigration reception depots, in view of the facts that there were large numbers of unemployed already in Australia, that boat loads of immigrants were arriving, and many of them were drifting to the cities, and swelling the ranks of the unemployed.

After a short debate it was decided to appoint a committee to go into the matter and report back to Conference as to the best policy to be adopted regarding immigration. Messrs Howie, Garden, Baddeley, Shieles and Ely were appointed members of the committee.
The Irish Envoys

A letter was received from the Irish Envoys’ Defence League, protesting against the violation of the rights of free speech and trial by jury by the Nationalist Government in the action taken regarding the Irish envoys, and asking that Mr D Grant be allowed to address the Conference on the matter. After Mr Grant had addressed delegates the following motion was carried unanimously:

“That this annual Conference of the ALP, recalling the struggle and sacrifices of the Labor Movement in the past to establish the elementary right of free speech, condemns the act of the authorities in prosecuting, condemning and punishing the Irish Republican representatives, and declares that the contemplated deportation of these men without even a trial by jury, constitutes a grave menace to the liberty of Australian workers, and in addition a gross violation of British justice. And that Senator Gardiner, Charlton and Dunn be requested to convey this resolution to the responsible authorities in this State. And that the matter be also referred to the Labor Council of New South Wales for its cooperation.”

Executive Positions

Nominations Received

The following nominations were received by the returning officers (Mr W Gibbs) for the various Executive positions of the ALP:

General Secretary: W Carey, JB Dooley.

There were 144 nominations for the Executive, of whom 30 are to be selected.

Mr Gibbs announced that he had decided to ask a member of the Federal Executive to be with him during the whole time the ballot was being dealt with. He was doing this not so much to protect himself as for the members of the Movement.

It was resolved that the President should be elected on the preferential system.

The ballot will take place today (Wednesday).
Day 4, Wednesday, 6 June 1923

Mr Dooley Re-Admitted. Old Labor Executive Swept Out of Office. Further Accusations of Crook Ballots.

Last Wednesday night the NSW Annual Conference resumed the debate on the question of Mr Dooley’s expulsion and the appointment of Mr Suttor to the Upper House.

After preliminary business had been disposed of, Mr J O’Brien (Painters’ Union) said that Mr Dooley had been expelled for exercising the sacred right of free speech. Delegates would remember the things said by Mr McGirr against Mr Dooley at the last Conference. A Committee which investigated the charges made found they were not true either in substance or fact. If ever a man deserved censure it was McGirr, yet the Executive took no action. It appointed him leader of the Parliamentary Party.

The Executive had allowed personal animosity to outweigh all consideration for Mr Dooley, and it was due to the Conference to see that injustice in the Movement should not triumph, and that every person should receive the consideration that he or she was entitled to. He trusted that the time would never come when it would allow any section or faction to allocate powers to itself, and use them in a desperate manner. And they would not allow any faction to do just as it liked and risk the integrity and honour of the Labor Movement, just as the majority Executive had done. The Executive should set a high standard of morality and efficiency. He was satisfied that the members of the Executive had not done their duty, and had succeeded in tearing the Movement asunder. It was now the duty of the Conference to bring the factions together in one whole. There was a great necessity for closer organisation, and he, as an industrialist, would say that it was absolutely necessary that the industrial side should join forces with the political Movement.

President Power Addresses Conference

The President (Mr Power) vacated the chair and spoke on behalf of the Executive. He said that whatever the verdict of the Conference might be, he wanted delegates to remember that the beginning of the trouble was not in 1922 or 1923 – it had been developed since 1914 or 1915. Because of the opinions decidedly formed it had been decided in 1916 to take the very drastic action of taking the control of the Labor Movement out of the hands of members of Parliament. They had gone to the other extreme and practically divorced members of Parliament from the control of the Movement. He had come to the conclusion that this action was not wise. He now considered it would have been wiser to let some members of
Parliament sit on the Executive. At the time he had voted against it, but the course of time had shown that he was wrong.

It was the duty of the Annual Conference to finalise matters that were brought before it, and not to refer them to the incoming Executive. The McGirr matter had been brought before the last Conference. He had been stupid enough to believe that after the exposures made at the Conference and the way in which the Conference had expressed itself upon them that things like that could never recur. But this had not proved to be the case. In the course of time along came the circular from Messrs Dooley, Charlton, and Gardiner. There was nothing in the circular that anyone could take exception to – (hear, hear) – but the press had taken it up like manna from Heaven against the Labor Movement. Messrs Dooley, Charlton and Gardiner had come forward and told the press that they had not meant what the press had thought they did. That had ended the matter, so he (the speaker) had stupidly thought they did. Then along had come a gentleman named Hynes who had made allegations concerning the Suttor case, upon which a report was subsequently presented to the Executive. The adoption of that report by the Executive had been a grave and grievous injustice. (Hear, hear) Why? Because it contained statements as facts that were not facts at all. This report had been stolen and given to the press by a man worthy of contempt.

“A Grievous Blunder”

If ever there was anything a Labor man would fight [for] it was the canon law of British justice that they could not declare a man guilty of an offence until he was proved guilty by a competent tribunal. What would they think of a jury that came back into court and confessed that they could not find the man guilty, but thought that he was? He would say that his friends on the Executive made a grievous blunder when they took the course of action. Mr Ely had made a statement that as part of the plot to expel Mr Dooley a certain resolution was carried. Mr Ely was under a misapprehension. While the Executive’s circular was being discussed a statement appeared in the press under the name of Mr McGirr, and he thereupon took the responsibility of writing a letter to Mr McGirr pointing out that the Labor Movement would not tolerate such action. He referred the matter to the Executive and it endorsed his action. Following upon that it was decided by the Executive to issue circulars to all the Parliamentary members, point out that recriminatory criticism in the press would be punished. Then Mr Dooley came back and made a statement. The most serious problem arising from these events was the government of the Movement between the Conferences. “I put it to you” he concluded, “that if the Labor Movement is to survive it must not sacrifice that keystone of solidarity that had sustained it since its birth.
The Labor Movement must demand that its supporters shall observe the authority of its governing bodies.”

**Belief in Industrial Control**

Mr JS Garden (Sailmakers’ Union) said he was against both the Executive’s and Minority Executive’s report on the subject before the Conference. In his opinion both were incorrect. They were mere statements with nothing to bear them out. He believed in industrial control and every industrialist believed the same. If the Executive made mistakes between Conference it was for the Conference to deal with them. He intended to do all he could to clean up the Labor Movement. He wrote articles in 1921 that there were “crook” ballot boxes and faked tickets. He was attacked for making those statements. The Conference should also deal with the faked tickets used at selection ballots. It was the duty of Conference to expel every man connected with “crook” work. He approved of the Executive expelling Suttor, though the Executive was to blame for not seeing that Suttor was ineligible for appointment. They blamed Dooley for something for which they themselves were to blame. As to the Committee’s report being published in the press before it came before the Executive for consideration, anybody would have done what Dooley did in replying to it. Although that action was wrong, anybody would have done the same thing. In those circumstances they were wrong in expelling Dooley from the Movement. He (the speaker) wouldn’t stand for one man being fired out on the word of another man. He would want to see some facts.

**Mr Dooley Addresses Delegates**

Mr Dooley rose to address the Conference. He was given an ovation by delegates which lasted for some time. He said: “On this platform last night was a gentleman named Mr Donald Grant. It reminded me of a slogan used two elections ago, ‘fifteen years for fifteen words’. It was a savage sentence imposed upon Mr Grant. It reminded me of a slogan used two elections ago, ‘fifteen years for fifteen words’. It was a savage sentence imposed upon Mr Grant.

“I have received a sentence from the last Executive”, continued Mr Dooley, “not of fifteen years, but of a lifetime; that is as far as certain officials are concerned. I am to be thrown out of this Movement for the term of my natural life – not for fifteen words, but for two words – ‘uncouth crooks’. I heard the speech last night, and could feel the hearts and the pulses of this gathering throbbing against the allegations of a harsh sentence, of an unfair delay, an unfair decision against women here from another country to put their case before the people. I hope that delegates to this Conference will show as clear and unanimous a decision when the verdict is passed on my case in this Movement today.
Mr Dooley issues a Challenge

“During the last few months superhuman efforts have been made to force me out of the Movement. It was said that bigger men than ‘Jim’ Dooley had gone to other parties and that I would go too; but I told the leagues and the unions that nothing in the world would drive me out of the Movement. All sorts of threats have been made. I have been threatened with all sorts of exposures. My good name, my moral character, my integrity, have been impugned broadcast. If any men in this Movement or out of it can prove that Jim Dooley ever in his political life took a dishonest shilling, my resignation to the Party and as a Member of Parliament goes in tonight.

“I remember that when a charge of corruption was made against Mr Tudor”, said Mr Dooley, “Mr Hughes was good enough to say, ‘I don’t believe it’. And I know that when a man becomes leader of a party he has to put up with that sort of thing; but if anyone has anything against me I ask to be charged openly.

The Hynes Charge

“Mr Charlton, Senator Gardiner, and I made our suggestions for the betterment of the Party quite openly, but at this time charges were made against me, not straight out, but a circular was delivered in the box of every member of the Labor Party except myself. The circular stated that a man names Hynes charged me with faking ballot tickets or taking money to make some members eligible for the Legislative Council. I put my case before the Party, who treated it with contempt, and the man responsible for the circular was not game to get up and defend his own circular. (Hoots and cheers) The circular was put in a certain paper, and it was said that it was going to kill me. But I might be like the picture of the man they could not hang.

“The matter came to the Executive, which referred it to the Disputes Committee, which wrote to me asking me to give evidence before that Committee. I did not think it possible that a body of men and women would start to hold an inquiry if they knew the source from which the charges emanated. I thought the proper thing to do was to inform that Committee of the character and reputation of the man who made the charges. I was under the impression that fair-minded people who were out for justice, and not for my blood, wanted an explanation, and that that explanation would be sufficient to convince ordinary intelligent and reasoning people.
Mr Dooley’s Record

“I say deliberately”, declared Mr Dooley, “that no matter what evidence was brought before that Committee it had been decided already that Jim Dooley was going to be expelled to make room for Mr Gregory McGirr. No matter what evidence was given, that was the determination.

“I am approaching my seventeenth year in the Parliament of the country”, proceeded Mr Dooley, “and after that period I am supposed to have land, property, and shares. But I say I have not got £500, nor £300, to my credit in land, shares, or anything else. If anyone can prove that I have £500 he can have half of it. (Laughter) I haven’t even got a house that I have paid off. If I had been a money-grabber I would not have been expelled from the Labor Movement today – I would have been leader of the Majority Executive. (Loud cheers)

“I have been for 26 years trying to the best of my ability to put the case for Labor before the people. After coming from Queensland to New South Wales, I was not long in showing to the people what my ideas and ideals were. I never courted a seat in Parliament, and neither have I tried to sneak another man’s seat. (Applause)

“I have done as much organising work as any man in the Labor Movement without limelight.” (Cheers)

Mrs Fowler: “You organised Goulburn, didn’t you, Mr Dooley?”
Mr Dooley: “I organised the Goulburn electorate, the old Cooma electorate, and that is the one political sin of which I am ashamed.” (Laughter)

“To Get Me Out of the Leadership”

Mr Dooley said he had taken a prominent part in the great anti-conscription fight. He had been elected leader of the Labor Party at that time, but he stood down for the late Mr John Storey. He was prepared to stand down again, but he would never give the leadership over to some wealthy Conservative. (Cheers) Even if the Communists backed up Mr McGirr he would not do so. He had tried to keep the Movement together.

“I fought as good a fight as I could”, continued Mr Dooley, referring to the last campaign. “I fought a good fight and a clean fight, and if you want a man to fight a ‘crook’ fight, or a dirty fight, you can get some other man to do it. Jim Dooley won’t do it.” (Cheers)

Tampering with the Books

Mr Dooley read a statement signed by HA Patterson of the Mount Victoria Branch of the ALP, and declared before Mr John M Wilson, JP. This stated, inter alia, that Mr Suttor had joined the Mount Victoria Branch in 1916. The reason that this had not been established at first was
that the book in which the membership had been recorded had become
dilapidated. Mr Patterson swore that upon a loose and displaced leaf
there had been discovered the records of Mr Suttor’s joining the ALP.
The mover had been Mr Lindsay, and Mr Matthews had been the
secondor. Overtures were made to the Secretary of the league suggesting
that money should be got from Dooley and Suttor by tampering with the
records of the league. The Secretary of the league refused to listen to the
suggestion. However, access to the books and ticket butts was gained,
and it was made to appear that Mr Suttor was ineligible. Mr Patterson
had come down from Mount Victoria on Monday to meet Hynes face to
face, but perhaps Hynes heard of it, and kept away.

Even if Mr Suttor’s appointment was not in order, continued Mr
Dooley, even if he did not have continuity of membership, even if he was
not a financial member, he (Mr Dooley) was not responsible. The
Executive, if it held him responsible, was imposing upon him a duty that
had never been imposed before, a duty that was unreasonable. Mr
Suttor’s name was 39th on the list of 300 names that had been submitted
to the Executive, which had endorsed it, and sent it on to the Caucus.
Those applicants who were not elected thought that the inclusion of Mr
Suttor’s name was wrong, but those who were elected thought it was
right. (Laughter)

Will Withdraw Nothing

“I was publicly insulted”, he continued, “in the press of New South
Wales by the Executive of my own Party, not only in the stolen report,
but by a report that appeared in the Labor News over certain signatures
on February 24, and was copied by other papers on the following
Saturday. It was proved that they put in, not the full Suttor report, but
only the insulting portions so far as I was concerned. (Cries of shame)
After that report was given to the press, and the members of the
Executive had broken their own rule, I attacked them in the press, but
not till they had attacked me did I attack them. (Cheers) I attacked them.
I used strong words, and perhaps I had better take this opportunity of
apologising for the words I used. They were not strong enough.
(Cheers) I don’t withdraw one word of what I said then.
(Cheers) I don’t withdraw the crossing of a ‘t’ or the dotting of an ‘i’.
(Cheers) I meant everything I said, and I don’t withdraw one word of it,
you can do what you like with me. (Renewed cheers)

“The men who had been connected with the report adopted by the
Executive had never done anything to fight the Nationalists”, he said.
“They had never gone on the public platform. They had sent out reports,
including one attacking Mr Percy Brookfield.” (Cries of “shame”)

Mr Dooley stated that he had placed his position before the
Conference, given his motives, and explained his financial standing.
After the fact of the faked ballot boxes, he did not think there was another word to say. If he had never done anything else than to bring this Conference of men and women together he had done something of value to the Movement, and he did not think that anyone could put him out of it.

Mr Howie’s Amendment

After the prolonged cheering had died down, Mr Howie (Coopers’ Union) moved as an amendment:

“After hearing both the Majority and the Minority Executive reports on the Dooley-Suttor affair, and the full discussion that has followed, this Conference is of the opinion that the only satisfactory solution to the problem before Conference, the only solution upon which the Labor Party can be successfully reorganised and the victory for Labor achieved is:

“That this Conference holds that Executive control is a fundamental principle of Labor organisation, and endorses this principle for the future.

