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HUGH MAHON

A political biography

by

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I declare that the sources
from which this study is
derived have all been ack-
nowledged and that it is
all my own work.

H. J. Gibbney

May 1969

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INTRODUCTION

Although the expulsion from parliament of the Hon. Hugh Mahon has often been quoted by advocates of civil liberty as an awful example of authoritarianism in Australian politics, nobody has hitherto professed to understand the motives behind his dramatic expulsion and the details of his unusual career have slowly been forgotten. This apparent extinction was facilitated by his unattractive appearance and personality. Though nearly six feet tall, he was described as

Colorless and somewhat narrow chested.
No fads or hobbies. Drinks beer in summer
and whisky in winter. Just a trace of
accent but it takes detecting.

In youth, he could have been called ruggedly handsome but the adoption of steel rimmed spectacles and a nondescript moustache in middle age made him look curiously anonymous.

Mahon's colorless appearance was matched by excessive reticence. His carefully preserved and annotated papers show that he was well aware of his place in history but unlike other politicians, he seemed indifferent to publicity and because much of what he wrote has vanished in the shadow of journalistic anonymity, the press coverage of his career is remarkably thin. Very few of the many letters which he must have written have survived and since he relaxed only in the

company of his intimate friends, to his surviving contemporaries he is always a man whom they never really knew.

Most of his contemporaries saw Mahon as a hard, cold man with a bitter tongue and a pronounced streak of meanness. In part, at least, the picture is undoubtedly true, but it is equally true that he was dominated throughout his life by a deep love for his native land and a genuine love for mankind. In spite of his apparently hard and practical mind, he lived for a dream, a dream which eventually destroyed his political career.

Throughout Mahon's career he was frequently alleged to have been Private Secretary to Charles Stewart Parnell. On this point, Dr Conor Cruise O'Brien says in a letter of 27 December 1967:

No Mr Mahon was certainly not private secretary to Parnell. Tim Healy was that at the time Mahon was in prison. At the same time, if he was imprisoned in Kilmainham during the period of Parnell's imprisonment there - as appears to be the case - it is quite possible that he rendered Parnell some secretarial services, in relation to the situation in his home county or otherwise. It is also possible that he rendered similar services to Parnell during the bitterly contested election in Wexford in 1880 ... It would not be abnormal ... for someone like this ... to allow his friends to say that he was secretary to Parnell ...

I have found no evidence that Mahon ever made the claim himself but likewise, none that he ever denied it.

I acknowledge my debt to the staffs of the National Library of Australia, the Battye Library in Perth, the Public Library of New South Wales and the State Library of Victoria. Special thanks are also due to Mrs M.E. Sharland, Mahon's daughter, to his nephew Father Thomas Mahon, to my supervisor Professor Douglas Pike, to the Hon. A.A. Calwell for permission to use caucus minutes and to my colleagues, especially Mr Greg Tobin of the Royal Military College, Duntroon, who is studying the Irish National Movement in Australia. I have also drawn on the work of R.G. Dryen of the University of New South Wales and my old friends Dr John Bastin and David Mossenson.

My greatest debt, however, is to my family who, through two difficult years have agreed to share me with a ghost.

Note on Citations

The main source for this work is the papers of Hugh Mahon which are identified by the National Library of Australia as Collection No.937. When citing this collection the name of the National Library is not given. Citation of other collections held by the National Library is prefixed N.L.A. Where newspaper cuttings appear in the Mahon papers they are described as unidentified cuttings, where no evidence of paper or date exists, and as undated cuttings where the paper is identified but not the date. Even where the cutting is fully identified the manuscript number is usually given for the convenience of those working in the Mahon papers.

The only abbreviations used are:

H.C. Debates ... House of Commons Debates.

V&P (L.A., N.S.W.) ... Votes and Proceedings
Legislative Assembly, N.S.W.

V&P (L.A., W.A.) ... Minutes and Votes and Proceedings
Legislative Assembly, W.A.

W.A.P.D. ... West Australian Parliamentary Debates.