“This Conference further declares that the appointment of Mr Suttor as a member of the Legislative Council was not in the interests of the Labor Movement of New South Wales, and confirms the action of the Executive in expelling Mr Suttor from membership of the Party.

“Conference deplores the lack of control on the part of the Executive regarding the issuing of the report by one of its members to the capitalist press, and at the same time disapproves of the recriminations indulged in by Mr Dooley in reply.

“Conference considers that both parties have made mistakes in the matter, and that the mistakes made by Mr Dooley were not so serious as to justify his expulsion. Conference, therefore, reinstates Mr Dooley as a member of the Australian Labor Party.”

Mr AE O’Brien (Musicians’ Union) took a point of order, on the ground that the amendment contained a series of proposals. The President ruled the amendment in order. Mr O’Brien moved dissent, and the vote went against the President’s ruling. The motion was then ruled out.

After Dooley’s Blood

Mrs Fowler (Botany) said she was a member of the Executive that had dealt with the nominations for the Upper House. Of all the “stunts” ever
worked on a man, the one worked on Mr Dooley respecting the Suttor appointment was absolutely the most cowardly she had ever heard of. (Hear, hear) From the hour that the Executive had taken office she firmly believed that they were out after the blood of Mr Dooley, and the blood of any other man whom they thought had a firm Labor seat. (Hear, hear) If the Committee that dealt with the nominations had done its duty it would have called for the lists of the Mount Victorian Branch, and if Suttor’s name was found to be not on the lists the Committee should have sent for the books. (Hear, hear) It was no use them saying Suttor’s name was never questioned – everyone knew it was questioned. They were out after Mr Dooley’s blood, and Mr Dooley had been tried and found guilty before he was examined by the Committee. (Applause)

**Could Not Find Name in Records**

Mr Kelly (AWU) said he was a member of the committee appointed by the Executive to investigate the Dooley-Suttor business. The members of that committee were impartial persons, who would not show bias in any way. (Laughter and cries of dissent) So far as he knew there was not one man on that committee that had not a kindly feeling towards Mr Dooley. (Renewed laughter and cries of dissent) It was, he said, an astounding thing that, though it was stated that for some years Suttor had been a member of the Mt Victoria Branch, his name could not be found on any of the books, and Suttor could not produce any membership tickets, though allowed some time to do so.

He could not say that Dooley knew that Suttor was not a member of the Mount Victoria League. He would not say that now. But they examined the books of the league and Suttor’s name did not appear in them.

**Why the Executive Took Action**

Mr Hutchison (Executive) defended the action of the Executive. He was the member who had moved for the expulsion of Mr Dooley. Mr Dooley had given the Conference evidence he did not bring before the Executive. When Mr Dooley was expelled they conveyed the information to the Parliamentary Party, asking the Party to elect a deputy leader. It refused to do so, and threw the gauntlet down to the Executive. Then the Executive took the only action it could take under the circumstances.

Senator Gardiner urged them to settle the business. There was no charge against Mr Dooley. They should let the matter go on the voices, and not bring it down to the level of Hynes by even taking a vote on it.
**Crooks and Hangers-On**

Mrs Dwyer (Executive), who made an attack on Mr Dooley, claimed that the Executive was justified in what it had done. Mr Dooley had called them crooks and hangers-on. Addressing the Miners’ delegates, she said that if they did not vote to support the Executive’s action they would be recreant to their trust. She added that among the appointments to the Upper House there was not one representing the miners.

Mr Willis interrupted, whereupon Mrs Dwyer charged him with trying to get into the Upper House. Mr Willis replied that the late Mr Storey offered on two occasions to put him there, but he turned the offer down.

Mrs Dwyer said that if that were so then he was recreant to his trust.

The Conference was adjourned till the following evening (Thursday).

---

**Day 5, Thursday, 7 June 1923**

**Mr Bailey Issues a Writ**

When Conference resumed last Thursday night it was announced that Mr Bailey had caused to be issued out of the Supreme Court of New South Wales a writ against Mr Dooley claiming £1000 for alleged defamation of character. The announcement was received with vigorous hooting. Mr Dooley, in a short explanation, said that on the previous night he had stated that the value of his total assets was not more than £500. He now wanted to say that it was nowhere near that, and if anybody served him with a writ for £1000 there was no chance of getting it. (Cheers)

Mr O’Brien (Musicians’ Union) then moved: “That having heard Mr Dooley, we accept his explanation and restore him to the Movement in full confidence.” He thought the Executive was right in some directions, but not in others. He was astonished that no reply had been made by the Executive regarding the “crook” ballot boxes. It was common knowledge in the hotel bars who made the boxes and who gave the order. He deplored recriminations in the Movement. For several years not one motion of a constructive character had been passed. It was time they got down to solid business.

**More Justice in Capitalistic Courts**

Mr Moate (Marine Stewards) moved, as a further amendment, which was later accepted as an addendum to the first amendment:

“While supporting the principle of Executive Control, according to the constitution of the ALP, this Conference declares that Mr Dooley was unjustly expelled and recommends that he be reinstated with full continuity of
membership, and that all references to the matter be expunged from the records of the Movement."

He said that Mr Dooley had put up a case that could not be challenged. The Executive’s case was based on mere hearsay, and in putting their case Executive members dragged herrings across the trail. Even in the capitalist courts Dooley would have got more justice than he got from the Executive.

Mr Walsh (Goulburn) said that on the previous night Mr Howie, aided and abetted by “the patriarch of Moscow” (Mr Garden), had tried to shelve the issue by moving an amendment. Mr Howie said he had stood for fair play, yet before he (Howie) had heard Mr Dooley’s explanation he had drafted an amendment to cloud the issue. He also charged Mr Howie with trying to side-step the full investigation of the “crook” ballot boxes. As things were going in the Movement, a man had only to enter public life and he became an object of suspicion right away. Mr Hutchison had stated on the previous evening that he was one of the chief actors of the great drama. Mr Hutchison was nothing of the sort, but simply the willing tool of the majority. The speaker’s further attacks on the Communist delegates were drowned in uproar.

Miss Golding (Annandale) claimed that the Minority Executive’s report was small and vicious, and contained deliberate lies. The Committee investigating the Dooley-Sutter business went into all the evidence available before coming to a decision. She did not vote for Mr Dooley’s expulsion because of the Suttor business, nor for recriminatory remarks, but because he was the best friend the capitalists ever had. Referring to the publication of the Investigating Committee’s report in the press before it was authorised, she laid the blame on members of the minority section.

Mrs Melville (Minority Executive) denied that members of the minority section were responsible for the Committee’s report getting into the press. It was due to the action of a member of the Majority Executive. She claimed the Executive had passed Mr Dooley out of the Movement without giving him a chance to defend himself.

**Will Support New Executive**

Mr Alam (Dubbo) claimed that the Conference had been very cleverly manipulated. He supported the Executive’s action in expelling Mr Dooley, claiming that any man or woman who ran counter to the Executive’s mandate was a ‘scab’. (Uproar) He stood for solidarity in the Movement, and now that a new Executive was elected he was prepared to support it. He claimed that the ‘Reds’ had got control of the Movement, and so long as men like Garden, Willis, Howie, Baddeley, and others had anything to do with it they would never have a Labor Government. However, he intended to vote for the reinstatement of Mr Dooley.
Faked Tickets

Mr Roberts (Storemen and Packers) supported the Minority Executive’s report. His organisation had had some experience with “crook” tickets at selection ballots. He gave the Executive a facsimile of the “crook” tickets, and the signatures on them, but the Executive did nothing. The Labor Movement could not stand for such actions as that. His union believed that Mr Dooley had been wrongly expelled, also that Rule 33 was wrongly in the Rule Book. When he and other members of the Darlinghurst league protested against the Executive’s action they were expelled by a tyrannical Executive.

Mr Heffron (Marine Stewards) urged the delegates to get together and present a united front to the capitalists. The only man who had made an honest attempt to cleanse the Movement was Harry Boote, of *The Worker*. He moved as a further amendment, “That this Conference declares that the appointment of Mr Suttor to the Upper House was not in the interests of the Labor Movement, and confirms the action of the Executive in expelling Mr Suttor from the Movement. This Conference considers both parties have made mistakes in the matter. The Conference deplores the lack of control over the members of the Executive in connection with the issuing of the Suttor report to the press, and at the same time disapproves of the recriminations. The Conference considers that the mistakes made by Mr Dooley were not so serious as to justify his expulsion, and reinstates Mr Dooley as a member of the Party.”

Mr Mutch Attacks Communists

Mr TD Mutch, MLA, attacked the Communists. He said that certain industrialists who pretended to want to cleanse the Movement were responsible for some of the vilest literature against Dooley. They had tried their best to damn him. There was a sinister movement in the Conference between the Communists and the group led by Mr Bailey. He regretted that a lady delegate had stooped so low as to insinuate that a member of the Minority Executive had given the committee’s report on the Dooley-Sutter business to the press. He could say that it was not given to one newspaper, but to three. Whoever was responsible did his work carefully. He contended that the whole trouble arose out of a secret meeting at Centennial Park, at which Mr Bailey was present. When the Federal Executive was sitting in Sydney recently, behind locked doors in Macdonell House, they were amazed to find that reports of their deliberations were getting into the press. The only member of the Executive who was taking copious notes was Mr Bailey. (Uproar)

A delegate said that the matter was now sub judice.
**What Happened at Night-Time**

Mr Mutch said there was no *sub judice* about him. He wasn’t afraid of Bailey’s writs. Bailey wasn’t going to close his mouth with a writ. A certain lawyer’s office could be plastered with writs that had been issued and not gone on with. One night, in company with Messrs Lang and Loughlin, he followed Mr Bailey, Mr Brown and Mr Hutchison. They went into Bathurst Street, and reporters followed them. Mr Bailey was on the dark side of the road, and another man gave the notes to the other pressman. Mr Bailey wanted to be Minister for Works, and Mr McGirr Minister for Lands, but John Storey would not have them, so they did nothing but engineer, organise, and attack all the time the Labor Ministry was in power. He challenged Mr Bailey to stand up in Conference and defend himself of these charges. He pitied those who were under his influence for the position they found themselves in that night.

**Mr Mutch Produces Faked Ticket Butt**

Mr Mutch said that when a certain man wanted to run for his (Mutch’s) seat, a ticket was faked for him in the Daceyville league, and his name was written over the name of a man who had gone to New Zealand, and who could not return. Mr Mutch produced the butt of the ticket book and held it up for delegates to see. Anyone could see the two names on it. The matter was brought before the same Disputes Committee which dealt with Mr Dooley, and the Executive wrote to the league that faking had not been proved, but warned the League not to write two names on the same ticket. (Laughter)

**Mr Bailey Breaks the Silence**

Mr Bailey, MLA, who needed a deal of persuasion to take the floor, denied the allegations made against him. He challenged Mr Mutch to name any reporter or any member of the Party to whom improper suggestions had been made.

Mr Mutch: If you want one specific instance I will give it to you. When you produced Talbot’s letter in the Labor Caucus you refused to give it to Mr Storey before taking a photographic copy of it. Shortly afterwards an exact copy of the letter appeared in *Smith’s Weekly*. Mr Bailey said he had taken that letter to the late John Storey the day after he got it. Mr Storey said he did not think any good could come out of investigating it. He (Bailey) replied, “Well, you’re the leader, and if anything comes out of it, you are to blame, and not I.” Mr Bailey added that so long as he held that letter no living person saw it but John Storey.

Mr Bailey said that he had nothing to do with the meeting in Centennial Park, but the place was selected as a precaution against Mr Fred Flowers
attending, who was a conscriptionist. He had documents in his possession proving that a certain well-known business man had given £1000 to the election fund. "Now, I ask you," he continued, "why that gentleman gave that £1000. He gave that money so that he would have the members of the Cabinet in his power, and to compel them to work his 'boodle' schemes for him. Those were the reasons." ( Interruption and dissent) "I want to say this, no capitalist has ever paid my fare to America’.

Mr Mutch: “Do you mean that someone paid mine? I paid my own fare”.

That Trip to America

Continuing, Mr Bailey alleged that Mr Dooley and Mr Mutch, prior to their leaving for America, went to the Caucus, and arranged for a resolution to be carried saying that they were going at the instigation of the Party. He (Mr Bailey) had objected to this being done unless they placed their cards on the table. It was reported that Mr Dooley and Mr Mutch were going to investigate industrial matters. Where was their report upon the matters they had told the people they were going to investigate? (Uproar) Labor had been defeated at the last elections because of the type of some of the men in the Movement. Another cause of Labor’s defeat was its failure to lay down a decent land policy. (Upoar) Labor proposals with regard to land matters had been taken to England and submitted to the moneyed institutions. Three parts of the Labor men if they were put back into office would be afraid. (Uproar)

Regarding Hynes, Mr Bailey said he knew nothing about him. He had never seen him, nor would he know him if he saw him. He challenged anybody who said he knew anything against him to prove their statements. He (Mr Bailey) had never done anything detrimental to the Labor Movement. Everything he had done had been fair and square and above-board. (Cries of “Oh! Oh!”) The only thing he represented Labor for was to help to put Labor’s platform on the statute books. (Applause and dissent)

Mr Mutch, in an explanation, said that he had paid his own fare to America out of the proceeds of the sale of two blocks of land at Dee Why, one of which he sold to Mr Edward Riley, MHR.

Mrs Seery’s Protest

Mrs Seery said she objected to being thrown off the Executive as an “uncouth crook”. It was a grave reflection against her character, and until the Movement removed that stigma from her name she would never stand on a Labor platform again. Mr Dooley, or somebody else, would have to be man enough to say that it was not true. She demanded an apology from Mr Dooley for the sake of her children.
Hynes’ Sworn Statement

Mr Lang, MLA, said he intended to substantiate a statement made by Mr Dooley, because Mr Dooley had made it on his authority, and for which Mr Bailey had issued a writ claiming damages. First he wanted to say that Mr Bailey’s statement about Mr Loughlin and his Land Bill was untrue. Mr Storey may have taken the draft of the Land Bill with him to London, but he desired to say that Mr Loughlin’s first Land Bill was not drafted in accordance with the Labor platform. It went further. The second bill, however, was drafted in accordance with the platform of the Party. Mr Bailey had stated that he had never seen Mr Michael Hynes in his life. It was on this man’s charges that Mr Dooley had been expelled.

Mr Lang then proceeded to read a document which, he said, was a sworn statement made by Mr Hynes on May 14, 1923. In part the document read as follows:

“Owing to the internal differences that existed in the Parliamentary Labor Party, I wrote a letter to Mr Greg McGirr, advising him that the faction opposing him was guilty of malpractices concerning Mr Dooley, and an appointment to the Upper House. But I got no reply from Mr McGirr. Three days later I received a letter from Mr Bailey, asking me to attend the office at the AWU rooms. I attended the office and met Mr Bailey, who told me that Mr McGirr had given him a letter. Mr Bailey asked me what I knew. I informed him of my dealings with Mr Dooley. I told Mr Bailey that I would make a statement upon condition it was not made public, but distributed among members of the Parliamentary Party.”