C.P.D. ... Commonwealth Parliamentary Debates.

C.P.P. ... Commonwealth Parliamentary Papers.

CHAPTER I

The Young Rebel

Hugh Mahon was born on 6 January 1857 at Killurine in the parish of Killeigh about four miles from Tullamore in King's County, Ireland.¹ Some of his family claimed descent from Mahon, King of Munster, brother of the great Brian Boru, but Mahon's father believed that the family originated in Ulster and had reached Killurine as refugees in the 15th century.² Hugh's father James, born at Killurine in 1807, had married Anna McEvoy of Castlebrack on 3 November 1834 and their son Hugh, the thirteenth of fourteen children, eight of whom died young, was named after the deceased firstborn.³

When, about 1863, the elder Mahon enlarged his house, the landlord, Lord Digby of Geashill, promptly raised the rent and soon afterwards the family sailed for Canada, leaving the eldest son Patrick to farm a small part of the old property. According to local tradition a Protestant family promptly took over the main farm including the house.⁴

¹ Genealogical note in Mahon papers 937/61. King's County has since been renamed County Offally.

² James Mahon to Mahon, 9 January 1885, 937/33.

³ 937/61 op.cit.

⁴ Father Thomas Mahon (nephew of Hugh) to author, 10 January 1968.

Hugh was educated by the Christian Brothers⁵ and after the family had moved to the United States was apprenticed at 13 to a printer. Years later he described bitterly how he had worked 59 hours a week and walked three miles each way to and from his work for 'Yankee blood-suckers'.⁶ Yet he was well trained in the work of a newspaper office and soon after his return to Ireland, about 1880,⁷ he was able to find work as a reporter at New Ross in Wexford.

New Ross was a small but prosperous town on the Barrow River, whose 194 electors returned one of the four members for the County to the House of Commons. As the seat of a quarter sessions court and the site of a military barracks, the town was a centre for political agitation over a wide area.⁸ The New Ross Standard was aggressively nationalist in its politics and Mahon was soon involved as secretary

⁵ Cyclopaedia of Western Australia (Perth, 1911), vol.1, p.311.

⁶ Father Mahon, *op.cit.*

⁷ The date of Mahon's return to Ireland, like so much in his early life is doubtful. In a letter written about 1919, he said 'I was a Land League secretary at 19' but since this would put him in the League two years before its foundation, I prefer to believe that his return was at least inspired by Parnell's tour of America in December 1879 and that he probably arrived early in 1880.

⁸ Hamilton (ed), National Gazetteer of Great Britain and Ireland (London, 1868).

of the local Land League, and of a committee to secure a fair trial for two local men accused of murder.⁹

Being a prominent activist, he was under constant police surveillance and when the British cabinet decided late in 1881 to endeavour once again to suppress the Nationalist movement, he was one of the leaders arrested. On the morning of 27 October 1881 a strong force of police arrested Mahon and a friend, charged them with intimidation and soon the two men were on their way under military escort to Naas, whence they were transferred to Kilmainham gaol near Dublin.¹⁰

The dragnet had brought into Kilmainham a wide cross section of the Land League; from the great Charles Stewart Parnell down to humble almost illiterate labourers. The intellectually inclined Mahon found congenial society among the imprisoned intelligentsia, but confinement soon exacerbated a congenital pulmonary weakness and he spent much time in hospital.¹¹ Here he became friendly with Dr Joseph Kenny, a prominent physician and Land League leader, who was also a prisoner and in December Kenny urged Mahon's

⁹ Catholic Press, 22 October 1931. The executors of Dr Augustine Mahon who held the papers after Hugh Mahon's death unfortunately destroyed some letters, most of which probably originated in this period. The surviving letters of the period are 937/279-281.

¹⁰ Dublin Freeman, May 1904, 937/869.