Proceeding to read the statement Mr Lang said: “On the next day a report of the statement appeared in the press. I did not authorise its publication. On the same day I saw Mr Bailey, and he told me that he suspected Mr Cecil Murphy, MLA, who was the friend of Mr Dooley. Later on I came to the conclusion that it was Mr Bailey himself. It has been insinuated that I have been paid for bringing charges against Mr Dooley. That is not true. As an ardent Labor supporter my only object was to clean the Movement. I admit I did ask Mr Bailey to give me a railway pass for the country. Mr Bailey told me he would do so. Upon seeing him later he told me the Labor Bureau would not give a pass unless I had employment to go to. Mr Bailey said, ‘Will a couple of pounds do?’ I said, ‘Yes.’ Mr Bailey then took me to the office, and I received the money.”

Mr Lang, in conclusion, said he did not ask the Conference to either believe or disbelieve the sworn statement he had just read. He challenged Mr Bailey to issue a writ against Hynes. He (Bailey) had said that he had never seen Hynes, who swore differently. Mr Bailey had to stand up to that.

Mr Lang, at the conclusion of his speech, handed the sworn declaration to the President (Mr Power).
Challenge to the Communists

Mr Davies (Northern Miners) attacked the Communists, and challenged Mr Howie and other Communists to return with the miners’ delegates and debate the question before the miners. He charged Mr Howie with attempting to camouflage the issues before Conference. Mr Howie’s motion to investigate the “crook” ballot boxes was loaded. How long did Mr Howie expect, in view of his tactics, to retain the support of the workers in Sydney? (Uproar) He accused Messrs Howie and Bailey of running a ticket for the Executive. The Communists had tried to butt into the miners’ trouble. They advocated a general strike, and the establishment of communal kitchens on the Maitland field. (Laughter)

Taking the Vote

Mr J McGarry moved that the question be put. Intense excitement prevailed, and efforts were made by supporters of the Executive to prevent a vote being taken. Finally the President (Mr Power) said he was going on with the business even if it took all night. (Applause) After Mr McLelland replied, the vote was taken. It was decided to add Mr Heffron’s amendment to the original motion (for the adoption of the clauses of the Majority report) and to add Mr Moate’s amendment as an addendum to the amendment (for the adoption of the clauses of the Minority report). The amendment was then put to the Conference and, on a division, was declared carried by 180 votes to 79. This was a decisive victory for the anti-Executive party, and brought forth loud cheering from delegates. The Conference adjourned till the following evening (Friday).

Day 6, Friday, 8 June 1923

The New Executive

When Conference resumed last Friday night, the returning officer, Mr W Gibbs, officially announced the result of the ballot. The figures disclosed that there has been a wholesale sweeping out of office of the old Executive – only one member (Mrs K Dwyer) succeeding in securing re-election. Such a decisive defeat of an Executive has never before been known in Labor’s ranks, and indicates just what delegates thought of the autocratic rule of the Executive during the last few months.

For the Presidency, Mr AC Willis was elected with 157 votes. Mr J O’Brien secured 124 votes, while the retiring president (Mr J Power) was badly defeated, securing only 67 votes, the block vote of the Bailey section. For Vice-Presidents, Messrs EC Magrath (169) and J Tyrrell (163)
were elected – Mr GH Buckland being defeated with 104 votes to his credit. Mr W Carey was re-elected Secretary with 165 votes – his opponent (Mr JB Dooley) securing 60 votes.

Messrs J M Baddeley (187) and J Howie (122) were elected members of the Interstate Executive, while Messrs A Blakeley (189), W Carey (141), EC Magrath (180), J O’Brien (156), JF O’Reilly (184) and J Tyrrell (162) were elected delegates to the Interstate Conference.

For the General Executive the following were elected: D Rees 175, JF O’Reilly 168, WJ Mills 168, Mrs Melville 157, D Clyne 155, J Kilburn 149, W Ely 148, WJ Gibb 133, J Graves 132, T Loneragan 128, F Conroy 126, GF Smith 124, J Flannagan 122, J Culbert 122, T Doyle 146, Mrs L Fowler 144, G Buckley 139, PV Stokes 137, J Mostyn 136, JT Sweeney 133, W Carbines 133, JS Garden 121, J Beasley 119, J Concannon 118, Mrs K Dwyer 117, M Swiney 116, A Rutherford 114, Miss S Johnston 113, Miss S Mitchell 112.

The following were elected alternate delegates to the General Executive: H Knight 112, Mrs Fay 111, LM Ryan 109, R Stapleton 107, GBains 106, TP Holloway 106, OH Connell 103, GC Bodkin 90, Mrs Bailey 88, T Bartle 86, R Heffron 85, C Hackett 84, JM Kelly 84, J Potter 84, Miss Golding 102, Mrs Seery 101, J Coman 98, EC O’Dea 98, E Harris 95, N McPhee 96, A McPherson 93, GH Sutherland 93, A Sherwin 84, J McDonald 80, HL Brown 79, T Liston 79, FE Schroeder 79, Mrs Benson 88, Mrs Devitt 75, V McCauley 74.

President Power Retires From Chair

After a short discussion regarding the running of tickets for the election of Executive officers, Mr J Power (retiring President) congratulated Mr Willis on his election to the high position of President of the New South Wales Branch of the Australian Labor Party. He felt quite sure that Mr Willis would, with every credit, do justice to the honour which Labor had conferred on him. He himself had received splendid support from all sections of the Movement, but he wanted to pay a special tribute to Mr Charlie Lloyd on his self-sacrificing work during the past Federal elections. The incoming President would have his assistance, without any reservations whatever (Cheers). It was not only the reunion of the great Trade Union Movement with the ALP that had secured Mr Willis the Presidency. Mr Willis had capacity of his own sufficient to carry him anywhere. Right through this trouble, whatever his personal opinion, he had been ready to carry out just what the Executive directed. Some of his friends had advised him to retire at a certain time, but he believed that had he done so the Labor Party would not have had that magnificently solid Conference. He believed a split would have occurred that would have taken years to heal. “Labor’s troubles are not yet healed”, added Mr Power. “The only place to heal them is in the hearts and minds of the rank and file. Not by carrying resolutions can they be healed.”
Regarding Rule 33

Speaking with regard to the future of the Labor Movement, Mr Power urged that the Conference should not disperse without making the meaning of Rule 33 (which states that “the Executive between Conferences has plenary powers to deal with all matters of policy, platform, and rules,” etc.) beyond all doubt. If Labor was to survive it could not allow to remain in jeopardy that keystone upon which it depended – solidarity. (Applause) Let them alter their constitution if necessary, let them have politicians on their Executive if necessary.

But, continued Mr Power, whatever they decided to do, let them determine that their Executive must be obeyed after one Conference till the next Conference. (Hear, hear) The recent occasion had been the first time that the authority of the Executive had been challenged.

Mr Power, continuing, said that he would admit disgraceful things had occurred in the selection ballots, and he had seen officers of their branches defying the ALP. The Labor Movement could be purified and stabilised, and he felt confident that when the next Parliamentary elections took place Labor would sweep the poll. (Applause)

The New President Speaks

Amid thunderous applause, the new President (Mr AC Willis) took the chair.

“I have first to thank you for the honour conferred on me by electing me to the highest position in the Labor Movement”, said Mr Willis. “I regard it as higher even than being in Parliament. I know that I have taken extra work, in addition to what I had before. When I entered the Conference, I had no intention of nominating; I had refused. But I saw two factions, organised to gain victory, one over the other. I am not going to traverse the circumstances, but from the time that the squabble commenced I refused to take sides. I have been in consultation with both sides. I told Mr Dooley he would get a fair deal, and nothing more; I told the advocates of Executive control that I would delay my opinion until Conference. I came here. I voted as I concluded I should. I was nominated by neither side, but by my colleagues, the miners. Both sides conveyed this to me, that if I did not fall in with one faction or the other I would fall between the two stools. I would rather have gone out defeated, with not 10 votes, than have won on either ticket.

Must Stop Fooling

“I had my experience in 1916”, Mr Willis proceeded. “We carried the day then. We thought we had inaugurated a new era. I think it was a new error. When we got power, it was abused. We came into this Conference
believing that the paramount duty was to re-establish confidence in the Movement throughout the State. I am sure this Conference will break up with a united front; not that you will ever agree here, but because the great working-class Movement demands of the leaders that they shall stop their foolings and fight for the general good.

“We stand absolutely for Executive control. I believe we are absolutely unanimous on that point. The issue we have fought was not one of Executive control. Conditions had sprung up that made the Movement a hotbed of corruption. Unfortunately, some of the best Labor men and women in the country appear to stand defeated. While I hold that the Executive’s action was tyrannical and unjust, I do not say that the whole of the Executive was tyrannical and unjust. My friends who are members of Parliament must not take this vote as a victory for themselves. It was not a vote of approval of their past actions.

**Domination by Uncouth Crooks**

“Referring to ‘uncouth crooks’, preceded by the word ‘dominated,’ it has come to be considered as applying to most of the Executive. I do not believe that Mr Dooley intended it to apply in that way; but if Mr Dooley did intend it he must make his position clear. I know Mrs Dwyer, Miss Golding, Mrs Seery, and the other ladies here, and I would be the last in the world to apply the term to them. But while we deplore this, I must say that there is sufficient evidence to show that there has been domination by uncouth crooks; there have been things going on of which those good ladies have been in happy ignorance.”

“With all our imperfections, I say that the great Labor Movement can never triumph unless it restores the great ideal of the emancipation of the toiling masses from the thraldom of ages.” (Cheers)

Mr Willis moved a vote of thanks to Mr Power. He had known Mr Power a long time, and nobody could say that in his remarks the speaker had in any way inferred that Mr Power had been associated with “crook” work. They were the best of friends, and it was with no feeling against Mr Power that he had stood against him. Technically, the Executive had issued an instruction, and they were right in having done so. That matter should be dropped. He did not desire to see one section claiming victory over the other, for if so that would come out when the selection ballots were being fought, though he would like selection ballots to be abolished altogether. (Hear, hear)

**What Mr Dooley Meant**

Mr Dooley, who seconded the vote of thanks, said he wanted first to express his deep appreciation to those who had supported his re-admission to the Movement, and to say that he was not bearing any
hostility towards those who had voted against it. He was glad to be back in the Movement. He had always felt that the Labor Movement had been a portion of his life, and he felt that he could never leave the Labor Movement as long as he could be of service to it. (Cheers) He congratulated Mr Willis on his election as President. He had known Mr Willis a long time, and he knew that he had contributed considerably to the solidarity of the great industrial Labor Movement. He wished also to express appreciation of the work Mr Power had rendered to the Movement. Though he had differed at times, he had always received courtesy from Mr Power.

“When I stated in an article to the press that I considered the Executive was dominated by uncouth crooks,” continued Mr Dooley. “I said ‘dominated’, and I meant ‘dominated’, and I didn’t mean anything else. I never called Mrs Dwyer or Mrs Seery, or anyone else by that term. I have nothing to withdraw or apologise for, as I did not say the Executive were uncouth crooks. I said they were dominated by certain influences. These influences must cease, or the Movement cannot live, and I would not desire it to live. I do not know how long I will be leader of the Party, nor how long in Parliament; but my hope while I am in these positions is to do something for the great working class.” (Applause)

Mr Magrath briefly responded, and the motion of thanks was carried on the voices.

Order of Business

Mr Magrath, as chairman of the agenda committee, presented a further report, and moved that the following should be the order of business after the Executive and minority reports had been completed: (1) Federal officers’ report. (2) That the objective of the ALP be the socialisation of industry, exchange, production, and distribution; and that they adopt the Brisbane policy as a mean to carry out the objective. (3) Affiliation (Industrial Conference proposal). (4) Executive control (Rule 33: That the Executive between Conference shall have plenary control). (5) Election of ALP Executive by the group system (Industrial Conference proposal). (6) Election of the Parliamentary leader by Conference for the ensuing 12 months (Camperdown Branch). (7) That the ruling by which members of the Legislature are enabled to nominate for positions on the Executive be annulled.

Several amendments were moved, but lost, and the report was adopted.
Immigration

Mr Wignall, a member of the British Labour Party, and also a member of the Overseas Immigration Delegation now in Australia, was invited to address the Conference. After a few preliminary remarks regarding Labor’s position in Great Britain, he said that the Labour Party had wanted to know what was becoming of the migrants who left Britain for Australia. He had come with the delegation to inquire into the question from the point of view of the British Labour Party. The policy of the delegation was land settlement, and that alone. It has nothing to do with sending tradesmen or workers of any description. The British Labour Party was opposed to sending the workers to Australia simply to take the jobs from Australian workers. (Cheers) He had come to get first-hand information, and if the Conference arrived at any decisions he would be glad to hear of them, so that he could take them to the right quarter.

Mr MA Davidson, MLA, (Broken Hill), suggested that a committee of three be appointed to lay before Mr Wignall all information regarding the “Nationalist” Government’s land policy, and to inform him that the Government was resuming land at valuations in excess of their true value, and that they had repudiated an agreement to give the incapacitated miners of Broken Hill a chance to go on the land. Mr J Kilburn (Bricklayers) said they should thank Mr Wignall for having told them that two British officers had said they would like to shift all the unemployed in Britain out to Australia. He said they should also thank him for stating that the British Labour Party would not be a party to such a scheme. Mr Bell (Albury) drew attention to the fact that thousands of young men in Australia wanted to get on the land, but that there was no land for them.

Federal Intervention

Mr A Blakeley, MHR (AWU), having secured the suspension of the standing orders, moved: “That the intervention of the Federal Executive of the ALP in the recent dispute is hereby endorsed; further, that this Conference places on record its appreciation of the Federal Executive’s great assistance in placing the New South Wales Branch on a proper basis”.

Mr R Sumner (Federal President) said that on broad grounds of commonsense he had ruled that the Federal Executive could intervene in the dispute, because intervention was in the interests of the great Labor Movement. He thought the Federal Executive should have plenary power, and he considered a meeting of the ALP Executive just as important as a Cabinet meeting. He deplored the fact that during the recent intervention full reports of the proceedings had appeared in the press. He could say that, as far as the other States were concerned, he did
not know of such a happening of important private business having been divulged to the press by members of the Movement. Referring to the recent Queensland election, he stated that the reason they had won was the fact that they were united, and not because of any particular statesman.

Mr J Hannan (Federal Vice-President) said that the Federal Executive had come in response to invitations from all parts of the State. The decision under Rule 5, sub-clause (e), was that the Federal Executive had power to intervene. Further, it had been necessary to issue an ultimatum to the Executive to the effect that if the State Executive would not negotiate, then the Federal Executive would call the Conference, and reinstate those branches that had been called bogus. Regarding Mr Dooley, the Federal Executive had given no decision, but had said he must be tried by a properly constituted Conference. Mr McGirr had been appointed leader by the State Executive, but the Federal Executive had deposed Mr McGirr. It stated that, until Conference met, and Mr Dooley had been duly tried, Mr Dunn would continue as deputy-leader of the Party. That was one result of its intervention. Another was that every branch that had been declared bogus was placed on the pre-dispute basis.