¹¹ J.M. Wall to Miss Mahon, 10 March 1928, 937/805.

release as he was suffering from phthisis of the left lung which might be relieved or cured by a long sea voyage.¹²

Kenny decided that the young man should go to Australia and used all his considerable influence to smooth the path. The authorities, anxious to be rid of agitators, were willing to release him but Mahon, although he had already privately accepted Kenny's suggestion, was not prepared to give any guarantees. Nevertheless he was released unconditionally on 7 January 1882 and after a demonstrative welcome in New Ross, promptly returned to his political work.¹³

Within a few weeks there were rumours of impending rearrest¹⁴ and, while reporting in the New Ross Court House he was handed a formal police order to leave the country. On 14 February John Redmond asked in the House of Commons whether Mahon's rearrest had been threatened in spite of his continual illness, whether he was under police surveillance and whether the chief secretary had sanctioned this action. W.E. Forster replied that since Mahon had not honoured his undertaking to leave Ireland, the government had no alternative and added drily that his supposed illness did not seem

¹² Dr Kenny to Father Dunne, 30 December 1882, 937/268.
See also Appendix A.

¹³ Catholic Press, 22 October 1931, op.cit.

¹⁴ Redmond to Mahon, 14 February 1882, 937/285.

to debar him from political activity.¹⁵ On 18 February Mahon impudently replied personally to Forster, in a letter to the Wexford People, denying that he had given any guarantee to the government.¹⁶ When a force of police and soldiers came to arrest him he was forewarned, escaped disguised as a monk and went into hiding. For some weeks he was on the run in Ireland but finally went to London late in March 1882.¹⁷

The Nationalist Movement had been planning a drive for funds in America and Australia and in March 1881 J.W. Walshe, an American domiciled Irishman, sailed for Australia to prepare for a tour in 1883 by John and William Redmond.¹⁸ His request in January 1882 for assistance from Ireland solved the problem of Mahon's future very satisfactorily¹⁹ and it only remained to find a berth. Meanwhile Redmond found temporary work for him as a reporter in the House of Commons for a provincial paper,²⁰ an experience which was to prove of inestimable value to him.

¹⁵ H.C. Debates, vol.266, p.631.

¹⁶ Wexford People, 18 February 1882, 937/888.

¹⁷ Catholic Press, 22 October 1931.

¹⁸ Mahon, The Land League: a narrative of four years of Irish agitation... (Sydney, J.G. O'Connor, 1883), p.xv.

¹⁹ Cardiff to Mahon, 18 March 1882, 937/308 and Advocate, 18 February 1882.

²⁰ Melbourne Punch, 9 June 1904, 937/857 and Menzies Miner, 28 May 1898, 937/754.

Mahon found it difficult to abandon the conspiratorial atmosphere of the Nationalist movement immediately and left England by the S.S. Orient on 23 March 1882 under an alias.²¹ The Orient arrived in Sydney on 9 May and on 16 July he made his first public appearance in Australia as deputy for Walshe in a meeting of the Land League at Taralga.²²

In the next six months he travelled widely in the country districts of New South Wales speaking and organising constantly.²³ He and Walshe went to Melbourne in October for a meeting of the Central Committee, which reorganised the old Land League as the Irish National League.²⁴ In February 1883 the Redmond brothers arrived in Sydney²⁵ and on 24 February Mahon was elected to the Sydney branch executive of the new league.²⁶

²¹ Freeman's Journal, 13 May 1882. His name does not appear either on the passenger list of the Orient or on any other ship arriving in Sydney or Melbourne between March and August 1882. The passenger list of the Orient does include a Hugh A. Hale in the second class.

²² Freeman's Journal, 29 July 1882.

²³ His salary and expenses between July and October 1882 amounted to £215.5.10. Advocate, 7 February 1885. In March 1883 he visited Queensland briefly.

²⁴ Freeman's Journal, 4 November 1882.

²⁵ Sydney Mail, 24 February 1883.

²⁶ Freeman's Journal, 21 June 1917, 937/876.