The Federal Executive had never before intervened in any State, as they had on this occasion. He hoped and trusted that they would never have to intervene again, but if such an occasion ever arose again in the Labor Movement he hoped that they would have men and women upon their Federal Executive with sufficient courage to intervene in a dispute if, like this dispute, it was disrupting the Labor Movement in this State, and was likely to disrupt it right throughout the Commonwealth. (Hear, hear) The approval of that great Conference was all the endorsement the Federal Executive required of their actions. (Applause)

Miss Golding (Annandale) contended that the Federal Executive had no right to intervene unless asked to do so by the State Executive. It had not been asked to intervene, and its intrusion had caused all manner of bitterness. She charged the Federal body with having shown a lack of courtesy to the State Executive. Had it shown more courtesy a better understanding might have been arrived at between the two bodies. She objected to Mr Hannan coming to the Conference and speaking in the manner he did. She moved: “That in future no Federal Executive shall interfere unless invited to do so by the Executive of the State in which it is asked to intervene”.

Conference adjourned till Saturday afternoon.
Day 7, Saturday, 9 June 1923

Immigration and Land Settlement

When Conference resumed on Saturday afternoon (June 9) Mr MA Davidson, MLA, secured the suspension of the standing orders and moved a motion to appoint a committee for the purpose of supplying Mr Wignall, Labor representative of the British Overseas Settlement scheme, with information in relation to defects in the ‘Nationalist’ land policy and particulars regarding land available and the nature thereof. Mr Davidson detailed the nature of the information he considered should be supplied so that Mr Wignall could inform the British Labor Party what the true position was.

Mr Bell (Albury), in seconding the motion, said that the immigration scheme engineered by the ‘Nationalist’ Government was a fraud, as far as the workers were concerned, and could only benefit large landowners. Because of resumptions to be made, an enhanced value was being given to land. The immigrants being put on the land were bankrupt the day they started, and must fail and go to swell the labor market.

The motion was carried. Messrs Loughlin, Dunn, Davidson, Bell, Baddeley, Holloway, Bodkin, Treflé, Garden, and Voigt were appointed member of the committee.

The debate on the question of Federal intervention was resumed. Mr T Bartle (AWU) said he wished to ask Mr Hannan (Federal Vice-President) if he was interviewed in Melbourne by Mr Dan Green, who put the case for the New South Wales politicians before him.

Mr Hannan: The Federal Executive was called together five weeks prior to the originally intended date, with the one object of intervening, and the decision to intervene was unanimous. Mr Dan Green had not been in Melbourne for some weeks before the Executive met, and he did not at any time interview me as suggested.

The President (Mr Willis), in answer to a question by Mrs Dwyer, said that while they all believed in Executive control, the Federal Executive was the supreme controlling body of the Labor Movement. (Loud cheers)

The amendment was defeated, and the motion, moved by Mr Blakeley, was carried.

The Last Elections

The next business was a debate on the remainder of the Executive and Minority reports. Mr Stuart-Robertson, MLA, submitted that the Parliamentary Labor Party’s report was not a correct report of the doings of the Parliamentary Party. There was nothing to show what were the actual activities of the Party. He claimed that the last election was lost
through the bungling of the head of the Party. (“No! It was McGirr.”) He said that prior to the last election he pointed out that the rolls were overloaded, and that to go to the elections was providing opportunities to the ‘Nationalists’, with wealth at their disposal, to go round and bring in “crooks” to vote. He was satisfied, after seeing police reports, that this had been done. He claimed that the first vote cast in the Balmain contest was cast in the name of a man who had been in New Zealand for years. When Parliament met after the elections he asked for a committee to investigate the matter, but he could not get it. He asked for the votes to be examined, but was told that this could only be done by a vote on the floor of the House, and Labor, being in a minority, could not get this.

Mr Dunn, MLA, referred to a charge made by the previous speaker that members of the Labor Party had voted against preference to unionists in connection with the handling of wheat. He said that before the Wheat Handling Bill went before the House a deputation from the Waterside Workers’ Union waited on him, as Minister for Agriculture, and asked for preference to unionists. He pointed out that he could not include it in the Bill, as it was a matter of administration, and, further, if it was included in the Bill, it would court defeat in the Upper House. The deputation admitted that in the previous year they had been given preference, and he gave them an assurance that they would get preference again. The matter was explained in Caucus, which was satisfied. He did not think that, under the circumstance, it was fair to charge men with having voted against preference to unionists. No Labor member or Minister had ever voted against preference. He was also one who did not favour holding the elections at the date decided, but a majority of the Party thought otherwise. They were in the midst of a crisis due to Levy’s retirement from the chair, and the majority of members thought it was a good time to go to the country. They did so, and everybody put up the best fight possible. They would have done better if they had been more united and if Mr McGirr had not made some of the statements he did. He, personally, had to contradict many of the statements made by Mr McGirr.

The motion was carried on the voices.

Labor’s Objective Endorsed

Mr A Blakeley, MHR, moved: “That the objective of the Australian Labor Party, decided at the Brisbane Interstate Conference – socialisation of industry, production, distribution and exchange – be endorsed by the State Labor Party”. He said it was a shameful thing that this objective had not been adopted at the last Conference. It was up to Conference to right that wrong now.

Mr Baddeley, MLA, seconded the motion. Mr Denford (Ironworkers) pointed out that it was intended that the recommendations of the Trade
Union Conference of April 28 should be considered while the objective was being discussed. Mr Garden explained that there was no difference between the recommendations of the TU Conference and the question now before Conference.

The motion was carried by more than the necessary two-thirds majority. Over 100 delegates were present.

**Admission of Communists**

Mr Garden moved the recommendation of the Trade Union Conference, held at Sydney on April 28, regarding affiliations with the ALP, which read as follows:

“2. For the purpose of bringing about a united working-class front, this Conference recommends to the NSW State Conference of the Australian Labor Party the alteration of the Rules and the Constitution to allow of affiliation of other working-class parties, with the right of propaganda and organisation, while at the same time requiring a loyal acceptance of the decisions of representative Conferences.

“Alteration of Rules recommended by sub-committee to accommodate the foregoing proposal:

“2. (a) Rule 2, par. 1 – That the Party shall be open to membership from all persons over the age of 16 years and all Labor organisations who subscribe to the objective, platform, and constitution of the Party and conform thereto.

“2. (b) Rule 6, par. (b) – Insert after ‘political body,’ line 7, ‘not affiliated to the ALP’.

“2. (c) In order to give effect to the wider membership basis proposed in No. 2 recommendation the term ‘Trade Union’ should be extended where necessary in the rules to include all Labor organisations”.

**Working-Class Unity**

Mr Garden said that the 1921 All-Australia TU Congress had decided that the time had come for working-class unity. They could not bring about that unity in a moment, and what was now being done was the effect of what had been decided in 1921. He explained the various alterations of rules proposed in the motion. Regarding the question of freedom of discussion within the Movement, it had always been allowed to give free expression of opinions in the Leagues, and if approved, to get them to Conference where, if they were carried, they became part of the policy of the Movement. He contended that the result of the Queensland elections was largely due to the militants lining up with Labor on a united front policy. If the Conference agreed to the motion, what happened in Queensland would happen in the Commonwealth and other
State elections in the near future. The Movement wanted a vigorous lead, and if that were given nothing could stop the onward march of Labor.

Mr Denford seconded the motion. If it was carried it would mean affiliation of the Communists with the Labor Party. The time had come for a united front of the workers. Everywhere where the workers were not united they were being driven back into defeat. Prominent members of the Communist Party were now on the Executive (not as Communists, but as Labor members), and the logical thing to do was to allow affiliation of the Communist Party to the ALP. If admitted, the Communists would carry on propaganda as part of the Labor Party.

Mr Magrath said that at best they could not do more than affirm the principle of admission and refer it to the incoming Executive, which would then place it before the branches and leagues for consideration, to be finally decided at the next Conference. Mr Garden said that was so. They were only asking for an affirmation of the principle.

**Past Tactics of Communists**

Mr Blakeley opposed the motion. The Communists who formerly stood out and criticised Labor had come to Conference, and members had been elected to responsible positions in the Movement. It was now quite fair to ask them to come right into the Movement, and stand loyally side by side with other Laborites. It was impossible for the Communists to do that as at present organised. They could not continue to function as a part of the Labor Movement and at the same time as a Communist Party. In recent issues of *The Communist* the Labor Party and members of the Party had been bitterly criticised. The Communists could not continue that kind of business if they came into the Labor Party.

The ALP was ready for a fighting policy. But the Communists, if they came in, would have to help to make it a solid Party, not white-ant it. The ALP was wide enough for the most extreme Communist, but there was an obligation that they must be prepared to vote Labor, fight for Labor, and stand loyally by Labor's decisions. Suppose *The Communist* continued to issue matter contrary to that appearing in *The Worker* and the *Labor News*. Think of the confusion that would take place. There could be only one party, and one party alone. The Communists could not be allowed to join Labor and then go out and attack Laborites. Picture a Labor candidate on the platform, enunciating Labor views, and a Communist getting up and telling the audience: “Don’t let this chap get it. He might do some dark and dastardly deed against the workers if he is elected.” Labor could not stand for anything like that.

Mr Sheiles (Clerical Association) claimed that Mr Blakeley was wanting to take away the right to criticise. If it was wrong for the Communists to criticise Labor, it was wrong for *The Worker* to take sides against the Executive, as had been done during the past few weeks. He
believed in the right of every individual to criticise anybody in the Movement. It was in the interests of the Movement to bring about the amalgamation with the Communists. In his opinion, politicians and aspiring politicians needed criticism. He did not see there should be any conflict with the Communists on the question of the Objective.

**Will it Affect Country Vote?**

Mr Loughlin, MLA, opposed the motion. Mr Theodore’s victory was not due to any help from the Communists. In the Queensland metropolitan seats where the industrialists predominated and where the Communists had assisted Labor candidates Labor had lost 5000 votes. But in the country electorates where there were no Communists to help Labor an increase of 17,000 votes had been polled. The fusion with the Communists would not make for solidarity, but would split the Movement to fragments. It would lead to the formation of a Country Labor Party, and then there would follow the disillusionment of the Labor Party as it was at the present time. That would be an end to solidarity. He quoted figures to show how the amalgamation with the Communists would do great harm to Labor. The country vote would be alienated if the Communist party were allowed to join with Labor. Regarding the election of Communists to the Executive, if they were there as Communists it was illegal under Rule 52. They could only be there as delegates from Labor leagues and unions, not as delegates from the Communist party.

**“Time-Serving Politicians”**

Mr J Kilburn (Bricklayers) said that according to some speakers they were not to talk about working-class matters in some quarters. The interests of the working class had too long been prostituted to serve the interests of time-serving politicians. Some of the arguments put up by previous speakers were absolutely discreditable to them. The goal of the workers had to be clear, the objective must not be clouded. Politicians had prostituted themselves in the past, and their offences had been condoned by the rank and file. They were not against the politicians, they were against the abuse of their positions in Parliament. Many politicians went into Parliament to serve themselves, not the workers. He remembered that politicians who now applauded Brookfield’s memory were prepared to crucify him when he said “The Red Flag is the only flag for me”. Why was it that the workers – 85 per cent of the population – were not going to the polls? It was because they had lost hope, having watched the politicians betray them time and again. Labor’s policy must
be framed by the workers, who knew what was wanted, and not by the politicians, who were only considering themselves.

Mr HE Connell, MLA, opposed the motion on the ground that it was not practicable. If it could be shown that the proposed arrangement could be made workable he would support it. All members of the ALP were pledged to support the Labor pledge, policy and constitution. If the Communists were pledged to another pledge, policy and constitution they could not join the Labor Party. The objective of the two parties might be the same, but the methods of attaining that objective were different. If they admitted the Communists, what was there to prevent other organisations, claiming to represent the working class, coming along seeking affiliation? The Protestant Labor Federation might come along. They could only have one pledge, policy and constitution, and if the Communists accepted that then they could join the leagues as individual members.

**Straight Talk to Communists**

Mr EJ Stein (Railway Workers) said the whole thing boiled down was that a party sought affiliation on terms that the ALP could not grant them. If the Communists joined the ALP they were traitors to their own organisation. And if they joined the ALP while still adhering to their own party’s constitution then they were traitors to the ALP. They could only come into the ALP provided they were loyal to Labor. If they did not agree to that they could not be admitted. Communists who demanded to be allowed to come into the Labor Party on their own terms had their tongues in their cheeks when they spoke of solidarity. How could they be loyal to Labor and still be loyal to the Communist Party? They must be traitors one way or the other. He was amazed that such a ‘stunt’ should be attempted by the Communists who claimed to stand for square-dealing.

Mr Heffron (Marine Stewards) claimed that the Conference could not refuse to admit the Communists to the Labor Party. The only difference was that of tactics. The objective of many of the unions already affiliated to Labor was not socialisation. Then how could they object to the Communists whose objective was socialisation? He claimed that the Labor Movement was never split by the militants, but by ‘Nationalists’ parading as Laborites. If they wanted a united front they could not allow reactionary politicians to stand in the way of the entry of the militants.

Mr Stuart-Robertson, MLA, also supported the affiliation of the Communists. He claimed they could win more seats for Labor if the Communists were in the Party fighting side by side with Labor men.

When the debate was resumed on Saturday night Mr Nulty (Leeton) supported the motion. It was necessary to have men like the Communists in the Party. What they wanted was men of the type of the late Percy
Brookfield. Mr Theodore had won out in Queensland because he had a militant policy.

A Close Division

Mr Knight also supported the motion, which pledged all members, whether Labor or Communist, to accept the decisions of Conference and stand loyally by them.

Mr Walker (Belmore) said the Communists did not believe in political action. If they now said they did then they were sinking one of their vital planks. Did anyone believe that they would do this, for if they did they ceased to be a Communist party? He had never seen any Communist doing the rough work at election time. They were always missing then. If they wanted to come into the Labor Movement they should do so as individuals signing the Labor pledge.

After Mr Garden had replied, a vote was taken. On division the voting was equal – 122 on each side.

Mr Walker (Belmore) said it rested with him, as chairman, to give the casting vote. He did so in favour of the motion. A scene of tremendous excitement followed. There was loud cheering for several minutes and delegates sang “The Red Flag”.

Astounding Accusations. “Crook” Votes, Sliding Panels, Faked Badges

At this stage the President (Mr AC Willis) said that he desired to bring forward a matter on which to receive instruction. The committee of inquiry into the matter of the ballot boxes had reached a stage when they considered an interim report should be submitted. They found that there were matters so intricate in the question that it would be impossible to complete the inquiry in time for such Conference. One witness had given such extraordinary and sensational evidence before the committee that afternoon that he had been asked to repeat it to Conference.