Some of the more prosperous members of the Irish community shared the widespread public hostility to the Redmonds, but they were welcomed by the politically conscious Irish as heroes. Mahon shared both the odium and the glory and was formally linked with the visitors in an adulatory address presented on St Patrick's Day.²⁷ Probably his most important contribution to the cause was the only book he ever published, a 74-page propaganda pamphlet²⁸ which was savagely reviewed in the Sydney press.

By mid-1883 the campaign was drawing to a close and Mahon had to think of his future. Bishop Lanigan of Goulburn who wanted a Catholic diocesan paper seized the opportunity and on 1 September 1883 the first issue of the Southern Free Press was published with Mahon as editor.²⁹ Although it was warmly commended in Catholic circles, its career was short. Late in April 1884, after only 99 issues, it amalgamated with the Southern Argus, of which Mahon then became editor.³⁰

After the exhausting Redmond tour, Goulburn was an anti-climax. Mahon's only public activity was to resuscitate,

²⁷ Sydney Mail, 24 March 1883.

²⁸ Mahon, op.cit. Copy in papers 937/32 is a complimentary presentation to W. Redmond.

²⁹ Freeman's Journal, 8 September 1883.

³⁰ Freeman's Journal, 3 May 1884. No copies of the Southern Free Press have survived.

at Lanigan's request, a Catholic Literary Association which had expired a few years earlier in a welter of feuds.

Mahon was elected its president on 7 June 1885³¹ and used the opportunity to promote public debates on politics, thus gaining valuable training for his future career.

While employed by the National League, Mahon had made friends with two Irishmen, Victor J. Daley and John Farrell,³² both well known in Sydney literary and journalistic circles. Dissatisfied with Goulburn and probably influenced by his friends, he secured a position on the Sydney Daily Telegraph while looking for a country paper of his own. He left Goulburn in March 1886,³³ and soon after taking up duty with the Telegraph was appointed head of the parliamentary staff, a position in which he acquired a reputation for backstairs influence.³⁴ Curiously, he took no part in the active Home Rule movement, but was instrumental in securing official recognition for a railway union³⁵ and in January

³¹ Southern Argus, 9 June 1885.

³² Letters from Daley and Farrell, 937/292 and 304 inter alia.

³³ Goulburn Evening Penny Post, 11 March 1886.
See also unidentified cuttings 937/743-745.

³⁴ Vide. Archives Office, N.S.W., 1888/3682 in 1/2695 and 1888/9193 in 1/2714 in which Mahon acts as a go-between for people seeking to influence a government department.

³⁵ Draft letter Mahon to McCarthy c.1919, 937/649. The statement cannot be verified owing to the destruction of railway archives but there seems no reason to doubt it.

1888 was elected to the committee of a Single Tax League together with F.M. Bladen, Fred Flowers, W.H. Traill, J.F. Archibald and other prominent politicians and intellectuals.³⁶

Meanwhile he assiduously made the best of the financial opportunities offered through his political contacts by buying 500 shares in James Patrick Garvan's Citizens Life Assurance Company,³⁷ purchasing land at Manly and Parramatta and investing in some rather dubious New South Wales mines.³⁸

While visiting Melbourne for the Land League Mahon had met Mary Alice, daughter of the late Joseph L'Estrange, solicitor at Richmond. The couple corresponded and on 24 September 1888 were married at Manly. His bride, who was only 19 and had led a sheltered life, was given away by her widowed mother. The first of their four children was born on 13 December 1889.³⁹

Mahon had already investigated and rejected plans for his own newspaper in Goulburn and Cooma. Late in 1889 he bought the Gosford Times⁴⁰ and while finalising arrangements

³⁶ Bulletin, 21 January 1888.

³⁷ Share register of Citizens Life Assurance Co., quoted in McCorquodale to author, 15 September 1967.

³⁸ Mahon to wife, 16 September 1895, 937/16.

³⁹ Information supplied by Mahon's daughter, Mrs M.E. Sharland, who holds the marriage certificate.