Mr T Smith's Statement

The President then called upon Mr TJ Smith, MLC, who said: “I made a statement this afternoon before the committee appointed by Conference. I deemed it advisable to make the statement to them rather than to the Conference, and, under their instructions, I make the statement here, substantiated by fact. I want to take the Conference’s mind back to December 1919, when a selection ballot was to be taken for the new electorate of Sydney, and I now proceed to read a letter, addressed by myself to a barrister, seeking his advice regarding my actions:
“(Strictly Private and Confidential)
Stanley-Street, City,
January 6, 1920
Robt. Sproule, Esq.,
Legal Aid Department
Dear Sir,

“I am very much troubled in mind over a position that has developed in the
Sydney selection ballot, and I am anxious to obtain your opinion as to
whether I am doing the right thing under the extraordinary circumstances.

“About a fortnight ago Mr Bartle, of the AWU, sent an urgent message,
asking me to call at the AWU office.

("I may point out that Mr Bartle was only an employee", interpolated Mr
Smith.)

“I called, and he proceeded to state that the AWU (Messrs Lambert and
Bailey) intended running the following ticket at the selection: Messrs
Bramston, Farrell, Sutherland, Buckley, and Smith. I argued the position
with him, pointing out that certain names mentioned I could not support,
and, further, I desired a free hand, because I did not think it fair to the other
sitting members. I asked why were the AWU coming into the matter, and
what did they intend doing. He pointed out that they wanted to crush Ald
Burke, on account of his action in the Goulburn electorate and the City
Council caucus, and, further, they wanted to help Sutherland and Farrell
and Bramston, as a return for services rendered.

“They intended to poll 1000 ‘crook’ AWU votes.

“Each of the five men was to obtain 20 men; these men would visit every
polling booth, recording a vote at ten booths, making a total of ten votes
each.

“I listened, and said a few words, finally promising to consider the matter. I
got away. I wanted to think of how I could checkmate it. At first I felt sick
and disgusted. What a damnable proposal! I wanted to tell them plainly
that I would wash my hands of their dirty business. Then I slept on the
proposal, and finally decided to hang on for a while to get all the
information.”

Mr Smith here interrupted his reading to remark: “At this stage I took
counsel with friends who are in the hall tonight. They were: Dr F Wall, of
Burwood; Mr Roger Harrison, of East Sydney; and Mr Robert Sproule, of
the Legal Aid Department.”

**Sliding Panels**

Proceeding, Mr Smith read as follows:

“A meeting was arranged for Monday the 5th, at 11 am at the AWU office.
Farrell, Bramston, Buckley, Sutherland, Bailey, and myself attended. A
general discussion took place covering pretty well the same ground.
“We adjourned until this morning (6/1/19) at 10 am. Mr Sutherland was to arrange to obtain the telephonist’s room, because it was considered dangerous for us to meet at the AWU office.

“I arrived late at this morning’s meeting. Messrs Farrell, Bramston, Sutherland, and Buckley were present. Previous to my arrival they had been discussing the altered position that had arisen owing to the news leaking out that the AWU intended polling 1000 crook votes, and they had mutually agreed to have an AWU postal vote of 100 polled for the ticket, and seek other means of getting ‘crook’ votes.

“I have been terribly worried over this business as to whether I was doing right. I know if I got a fair go my selection is assured. To think of men in cold blood setting out to politically murder such men as Mr J Birt, MLA, and using me as a tool, makes my blood boil. I want a fair deal for myself and every other man contesting the selection. But to come back to the meeting.

“Mr Bramston had a proposal. He suggested that ‘crook’ ballot boxes be made with a sliding panel, that the centre panel be made in such a way that it would be possible to tamper with it.

“His scheme was ingenious. Only two boxes were made, and these were to be placed in booths where the returning officers were favourable to us. Then the whole of the boxes were to be brought into Macdonell House.

“After the poll had closed at 9 o’clock it was to be arranged that the returning officer, Mr Bowden, should insist on counting one box at a time, and at 11 o’clock would instruct the scrutineers to sign and seal the boxes and then have them placed under lock and key.

“Arrangements would be made for Mr Tom Arthur and some others to come in on Sunday morning. They, having the keys to the strong-room, would open the ‘crook’ boxes, take out the ballot papers and place others in their stead.

“Though lengthy, this is but a summary of what occurred. This latter scheme is, to my mind, dastardly, and, in the interests of the Labor Movement that I have the honour to represent in Parliament, not to mention by own reputation. I feel it is my duty to associate with these men and their schemes so that I can obtain the fullest information for the purpose of frustrating this infamy at a later stage. Ever since Mr Bramston mentioned this scheme I have been worried and troubled in mind as to how I stand legally in my action. I ask you to inform me exactly how I stand in this matter from a legal point of view.

Yours faithfully, “TJ Smith”

Mr Sproule’s Reply

Mr Sproule, said Mr Smith, replied as follows:

“Legal Aid Office, Chancery Square, Sydney, January 3, 1920

“Dear Mr Smith, - In reply to your letter of the 6th instant, I beg to inform you that the parties mentioned could probably be put on their trial for conspiracy. The offence is complete already in each instance - it was so, as
soon as the agreement was arrived at. You have secured yourself against the possibility of such a charge being preferred against yourself by avoiding agreement in proposals injurious to the public. Continued association with these men, with the object of obtaining information to frustrate the scheme cannot be construed as agreement on your part, but the object of such continued association should be, not with the sole object of frustrating the conspiracy, but with the object of obtaining information to give in evidence at a possible trial.

“Your letter is returned herewith, - Yours faithfully (Sgd) R Sproule, Barrister-at-law

“(T J Smith, Esq, MLA, Parliament House, Sydney)”

**Plotters Forestalled**

Having read the letters, Mr Smith then said: “I intimated the position to friends whom I asked to interview the candidates with a view to raising a storm. Subsequent meetings were held, but every proposal made by the plotters was indirectly prevented from being carried out. There was one weak point in my case – the ballot boxes could not be obtained. The scheme was not gone on with, however. At one meeting this was decided.

“As the faked boxes could not be used owing to the scare, it was decided that faked AWU tickets should be used, and they were used. I took a parcel of AWU votes and gave them to my friends. They were used against the ticket intended.

“People may remember that a certain meeting in the Protestant Hall was broken up by my friends. I might be asked why I waited for over three years to make these revelations. I had not the boxes, nor the evidence. The boxes were not in my possession. They never were used to my knowledge.

“The scrutineers in the 1920 ballot may remember that they got instructions to stick to the ballot box till it got to Macdonell House, and to stay three until the votes were all counted.

**Domination of the Executive**

“The Executive which just went out, and that which preceded it, had always been dominated by one man – John Bailey. I was afraid of my Committee before whom I might have brought this. I cast no reflection upon Mrs Seery, Mrs Dwyer, Mr Hutchinson, and others on the Executive that has just gone out, or on that which preceded it.

“Yesterday a new Executive came into existence. Today, I get my first opportunity. I went to the Committee, and it is the Committee that brought me down here. This is the first opportunity that I have had in over three years.”
“Many of you have wanted to know why I had to go into the Supreme Court to get an injunction against a scoundrel printing damaging circulars in my name”, declaimed the speaker, excitedly. “Many of you want to know about matter distributed outside St Mary’s Church. Perhaps you understand now. The discovery about the making of boxes with sliding panels had taken place, and the man who was to make them was a fellow named Cummings.”

Voices: “Who was to give the order?”
Mr Smith: “I think — ”
Mrs Seery: “It’s no good telling us what you think.”
Mr Smith: “Mrs Seery’s friend, Mr Buckley.” (Uproar)

President Willis Gives Interim Report

When Mr Smith resumed his seat, President Willis gave an interim report on behalf of the Investigation Committee. He said: “I desire to submit an interim report from the Investigation Committee appointed by this Conference. The Committee has found exceptional difficulty in making their investigations, because everybody who should know all about the ballot boxes knows nothing. In the few days we have spent upon the business, we have gone farther than our predecessors got in the months at their disposal. We have plenty of evidence to bring before any court.

“There were at least a dozen boxes made with sliding panels”, Mr Willis continued. “They were obtained from, though not actually made by, a man named Cummings. We have met the men who made them. Cummings was foreman on a job at a place known to us. One day he asked a carpenter how a box could be made from which papers could be extracted without interfering with the lock. After showing how it could be done, the man asked Cummings what he wanted such boxes for. Cummings replied: “Buckley isn’t too sure of being selected this time. If he is selected he has a chance to be Minister for Railways. Then I’ll get a good job, and I’ll look after you.”

Taking the Boxes to Macdonell House

“The boxes were taken away by a carter, whose name we have. He tells us they were delivered at Macdonell House to Cummings, who was waiting there for them. Mr Carey and Mr Gibbs have no knowledge of the delivery, while Mr Tom Arthur says they were delivered inside Macdonell House, and he found them there. I do not say that the boxes were used fraudulently – but the indications are that they were – in the Sydney selection ballots. We have found each box examined to be ‘crook’. (Uproar)

“We asked Mr Carey,” continued Mr Willis “to produce the box used in connection with the last selection of officers at Conference. Knowing
exactly how to examine it, we found the panel right away. Here is the box, and there is the slide.”

**Executive Ballot Box Produced**

At this juncture Mr Willis placed the Executive ballot box on the table, tilted it, tapped the middle panel, which slid out of its place. (Sensation) “We have no reason to believe it was corruptly used on the last occasion”, continued Mr Willis. “Had it been handed to me then I would never have known it was ‘crook’.

“The plan was most carefully thought out. One of the makers said a dab of glue was placed at the corners of the loose boards. After the balloting, the boxes were to be nailed up. In this slide a nail has to be struck through each end, after the box has been used. In each corner the dummy nail-head has been left.

“This is the box that Mrs Dwyer suggested might be used for the ballot this year. I am sure she is the most surprised person in the room. I repeat that had I been handed the box before I knew of the suspicion I never would have thought it ‘crook’.”

**Cheques to be Scrutinised**

Mr Willis said that the boxes had been paid for with two cheques. The first was for £10 and the second – paid through Mr Buckley – for £3/10/-.

It was not known who had received the first money. Mr Carey told the Investigation Committee, appointed by the last Executive that the receipts had been handed to the committee appointed by the last Executive. Mr Rowlands had said they were not. Mr Carey had given an authorisation to the speaker to get the two cheques from the Commonwealth Bank, and it was expected that by this means, in the absence of the receipts, it would be discovered today who got the money.

The account sent in by Cummings presented a peculiar feature. He did not send in a bill for the boxes, but for the timber and material used in them, including the nails.

If this was caution, it had a peculiar sequel. The first man who admitted making the boxes, with the assistance of another, had tried to shuffle, giving the investigators the impression that somebody else had seen him, and that had he not previously made a statement they would have got nothing out of him. This man said that not steel, but brass hinges had been used in the boxes made by them. In Cummings’s inventory, steel butts appeared.
Purging the Labor Movement

“We are quite conscious of the fact”, continued the President, “that attempting to prove these matters will make those who are already enemies, very much more bitter enemies, but I consider that the great Labor Movement cannot take that into consideration. Also, there are a number of persons who are at present under a cloud, and the matter must be gone on with. We say that the Committee should be allowed to continue its investigations even if it is necessary to take legal action. The good name of Labor should not be tarnished by statements that stink in the nostrils. The Movement must be purged of the rubbish that is in it.”

(Cheers)

Special Conference Suggested

Mr Howie (a member of the Investigating Committee) said that Conference should seriously consider when adjourning whether it should not re-assemble in three months so as to consider the full report from the Committee. If the matter was allowed to go for another twelve months they would never get at the bottom of it. If a Special Conference were called, the question of altering the rules of the Party could also come up for consideration.

Charges Denied

Mr T Bartle asked Mr Smith: Was I at any meeting of the candidates for Sydney when the sliding panels were mentioned?

Mr T Smith: No; I have already explained that you were only an employee in Mr Bailey’s office at that time.

Mr Bartle: I wish Conference to go straight on. I don’t want this hanging over my head indefinitely. I feel I am under suspicion, and I will not act as a delegate until it has been cleaned up. I will give you every assistance possible.

Mr G Sutherland is Astounded

Mr Gavin Sutherland said: “To say that I was astounded when I heard Mr Smith state I was present at a meeting when a suggestion for ‘crook’ ballots or tickets was made would be to put it mildly. I was a candidate for the Sydney selection and linked up in a ticket with Farrell, Brown, Smith and Buckley, but was not with them long when I thought that they were putting it over me. Outside the place that I live, I hardly got a vote. I think I got 300, and Mr Smith got 1400. Mr Smith was on the 1921 Executive, and a Vice-President. On that occasion I believe Mr Catts’s followers predominated in the Executive.”
“I think this matter should not be left to the Executive, but dealt with by Conference, and I will not act as a delegate any longer until my name is cleared.”

Mr Smith: “Here is a man (Mr Harrison) who saw Mr Sutherland at a meeting of the lot I have named”.

Mr Sutherland: “I did not deny that I was present at a meeting. I have already said we were running in a group for selection.”

“At a Loss for Words”

Mr Bramston said: “I am at a loss for words. That Mr Smith should come here and state such outrageous lies as it is false. As regards the ballot box, it is false. We only decided at our meetings to run in groups and to take steps to advance our candidature. We never discussed other matters. It is a wonder that Mr Smith did not protest then, or come before Conference, if what he says is true. We were only among ourselves devising little matters of organisation. (Laughter) So far as ‘crook’ ballot boxes or AWU tickets are concerned, I can only say we are totally innocent, and I hope the Committee will give us the opportunity of going before them.”

Another Bombshell

Mr Jack White (AWU Organiser) said: “For a considerable time I have not been satisfied with what was going on in the Labor Movement. I have suffered because I refused to be the tool of any man in the Movement. I have information I believe that will be the means of putting out one of the ‘uncouth crooks’ Mr Dooley referred to. I refer to John Bailey, who, to some extent, had been my boss for the last eight years. I would have brought this matter before the last Conference only Bailey had the numbers on his side, and I would not bring it to a packed Conference. Some time ago I was supposed to vote how a certain man wanted me to, and because I refused I suffered in the industrial Movement, and was sent out into the backblocks to do organising work. Had I been a pliant tool I could have had a good job. I want to clear the name of the AWU from any stigma, that is why I am fighting. At the last Conference, 12 months ago, Mr Bailey came to me on the floor of Macdonell House, handed me some badges, and asked me to get a couple of reliable people and bring them into the hall. They were faked badges. I waited until I saw a man whose name was on one of the forgeries, and who is in the Conference tonight, and he can produce the original badge.”

Continuing, Mr White said that badge No.164 was issued to him in accordance with the rules. A day or two after Mr Bailey handed him badge No.345, which was also in his name. Mr J Atkins was issued badge
No.161, and he (Mr White) had the duplicate badge, No.346, given him by Mr Bailey, which was in Mr Atkin's name. He called upon a delegate to produce the original badge given him last year, of which he (Mr White) had a duplicate, and Mr Atkins produced a badge.

"I have other evidence," concluded Mr White. "I could have got more if I had consented to be the tool of Mr Bailey. I hope this Conference will place Mr Bailey in his right place, which is outside the Movement. If delegates do that they will be doing a thing that members of the AWU will appreciate".

**Charge Supplemented**

Mr Atkins said it was on the corresponding Saturday of last year's Conference that they had received the badges from Mr Bailey at Macdonell House. They were asked to get reliable men and pack the meeting against the Brisbane objective. He did not bring any men. He was issued two badges - one in the name of JM Field, an AWU Organiser, who was not present, and the other in the name of G Clark, who was acting already at the last Conference. Like Mr White, he had been afraid to place his word against that of Mr J Bailey, MLA, President of the Central Branch, and Vice-President for the Commonwealth of the AWU. He had left one badge safely at Katoomba, while he gave another to a man at Cootamundra. He had found that working under Mr Bailey he had either to sacrifice pay or principle. He had sacrificed pay, and had gone back to work at navvying. (Cheers)

**Mr Bailey Replies**

Mr Bailey then made the following statement to Conference:

"Dealing first with Mr Smith's statement that I took a part in tickets for the Sydney selection ballot, that ballot was nothing to me. I was not interested in it in any shape or form. Why should I interfere? I say now that I never discussed the matter with Smith, Sutherland, Bramston, nor any of the candidates.

"Dealing with White, I don't direct White. He is not under my care. I challenge any AWU man to prove that I have ever approached him or tried to coerce him into voting against his will. If so, let us know the division, or when the vote was.

"Regarding the badges, I am not in charge of them. Any delegate may say to me, 'I'll not be there to-night; give my badge to so-and-so, or so-and-so'.

"I invite the strictest investigation. White is not in my charge nor in my care. We hold annual meetings of the AWU. We have just recently held a meeting of the Federal Council. Mr White has never reported there.

"Mr Smith has been on the industrial section of Conference, which met and decided how it would vote. How could I dominate the Executive? It is only
a couple of years ago that Mr Catts said he had a majority upon the Executive.

“The tickets are in charge of one man, and one man alone. That man is responsible to the Secretary and the auditors. Not one ticket that cannot be traced has been issued from The Worker office for the AWU in the last ten years”.

Mr Tom Arthur also made a denial of statements made by Mr Smith, in which his name was used. He said he knew nothing about the ballot-box matter until it was reported to the Central Executive.

**Removing the Stigma from Labor**

Mr A Blakeley, MHR, said that the earlier statements made to Conference were bad enough. “The information now before Conference is damning, and requires urgent attention”, he added “I therefore move: ‘That the Committee be authorised to go ahead with its investigations, and report as soon as possible; that Conference authorise the Executive to take all the necessary steps – legal or other – to remove the stigma from Labor; and that the charges made in connection with the AWU be reported to Mr E Grayndler, with a request that the matter be dealt with immediately by that body.’

“The matter that has come up tonight cannot be dealt with in a day or two. It cannot be done for this Conference. But we cannot wait for three months. We have a clean Executive, representative of the Movement. This load must be removed without delay. The Labor Movement cannot afford to carry it any longer.”

Mr Bell (Albury) seconded the motion. While he believed in mercy, where it was possible, where decent people had suffered, justice must be done.

Mr Payne moved, as an amendment, “That the matter be placed in the hands of the Crown law authorities”.

**Mr O’Dea’s Suggestion**

Mr O’Dea (Shop Assistants’ Union) said that when the matter came before the last Executive it was sent along to an investigating committee. That committee did not get anywhere, though it was anxious that the matter should be cleaned up. He suggested at one stage that it should be put into the hands of the police, thinking that if a charge of conspiracy was made against certain persons it would be the means of exposing others. He suggested this course to Mr Bailey, who thought it would be a good thing. He also suggested it to other members of the Executive, and to Mr Carey (General Secretary), who thought that it would be better to leave it to the Conference to deal with.
Mr Barney Mullins said he wished to thank Mr Willis for saying that the fraud had been visible only to those who knew enough to look for it. He had been a scrutineer at the last Conference.

Alderman Michael Burke, ex-MLA, said that he intended to go before the Investigating Committee and give evidence about faked tickets and stuffed ballots that would surprise members of the Committee.

When the question was put to the Conference the amendment was rejected, and the motion moved by Mr Blakeley was carried by an overwhelming majority. The Conference then adjourned till Monday evening (June 11).

**Day 8, Monday, 11 June 1923**

**Explanation by President**

When Conference re-assembled on Monday evening, President Willis said there appeared to be some misunderstanding regarding the vote carried on Saturday evening in reference to the right of working-class bodies to affiliate with the ALP. The motion carried simply reaffirmed the principle of the right of working-class bodies to affiliate with the ALP. It did not alter the present position at all. It must be submitted to the leagues and others in time for them to vote on it at the next Conference. Until a decision was arrived at by the next Conference by a two-thirds majority, the position stood as it was. Conference merely affirmed the principle. At this stage a scene was caused by Mr Alam (Dubbo) jumping to this feet and accusing the Chairman of refusing to give him the call on the previous Saturday. He wanted to speak against the motion dealing with the admission of Communists, but the Chairman had refused to call him. Though ordered to resume his seat, he continued to shout to delegates, addressing them from the centre passage. Chairman Willis again ordered him to resume his seat, adding that if he did not do so he would be ejected from Conference. The delegate defied the Chairman to put him out of the room.

Chairman Willis then left the chair, entered the body of the hall, and caught hold of Mr Alam’s arm. Several other delegates proceeded to assist the Chairman to remove the delegate. Mr Bailey then came on the scene, said something to the delegate and the Chairman, and the delegate was finally persuaded to resume his seat.

After calm had been restored, Mr Alam apologised for his conduct, and explained that he had wanted to speak against the admission of the Communists. He claimed that the Communists’ propaganda was doing great harm to the Labor Movement. They were proving bigger enemies to Labor than the ‘Nationalists’ and Progressives. The name of Garden in
the country was worse than that of either Lenin or Trotsky. The entry of the Communists into the Labor Movement would split the Party.

**Mr Stapleton’s Explanation**

Mr R Stapleton (Paddington) made a personal explanation. He said that following his statement to the last Executive regarding the “crook” ballot boxes, certain members of the Executive said it was a tissue of lies. They also set about on a propaganda that he was a “scab”, that he belonged to a “scab” organisation, and that he associated himself with a “scab” organisation led by Catts. It was true that he attended meetings held by Catts three years ago in the Southern Cross Hall, Sydney. An organisation was formed for propaganda purposes, one of the rules being that all members joining would have to be trade unionists affiliated with the ALP and members of the ALP leagues. He was appointed secretary of the organisation. Afterwards Mr Power spoke to him, and pointed out certain facts about the rules. Subsequently he received a notification from Mr Carey (General Secretary) that the organisation was incompatible with the tenets of Labor. He immediately resigned, and had not been associated with it since.

**Preselection Ballots**

Mr A Moate (Marine Stewards) having secured the suspension of the standing orders moved – “The complete abolition of preselection ballots whilst proportional representation remains the law of the land”. He said that the discussions at earlier sessions of the Conference convinced him that the quickest and cleanest way to purge the Labor Movement of all corruption was to abolish the present method of preselection. If preselection was in vogue at the next election candidates would have to stand up to the harshest criticism ever launched by the capitalist press. They would be asked, “How did you get your selection?” An impression had gone abroad that quite a lot of people had gained selection by other than fair means. Consequently sitting members and those to be selected at next election would be placed in invidious positions. Conference should consider the question of the abolition of the preselection ballots. He did not think that this would mean that sitting members would lose their seats. With the abolition of the preselection ballots, there could be no suggestion of corruption. Then the capitalist press and their political opponents could never point the finger of scorn at them and suggest there was anything wrong with their selection.
Prefers Single Electorates

Mr Alam (Dubbo) seconded the motion. He said that much of the harm that had been done could be traced to the principle of proportional representation. If candidates could not agree amongst themselves as to the order of voting, how could they expect the selectors to agree? Had proportional representation not been introduced there would have been no talk of corruption, nor would they have witnessed one Labor man fighting against another. He did not think that Labor would have been defeated in the old single-seat electorates.

Several delegates sought to move amendments, but they were ruled out of order on the ground that Conference was discussing a principle, and any amendment should be moved as a motion.

Mr D Murray, MLA, (Newcastle), opposed the motion. They had held a selection ballot at Newcastle in which 12,000 members participated. There were ten candidates, and there was not a solitary growl when the selection was completed. If preselection ballots were abolished the sitting member would have a decided pull over a new candidate. All he was concerned about was the cleaning up of the Labor Movement. Mr Jarvie (Ryde) opposed the motion on the ground that it would give the sitting member an advantage over other candidates. Mr Bell (Albury) briefly supported the motion.

Mr Garden (Sailmakers) supported the motion. It had been his experience that candidates defeated at the selection ballot became disgruntled and in some cases attempted to undermine the selected candidates.

Mr Dooley’s Views

Mr Dooley, MLA, said it was the general opinion that they could do without selection ballots altogether. But he asked delegates to imagine 30 Labor candidates running for a seat. Every Laborite would have to vote for the whole thirty, in order to get the full value of the votes. Even then they would not get the full value, while there would be endless confusion, with the result that the Labor candidate’s chance would be weakened. He suggested that they should follow what had been done in Victoria – appoint a committee of investigation to deal thoroughly with the matter.

Mr H O’Connell opposed the motion. If there were a score of candidates running in an election they would be looking after themselves, and not the Movement. Mr Holloway briefly supported the motion. The question was put, the voting being 130 for the motion and 97 against. But as this was not the necessary two-thirds majority the motion was declared lost.
Committee of Inquiry

Mr Seale (Wharf Laborers) moved, and Mr Denford (Ironworkers) seconded, “That a committee of seven be appointed by the Conference to go into the matter of selection ballots, and to report back to Conference the best method of selecting Federal, State, and Municipal candidates for election”. The motion was carried, and Messrs Magrath, Garden, Howie, Murray, Denford, Holloway, and Mrs Fowler were elected to the committee.

Report of Agenda Committee

Mr Magrath, chairman of the Agenda Committee, in making a report to Conference said that matters to be dealt with included the ballot-box report, the appointment of a committee to revise the rules, the proposed reconstruction of the Executive, and the question of Parliamentarians’ right to sit on the Executive. These matters could not possibly be dealt with during the life of the present Conference. It was suggested, in view of such important considerations, that Conference adjourn for a period that would enable these matters to be brought to a stage where they could be submitted to Conference for final decision.

The matter of the leadership of the Parliamentary Party also had to be considered; but Conference had already affirmed the principle of Executive control. Consideration had to be given to Rule 33, regarding which there was some dispute. This rule set out that: “The Executive between Conferences has plenary powers to deal with all matters of Policy, Platform, and Rules, and their decisions must be observed by all members of the Movement, but any member of the ALP shall have the right of appeal to the Conference next following from any Executive edict”. Another matter to be considered was motion 38 on the agenda paper, which said “That the ruling by which members of the Legislative Council are enabled to nominate for positions on the Executive be annulled”. The discussion had not ended when Conference adjourned.

Communists and the Labor Party. Interpretation of the Rules

On Monday evening a delegate asked the President (Mr Willis) to give an interpretation of Rules 6, 52 and 24 regarding members of the ALP who were also members of another party. The matter had a direct bearing on the admission of Communists to the Labor Movement. The President said that Rule 52 set out that “no Labor candidate or member of the ALP shall sign the pledge or undertaking of any other group, organisation or party”. Rule 6 (clause b) laid it down that “any member of an affiliated union who is a known member of any other political body shall not be entitled to the privileges of membership of the Labor Movement”. Rule 24 stated that “delegates to the Annual Conference or any Special
Conference shall not belong to any other political organisation or party, and shall be called upon before taking their seats at Conference to subscribe to the platform and constitution of the ALP”.

Mr Willis said he understood the reasons why the matter was raised at that juncture. Had he been in the chair when the Conference opened, and had he been asked to interpret the rules, he would have had to rule out all men who belonged to other parties. But no objection was taken then. Some delegates had wanted to see how the cat jumped, and it had jumped the wrong way. He understood that the Communists had come into the Labor Movement for the purpose of working inside it. If that was not correct, they had better say so at once. If they were not prepared to confine themselves to the constitution of the ALP then they would be expelled. But he believed that Mr Howie and others had come to Conference for the purpose of working with the ALP and abiding by all the rules.

**Communist Party Must Cease to Exist**

Mr Howie stated that the Communists had not come to the Conference without giving serious consideration to their actions. They would at all times loyally abide by the decision of the Conference. The Communists would not oppose the ALP. Whatever was decided by Conference, that decision they would accept as final. They would conform entirely to the policy of and platform of the ALP.

The President said that was satisfactory to anyone. It meant that the Communists ceased to be a party when they came into the ALP. They could not be members of another party while they were members of the ALP. He ruled that they were entitled to remain in the Labor Movement. A delegate asked how long had Mr Howie and others resigned from the Communist Party. The President replied that whatever party they belonged to when they came into the ALP they pledged themselves to abide by the decisions of the Party and they ceased to be a separate party. The Communist Party had to conform to the ALP constitution, otherwise they could not belong to the Party.

**Day 9, Tuesday, 12 June 1923**

**Important Rulings by President Willis.**

**Labor Attitude towards Immigration**

On Tuesday night Mr AW Buckley gave an emphatic denial to Mr TJ Smith’s sensational statement insofar as it applied to him. A full report of Mr Buckley’s statement will appear in our next issue. When the New South Wales Annual Conference resumed its sittings on Tuesday evening
(June 12), Mr AW Buckley, ex MLA, made a lengthy statement regarding certain allegations in connection with the “crook” ballot boxes and the 1920 Sydney election ballot. He said that as his name had been mentioned in the matter, he desired to make a statement in order to clear his honour, his good name, and his reputation (laughter) which were well known in the Labor Movement. Never would they find him guilty of any act of corruption or any action that he could not at once clear and defend himself against, and those who were supporting him would have no cause for regret.

He stated that he was living at Paddington when he was elected member for Surry Hills. In August 1917, he removed to No 10 Richards Avenue, Surry Hills, where Mr Cummings and another man resided. Cummings remained in the house with him until after the strike had taken place, and he left for Brisbane on the advice of his medical adviser to take his wife away. Those two men then left his place, and went across to live with a Mr Smith. That was the only part he took in the matter.

The 1920 Selection Ballot

He was a candidate in 1920 for the Labor selection ballot. Many people knew that he was frequently in the ALP office, where he did Trojan work. He asked how the ballot was getting on, and Mr Carey said that the Executive had decided to have ballot-boxes made. He (Mr Buckley) said that the time was rapidly approaching, and asked when they were going to get busy. On his way home one afternoon he met Mr Cummings, who told him that he would cut out his work in a couple of weeks. He (Mr Buckley) told him that if he required a job he understood there was a small job at the ALP that Mr Carey could give him making ballot-boxes. He did not meet Mr Cummings till some time later, when the ballot was over. Mr Cummings told him that he had made the boxes but that he had not been paid by the ALP. He (Mr Buckley) told Mr Carey, who said that he would make out a cheque. A cheque was made out – he did not know by whom – but it was crossed to him (Mr Buckley), who paid it in to his account, and gave Mr Cummings his own cheque, as he had done on numerous occasions in other matters. If ballot-boxes were made that were faked, he knew nothing about them.

Charge against Member of Investigating Committee

He had nothing against Mr Willis, but there was one man on the Committee, Mr JF O’Reilly, who would never give him a fair go, and had publicly stated that he would “get” Buckley at all costs. Mr O’Reilly commenced his objection to him because he failed to have him appointed a Justice of the Peace. He recommended that Mr O’Reilly be made a JP, and he did his best to have the recommendation adopted, but he could
not do so, because Mr O’Reilly had a conviction against him. That was the man who was sitting in judgment upon him today. He, however, had no other objection to the personnel of the Committee. Otherwise, he thought that he would get a fair “go”. He would give the Committee all assistance, and he was out to find all the guilty people concerned.

**Mr O’Reilly’s Statement**

Mr JF O’Reilly, replying to the statement made by Mr Buckley, said that it would seem that he had a “nark” on Mr Buckley because he was not appointed a JP on the ground that a conviction had been recorded against him. Mr Buckley and he had not been friends for some time. Buckley and he had been Labor candidates at the municipal elections, and owing to Buckley double-crossing him and playing him a mean, low-down, dirty trick he had turned him (Buckley) down, and had not been associated with him since. Referring to the position of JP, he would like to say he had been in the Labor Movement since he was a child. He was recommended for appointment as a JP by the Secretary of the Surry Hills Labor League. The recommendation was turned down, but that did not trouble him. In fact, he was not seeking the appointment.

He had contested a selection ballot with Mr Buckley in 1916 for the Surry Hills seat. Although he (Mr O’Reilly) was defeated for the selection he had supported Mr Buckley. Later, Mr Buckley found out that he (Mr O’Reilly) had some time previously been turned down for the position of a Justice of the Peace. Mr Buckley had also found out that he (Mr O’Reilly), when a child under 14 years of age, “had been run in for resisting the police”. (Laughter) That was the conviction he had against him which Mr Buckley had referred to.

**Echo of 1917 Strike**

He had in his possession at the present time a document which was very interesting. They would remember the time when Messrs Kavanagh, Claude Thompson, and Mr Buckley were charged with conspiracy in connection with the 1917 strike. During that case there were certain people in the Labor Movement who were after Mr Buckley’s seat if he were convicted, so that they would get his seat. Mr Buckley came to him at the time, and said that he (Mr O’Reilly) was the only one he was prepared to trust. He (Mr Buckley) asked him in the event of a conviction would he (Mr O’Reilly) contest the selection for the seat, and if successful would he support Mr Buckley’s wife and family out of the Parliamentary salary. He agreed, and an agreement was drawn up. That agreement was now in his possession. Mr Buckley, he alleged, was now trying to throw dust in their eyes. He did not know whether Mr Buckley was guilty in connection with the allegations regarding the ballot-boxes. As a member
of the Committee appointed by the Conference, he would probe every detail to find out who were the guilty ones, also innocent ones. He would bring in a decision in accordance with the facts without fear or favour.

Mr Buckley, in a further statement, claimed that Mr O'Reilly was misstating the position regarding his seat during the 1917 strike. He alleged that O'Reilly made the suggestion to him regarding taking over his seat should he be convicted.

Mr O'Reilly (addressing delegates) said that was a deliberate lie.

The President (Mr Willis) read a letter from Mr J Watts, Vice-President of the Railway Workers’ Industry Branch of the AWU pointing out that their members were not associated with charges in connection with the “crook” ballot boxes or other allegations of corruption.

**The 1919 Breakaway Section**

Mr Baddeley, MLA (Northern Miners), asked the President, in view of his ruling that Labor men outside the Movement were free to seek re-admission, what was the position of those men who broke away in 1919 but who were still outside the Movement?

President Willis said he would rule that, in accordance with the decisions of the All-Australian Trade Union Congress, and the Brisbane Interstate Labor Conference, all persons who were outside the Movement, but who had continued to work in the interests of the working class, were entitled to re-admission to the ALP with continuity of membership.

**President’s Casting Vote Questioned**

At this stage, Mr Seale (Wharf Laborers’ Union) raised an objection to the President’s vote on the previous Saturday on the question of admitting working-class organisations. He claimed that under Rule 14 of the Standing Orders, the President was not entitled to cast a vote in the affirmative. The rule distinctly set out that he should cast a negative vote. The President pointed out that if he did not use his original vote, as allowed for in the rule, his casting vote was equivalent to it. He characterised Mr Seale’s objection as a mere quibble. Mr Seale said the President was wrong in taking that view of the matter. As he did not exercise his original vote at the time, he had no right to exercise it at a time when he was asked to give a casting vote. In moving dissent from the President’s ruling, Mr Seale continued to address delegates on the question, and disorder prevailed. The President named him three times, then ordered him to leave the room. Mr Seale refused to go. General disorder prevailed for some time. Mr Seale said he refused to withdraw from the position he took up, claiming that the President had illegally
exercised a vote on a very important matter. After some time order was restored.

The President returned to the question of the re-admission of bona-fide Laborites to the Movement. He said that as far as he knew, the Brisbane Conference ruled that any of the 1919 breakaway men who had not allied themselves with any anti-Labor Movement could, if they applied, come back with full continuity rights.

**Brisbane Conference Decision**

Mr Magrath (Printing Trades) asked the President to produce such a decision. While it was only fair that these men should be re-admitted to membership, it had to be remembered that they had broken the rules previously, therefore they should not be allowed to come back with full rights and be on the standing of members who had remained loyal throughout. He moved dissent from the President’s ruling.

By this time the President had secured an official copy of the proceedings of the Brisbane Conference, and read the decision of the Conference on the matter, which was as follows: “That this Conference affirms the desirability of making an endeavour to unite politically all sections in the fight, and that all those who have been officially disconnected from the ALP, but have continued to work in the working-class interests, be re-admitted to the ALP if they so desire without loss of continuity, and that the State Conference be recommended to carry this into effect.”

Mr A.E. O’Brien (Musicians’ Union) claimed that it was only a recommendation to the State Branches.

The matter was put to a vote, and the President’s ruling was upheld by 126 votes to 58.

**Work for New Executive**

Mr Magrath (chairman of the Agenda Committee), amplifying his statement of the previous evening, said that during the next six months the Executive would have to deal with some most important problems bearing upon reconstruction. The matters to be dealt with included the ballot-box report, the appointment of a committee to revise the rules, the question of preselection ballots, the proposed reconstruction of the Executive, the question of the right of Parliamentarians to sit on the Executive, etc. There were nearly 40 motions on the agenda paper relating to the reconstruction of the Executive. These matters could not possibly be dealt with during the life of the present Conference. He suggested that Christmas might be a suitable time for re-assembling the Conference to receive the various reports. Then the 1924-25 Executive could be elected under whatever new rules might be adopted. The matter
of the leadership of the Parliamentary Labor Party had also to be considered; but Rule 33 was most decisive, and already the Conference had affirmed the principle of Executive control. Then there was motion No 38 on the agenda paper, which asked the Conference to deal with Mr Lambert’s ruling that members of the Legislative Council were not “members of Parliament”. He moved: “That Conference recommend the Executive to appoint a Committee to consider the revision of the rules, including Rule 6, and consider recommendations dealing with selection ballots, the representation of members of Parliament on the Executive, and schemes for the reconstruction of the Executive with regard to the grouping scheme of the Industrial Conference and the country members’ scheme, and other matters.”

Mr Howie (Coopers’ Union) moved that the Committee of seven appointed on the previous evening to deal with the question of preselection ballots should act in the matters outlined by Mr Magrath. Messrs Bell, Lang, and McLelland supported the motion, while Mr AE Roberts supported the amendment. On a vote being taken, the amendment was defeated, and the motion carried.

Next Conference at Easter 1924

Mr Magrath then moved: “That Conference further direct that all recommendations which the Executive is proposed to make be submitted to branches and unions in time to permit of Conference meeting during the Christmas holiday period”.

An amendment was moved by Mrs Dwyer, “That the Conference be held next Easter, instead of Christmas”.

The amendment was carried.

Mr Magrath moved: “That the Executive for 1924-25 shall be elected under any new scheme adopted by the Conference, and it be recommended that the recommendations of the Executive shall have precedence at the next Conference”.

Rule 33

Mr Magrath said the next matter to be considered was Rule 33, which read as follows: “The Executive between Conference has plenary powers to deal with all matters of policy, platform, and rules, and their decisions must be observed by all members of the Movement; but any member of the ALP shall have the right of appeal to the Conference next following from any Executive edict”. He said that the Agenda Committee wished to draw attention to the fact that the Conference had already affirmed the principle of Executive control when dealing with the question of Mr Dooley’s re-admission to the Movement.
Mr Stewart (Western Suburbs) asked for a ruling upon the word “policy”. He wanted to know if the Executive had power to interfere with the leagues or the Parliamentary Party as in the recent dispute. The President replied: “I rule that between Conferences the Executive is the supreme governing body of the Labor Movement. But these powers should be exercised within the meaning of the rules of the constitution. If those powers are used in a tyrannical manner, then it is for the Conference to deal with the Executive. Plenary meant full, and the Executive, therefore, had full powers.”

It was sought to move several amendments, but the President said they were out of order. He could accept no amendment on the principle. The rule could not be altered without a two-thirds majority. If there were motions in the agenda book they must be brought up in their proper order and dealt with. He would say again that the rule gave full powers to hang, draw, and quarter any member – that was so long as it was within the constitution of the Movement. Mr AE O’Brien said that if the records were turned up it would be found that the rule was illegally in the rule book.

The President said he could not help how it got there. If a wrong had been done, steps should have been taken to have it corrected.

**Question of Free Speech**

A delegate asked the President if, under Rule 33, the Executive had the right to elect the Parliamentary leader. The President said it had not. He ruled that the rule gave tremendous power to the Executive within the four corners of the constitution, but from his point of view those powers should not be exercised unless in extreme cases.

Mr Magrath asked whether the rule gave the Executive the right to suppress free speech in the leagues and affiliated unions. The President said that, in his opinion, that was the last thing any Executive should do. The Executive had no right to prevent free speech in the leagues and unions.

Mr Stewart asked that steps be taken to incorporate in Rule 33, as its interpretation, the ruling just given, and its interpretation could come before the next Conference. The President said that that would be done.

**MsLC and Executive Positions**

Mr Magrath asked for the President’s ruling as to whether members of the Upper House were “members of Parliament”. He said that the matter arose out of a ruling by Mr Lambert, when President, that members of the Upper House were not “members of Parliament”.

The President: “I have no hesitation in ruling that a member of the Upper House is a Member of Parliament”.

409
Mr Denford desired to move: “That no member of the Legislative Council should be eligible for a seat on the Executive”.

The President: “There is no necessity for the motion. Members of the Legislative Council are members of Parliament. That anybody should have given a ruling contrary to that astonds me”.

Mr Magrath moved: “That regarding applications for re-admission to the Movement, these matters should be left to the Executive to deal with”. Several names were mentioned, including that of Mr A Griffith.

Mr Davidson drew the President’s attention to Rule 2, which read: “Any member of Parliament or conscriptionist candidate expelled for advocating conscription shall not at any time, under any pretext, be re-admitted to membership in the Labor Movement”. The President said the rule was very definite, and would have to stand.

A delegate asked the President’s ruling on Rule 4: “Any member or ex-member of the ALP who opposed a selected Labor candidate shall be excluded from membership for the four years following”. The President said that the rule was also very definite, and would have to stand.

Mr AE O’Brien: “On that ruling, Mr President, I challenge the membership of Messrs Howie, Garden, Denford, and all the members of the Communist Party.”

The question was put, and Mr Magrath’s motion was carried.

**Immigration**

The special committee appointed by Conference to state the case for Labor against immigration presented a report, ready by Mr Baddeley, MLA. The report was as follows:

“The policy of the Labor Party on immigration is clear. We believe the immigration policy of all National Governments is conducted, not in the interests of the workers, but in the interests of the employers. For many years past the immigration policies of the various National State Governments in Australia have been deliberately designed to flood the labor market in the industrial, rural, and urban centres, and pave the way for lowering the standard of living of the Australian workers.

“Owing to the energetic propaganda conducted by the Sydney Labor Research and Information Bureau at the instance of Australian Trade Unions, the active anti-immigration policy instituted in the British Labour press, extending to debates in the British House of Commons, and pursued vigorously by wide distributions of leaflets throughout the workshops of various trades in Britain, has forced the National Government advocates of immigration to restrict their plans mainly to immigrants for the land.

“The land immigration policy is directed no less against the industrial workers of Australia because:

“1. The Australian State Governments are already unable to provide suitable land for more than a small fraction of the applicants.

“2. Unemployment already exists in country areas.
“As the bulk of those immigrating for land work are unsuitable they inevitably and quickly drift back to the cities. It is clear that the employers are still conducting their immigration policy to break down the wages and to lengthen the hours of the workers in industry through this policy.

“The Australian Labor Party is against the people of this State being overburdened with interest on financial credit from oversea for immigration until adequate provision is made for the working class of this country.

“The working class of this country have not been consulted in any way on the question of immigration, but the whole matter has been arranged by the representative of the capitalist class – the Nationalist Government. We therefore strongly protest against the working class being excluded in the consideration of any scheme.

“We also disapprove of the Nationalist Government being used to have land made available which in most cases is overvalued, as well as unsuitable for purpose used.

“The Australian workers warn the workers of Britain and other countries that the Australian labor market in every branch of industry and on the land is amply provided for, and in most cases glutted with masses of unemployed workers.

“They further warn all fellow-workers overseas to disregard any immigration policy which is not endorsed by the Trade Unions and the Australian Labor Party of this country.

“Recognising nevertheless, the fact that many thousands of deluded workers are being continually dumped on the Australian Labor market with no guarantee whatever of stable employment, it is recommended, in accordance with the proposal of the Australian Labor Party, West Australian Branch, that a Labor Immigration Depot should be established in each State of the Commonwealth for the reception and information of immigrant workers.

“The principal duties of such Labor Immigration Depots should be:

“1. To issue regularly to overseas Labor organisations statistical information re employment and unemployment in Australia.

“2. To get into touch with immigrant workers on their arrival and inform them of the conditions obtaining in the various trades affected.

“3. To provide a clearing house, where all immigrant workers, who have been deceived by the immigration authorities, or underpaid and badly treated by the employers, can collect, organise, and have their cases brought to the light of publicity and to the notice of their respective organisations overseas.

“4. To provide a centre where Australian Trade Unions whose occupation is being flooded with immigrant workers can apply for the purpose of taking effective steps to counteract the flow of immigrants into their particular trade.

“We further demand that a more drastic examination of immigrants should be made both prior to embarkation and on arrival in Australia in order to prevent the introduction of diseased and mentally deficient persons. Such examination be made to cover all diseases that would tend to undermine
the health of the nation. It is clear that many immigrants arriving are mentally deficient and are becoming a charge upon the State.

“The sub-committee therefore suggests that each State Labor Council should be invited to confer with each State Branch of the Australian Labor Party for the purpose of establishing such Labor Immigration Depots by joint action.”

The report was adopted and Conference adjourned till the following night (June 13).

**Day 10, Wednesday, 13 June 1923**

**Northern Miners’ Dispute**

As soon as Conference opened last Wednesday night Mr Ryan (Portland) said he wished to secure the suspension of the standing orders in order that Conference might consider the question of suspending Mr J Bailey pending consideration of the charges alleged against him. Considerable disturbance took place, and the matter was not proceeded with.

Mr JM Kelly asked whether the ruling given by the President on the previous evening applied to members of the Barrier Unions. The President said it did.

The President said that the letter from the Irish Envoys’ Defence Fund, and which had been referred to the agenda committee, had now been returned with the recommendation that it be sent along to the Federal Parliamentary Party, and that they be asked to make an effort to carry out the wishes of the defence committee. The recommendation was adopted.

Mr Hatfield (Northern Miners) secured the suspension of the standing orders and moved: “That this Conference extends to the Northern Miners its full support in their fight against the coal proprietors, and that we recognise they are fighting for a vital principle of the Trade Union Movement. He pointed out that some of the men had been fighting since last December, when the question of victimisation cropped up in the Whitburn Lodge. Many men had been victimised without any charge being preferred against them. From April 14 the whole of the Maitland men had been locked out by the Coal Barons. The miners had been always ready to help other unionists in trouble, and now they asked that other unionists should assist them. There were 6000 miners out on strike, and it should not be left to the other 16,000 miners to keep them from starving. The fight involved a principle of far-reaching dimensions. A vital principle was at stake. The Coal Barons were trying to victimise about 1800 men.

Mr Mills (Wharf Laborers) wished to add an addendum relating to the Waterside Workers and the “scab” Labor Bureau. The President
thought that the two matters should be dealt with separately. Mr Knight (Western Miners) seconded the motion, and gave various examples of how victimisation was carried out by the Coal Barons.

**Vital Principle at Stake**

Mr JJ Hudson (Northern Miners) said that if the bosses got away with the victimisation “stunt” on the workers, it would be applied to other industries. That was why the miners’ fight should be the concern of all unionists. The Coal Barons were trying to weed out their best fighters. The men still working had levied themselves 15 per cent and would pay more if required, but the burden was very heavy. That was why they were appealing to other unionists.

The motion was carried on the voices.

**Overseas Shipping Bureau**

Mr W Mills (Wharf Laborers) then moved: “That the Overseas Shipping Labor Bureau in Sydney be declared black and a distinct menace to labor in Australia, and that any man working through the Bureau and not being a member of the Waterside Workers’ Federation be declared ineligible to be in the Movement”.

He said that the last Labor Government had not used its power to abolish the “scab” Bureau. That was because they were not the right class of men. Labor Parliamentary parties of late had not done their work as true and honest Labor men. He considered that the duty of a Labor Parliament was to go the whole hog in the interests of the workers. It was up to the Labor Movement to get right down to bedrock and declare itself on this matter. There should be a definite preference to unionists. He suggested that all the waterside unions should get together and see what could be done in the matter. They thought they were going to get something from the Council of Action, but it referred the matter to the Emergency Council, but the latter body had not sat since. It was up to the Movement to make a definite stand regarding the “scab” Labor Bureau.

**A Weapon against Unionists**

Mr Seale (Wharf Laborers’ Union) supported the motion. He said that the “scab” Bureau, if allowed to develop, would be used as a weapon against other unions. It had been used against the seamen in their fight against the Union SS Co. Men getting work through the “scab” Bureau had to sign a statement that they were not members of the Waterside Workers’ Union. They talked about the strength of the industrialists; here was a great testimonial to their weakness, in that they allowed that to continue. When the members of the Parliamentary Party had failed to do their duty
in the matter, the Labor Executive had not been quite so ready to expel them as they had been to expel Mr Dooley. But if the politicians had failed, so had the industrialists. They took the matter to the Council of Action; it referred the matter to the Emergency Council. The latter body held a meeting and then asked the Waterside Workers to formulate proposals. These proposals embodied a complete boycott by every trade unionist of every non-union overseas ship. But nothing further had been heard of their proposals. The Emergency Council did not sit again. As far as the miners were concerned, he could say that the watersiders would render ever assistance.

**Effectiveness of Motion Questioned**

Mr Howie (Coopers’ Union) doubted whether the resolution would achieve the object they had in mind. He reminded them that economic pressure had compelled many men to look for work through the “scab” Bureau. One reason why finality had not been reached in the matter was because of the attitude of officials of certain unions. He remembered a time when the “scab” Bureau workers were willing to join the Coal Lumpers’ Union, but the latter organisation would not take them in. If the industrial party had the same power as the Parliamentary Party it would have dealt with the “scab” Bureau in quick time. Ways and means would have to be devised whereby the matter could be settled.

Mr D Murray, MLA, pointed out that after the “scab” Bureau had been formed by the Holman Nationalist Government it was taken over by the Federal Government. When the Labor Government came into office it had not the power to deal with the Bureau.

A delegate from the Coal Lumpers’ Union said that regarding the proposal that his union should admit members of the “scab” Bureau, that was a matter they would not tolerate for a moment. He contended that the Waterside Workers and the Coal Lumpers had not got fair treatment from the State Government.

Mr JS Garden (Sailmakers) said that the Waterside Workers’ Union had asked him to get in touch with the “scab” Bureau. He went down and addressed members of the Bureau. The men were willing to come into the bona-fide union, but the then Secretary would not have them. At that time he was continually on the waterfront trying to deal with the problem. After Messrs Seale and Mills had replied, the motion was carried on the voices.

Mr O’Neill (Oxley Electorate Council) revived a trouble that arose at the last election when, he alleged, his candidature had been opposed by Mr Fitzgerald, MLA, who asked Labor supporters to vote for an independent candidate in preference to him (O’Neill). After a short discussion, it was decided to refer the matter to the incoming Executive for consideration.
Re-Admission of Alderman Jones

Alderman Jones of Paddington, whose appeal for reinstatement Conference had decided to hear, addressed the Conference. He had been true to Labor all through. He was not a conscriptionist – on the other hand he had been secretary of the two anti-conscription campaigns. He had been expelled from Labor after a service of 14 years because he had opposed the amalgamation of the Paddington and Sydney Councils. It was true that he had nominated as an Independent Labor candidate, but this was a protest against his treatment by the Executive. Even if he was not re-admitted he would continue to work in the interests of Labor.

Mr R Stapleton (Paddington) moved: “That Alderman Jones’s statement be accepted, and that he be re-admitted to the Labor Movement”.

A delegate, referring to Rule 4, said that the President should stick to the rule in this matter. The President said that while he could only rule in the terms of Rule 4, which said that a member opposing a Labor member must be excluded for four years, he recognised that other men who had been expelled and who had opposed Labor candidates had been re-admitted.

A delegate: Stick to the rule!

The President: You are not going to shelter behind me in this matter. You will have to settle the matter yourselves and take the consequence. I say that other men have been re-admitted. They are in this Conference tonight.

Cries of “Name them.”

The President: There is Minahan and Denford. Ratcliffe is another.

(Uproar)

Mr Minahan, MLA: That’s not true. I was never put out.

Mrs Fowler (Botany): Alderman Jones could be kept out, but Denford who opposed Labor candidates was re-admitted.

Mr Denford: I did no such thing.

Mrs Fowler: You opposed Labor candidates at Botany in 1920. You got 68 votes. I ought to know. I was in that campaign.

Mr Denford: I only spoke from Labor platforms. (The Worker, of March 25, 1920, shows that Mr HL Denford stood as a Socialist candidate at Botany. Other members of the Socialist ticket were Messrs Corcoran, Moroney, Shields and Christensen.)

Mr Minahan's Explanation

Mr Minahan (in a personal explanation) said he had not been out of the Labor Movement for 32 years.

A voice: You “scabbed” all your life.

Mr Minahan: I said when the IWW men were falsely imprisoned on corrupt evidence that I would do all I could to get them out. I refused to
withdraw that statement, and the Executive withdrew my endorsement. I was put fifth on the poll, but the electors placed me on top. (Cheers)

A Voice: Your money put you there.

Mr Minahan: You are a liar. (Uproar)

Same voice: And you’re another. I got some of your money. (Laughter)

Mr Minahan said he had always been true to Labor and would remain so till the end of his days.

Mrs Bailey said that in view of some of the recent re-admissions to the Movement she would suggest that Mr Stapleton add to his motion: “That Rule 4 be deleted from the constitution to allow Hughes, Holman, and others to come back into the ALP”. (Laughter)

The motion to re-admit Alderman Jones to the Movement was carried on the voices.

Mr Nulty suggested that the question of the application from Mr Arthur Griffith for re-admission be referred to the incoming Executive. Conference carried a motion to hear Mr Griffith at a later session.

**Storemen and Packers’ Claim**

Mr Roberts (Storemen and Packers’ Union) moved a motion: “That Conference withdraw the Labor endorsement from Mr TJ Lang, MLA, for refusing to pay to the employees in the Harbor Trust bonds the amount to which it had been resolved they were entitled”. He said the trouble dated back to a time when his union made an effort to get 17/- per week added to the wages of the storemen employed in the Harbor Trust bonds. They took the matter to the Court, which said that all they could give was the basic wage, but suggested that the matter could be dealt with by the Crown. They made recommendations to Mr Lang, but could not get the money. In 1921 Conference agreed that the claims were fair and just and should be paid. Other employees got increases, but not the storemen, who should have been brought up to £4/15/- per week. When the storemen got a Federal award the amount was £4/14/6, which showed that their claim was not unjust. It had been asserted that if the Crown paid the money, it would be creating a bad precedent and other workers would put in their claims. There were 12 storemen involved, and they had sacrificed £17/17/- each. When the Harbor Trust refused to pay the money, the Treasurer (then Mr Lang) should have demanded that it be paid. The speaker also blamed the last Executive for not moving in the matter. When the matter was mentioned some of them said, “For God’s sake don’t blame us, blame Lang”. He thought the last Executive was just as much to blame as Mr Lang.

Mr Dan Clynes (Storemen and Packers) seconded the motion. The injustice was first perpetrated by the Holman Government. When the basic wage was £3, the men had a 10/- margin. When the £3/17/-
declaration was made they only secured that amount. He thought that if the Executive of the day had displayed the same enthusiasm and courage as they had in the expulsion of Mr Dooley the matter would have been settled long ago.

**Harbor Trust a Law unto Itself**

Mr Magrath (Printing Trades) said he was a member of the 1921 Executive, which had been blamed for not seeing that the money was paid. Mr Roberts came to last Conference with a motion of censure against the Executive for alleged negligence, but after the facts had been stated Conference wiped the motion of censure off the records. The union was deregistered for the part it took in the 1917 strike, and it went to the Federal Court. As a result of that it lost the State basic increase from £3 to £3/17/-. The Harbor Trust Commissioners claimed that they paid whatever was the prescribed rate. The Federal rate was a lower rate, and the union wanted the higher State rate, which members would have got had they remained registered under the State Court. The Harbor Trust refused to pay the higher rate. Mr Lang had nothing to do with the matter. Mr Lang attended a meeting of the 1921 Executive and pointed out that the Harbor Trust worked under statutory provisions of an Act of Parliament, and could do as it liked. Mr Lang could not interfere, though he had done all he could to urge the payment of the money. A suggestion was made that Mr Lang should write an order directing that the money should be paid from State funds, but they had to remember that withdrawals from State funds were surrounded by a tremendous number of reservations. The Executive and Mr Lang had done all they could to get the money, but like the Railway Commissioners, the Harbor Trust was a law unto itself, and it simply refused to take any notice of Mr Lang. Personally, he objected to a union coming year after year to Conference with its case. That was not prosecuting its claim. It was persecuting an individual.

**Mr Lang Explains Position**

Mr Lang, MLA, began his speech by referring to an attack upon him in the current issue of *The Communist*, and in a former issue. When Mr Blakeley was speaking at the Conference on the previous Saturday he pointed out that *The Communist* was slinging mud at Labor members, but made no attempt to attack the common foe, the 'Nationalists'. Mr Denford objected to Mr Blakeley using that argument against the Communists when they had decided to come into the Labor Party. Yet while the editor of *The Communist* was taking this point he was attacking Labor men in his paper.

Mr Denford (Ironworkers): I never raised an objection to Mr Blakeley mentioning the article.
Mr Lang said he did not object. However, to get down to the matter at issue, the Harbor Trust Commissioners said they had never refused to pay the men the same wage as was paid outside the Trust’s employ. In 1918 the union got a Federal award of £3/5/-, and the Trust paid this. In 1919 they were paid £3/10/-, In 1920 the union and the employers outside had agreed to pay £3/16/3, and the Trust paid this rate. Then came the NSW basic wage declaration of £3/17/-, the Trust paid the men were not entitled to it. The matter was taken to Court, and Mr Justice Edmunds fixed the wage at £3/17/-, the Trust then paid this wage. After the Labor Government came into power he was asked to increase the wages with the margin of 19/-, He (Mr Lang) did not think it was fair to ask him to bear the sins of the Holman Government. It had to be remembered that the Harbor Trust was working under an Act of Parliament which gave the Commissioners supreme power. They refused to pay the back money claimed.

A Voice: Why didn’t you sack them?

**Federal Awards Better for Men**

Mr Lang said that when two positions on the Trust became vacant he appointed Labor men. One of them was Mr W O’Conner, Secretary of the Coal Lumpers’ Union. The union had seen Mr O’Connor after his appointment, who replied that they were not entitled to the money. They did not pursue the matter any further. The union had done better under Federal awards. Instead of dropping back rapidly, as they would have done under a State basic wage, it was not until July of this year that they would go back to £4/8/6. The Trust had always paid whichever award was the highest, and had always been looked upon as fair and just employers. He could not compel the Trust to pay the money; the Commissioners could snap their fingers at him. He exercised all the authority he could in the matter. Under the circumstances the motion was a gross injustice to him.

The motion was defeated.

**Conference Closes**

Mr Baddeley, of the committee appointed by Conference to investigate the position of the Labor News, moved that the Labor News be continued under the control of Mr J Power, and used for education and propaganda within the Movement. It should be placed on a sound basis, and everything done to push the paper. The motion was carried.

Just as the motion for adjournment was about to be put, a delegate moved that the adjournment be till next Easter. This was carried on the voices. The motion was carried so quickly that many delegates did not realise that the Conference deliberations had come to an end.