⁴⁰ Gosford Times 75th Anniversary Album, Gosford, 1961.

found temporary work as secretary of a royal commission on the introduction of contagious diseases in rabbits.⁴¹ He took over the new paper in January 1890.⁴²

In early life, Mahon had been deeply impressed by the philosophic principles of John Stuart Mill and his admiration for Sir Henry Parkes reinforced his intellectual acceptance of Free Trade principles. In the general election of 1891 he was invited by the ministerial party to nominate as a candidate for Wollombi. The seat was held by Richard Stevenson, an old Protectionist stalwart who had defeated J.A. Gorrick, a free trader, at the 1885 election. Elections were then spread over several weeks with the poll held in different electorates on different days. When Jacob Garrard, a leading free trader, was defeated in Balmain, he turned to Wollombi for a second chance. Since Garrard was an experienced politician, Mahon agreed to withdraw and announced his decision on the morning of nomination day, believing that Gorrick would do likewise. The latter, however, refused to oblige unless his expenses were paid and Garrard, seeing the futility of a split vote, contested Central Cumberland.⁴³ Although Mahon still believed he

⁴¹ V&P (LA, N.S.W.), 1890, (5, p.65).

⁴² Archives Office, N.S.W., 2564. Col.Secs Register 90/1210.

⁴³ Freeman's Journal, 27 June 1891.

could have won the seat, even with Gorrick/nominated, it was now too late to change his mind and Stevenson recaptured the seat.⁴⁴ The party leaders absolved Mahon from any responsibility for the debacle.⁴⁵ As soon as the election was concluded Mrs Mahon went to Melbourne for the birth of a second son and soon afterwards Mahon sold the Gosford Times and followed her.⁴⁶

To an outsider the move to Melbourne appears an irrational move for an otherwise very rational man. He was leaving an area in which he had a substantial investment and political expectations to enter an area in which he had no interests and, since he was completely unknown, no prospects. To make matters worse, he was leaving a fairly stable colony for a colony in the grip of the worst economic depression in its history - a fact of which he must have been well aware. The only possible explanation for the decision is that it was dictated in some way by the needs of his family.

In Melbourne he lived with his mother-in-law⁴⁷ and took no part in public life. For himself it was probably

⁴⁴ Freeman's Journal, 4 July 1891.

⁴⁵ Carruthers to Mahon, 30 June 1891, 937/5.

⁴⁶ Information supplied by Mrs Sharland.

⁴⁷ Ibid.

not a happy period but through his work as Melbourne manager for a Sydney technical paper, the Australian Mining Standard⁴⁸ he at length secured an entree to the mining world which gave him the chance for a fresh start.

⁴⁸ Mahon's connection with the Mining Standard is inferred from his later connection with James McCallum Smith and from remarks in a letter from Smith dated 24 March 1894, 937/1. The extraordinary absence of any documentation for this period in an otherwise well documented life is most significant!!!

CHAPTER 2

Journalism at Menzies

The first major gold discoveries in Western Australia were made in 1893 and by 1896 some thousands of new citizens, mostly men, had arrived in the colony. Many were from Victoria where Western Australia had long been regarded with amused contempt as a barbarous backwater and since most of the mining camps were far from Western Australia's few centres of civilisation, there was nothing to modify eastern attitudes.

Under the energetic leadership of John Forrest, the colonial government strove manfully with the manifold problems of providing communications, supplies and water for the new communities, but it was not easy to move a government machine designed for a rural backwater into a gear sufficiently high to cope with the needs of a major goldrush. There were inevitable delays and bungles, sometimes unavoidable and sometimes due to the hardened arteries of firmly entrenched colonial bureaucrats. Both the Railway Department and the Post Office almost collapsed and the resulting delays were of course maddening when efficient communications might mean the difference between fortune and penury.

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Although the Forrest government strained every nerve to overcome these problems, its attitude towards the mining industry was open to misconstruction and was inevitably misconstrued. Forrest saw quite clearly that the mines were a goose which could be trusted to go on laying golden eggs for some time; he was firmly convinced that the pastoral and agricultural interests were the real backbone of the State and saw no reason why they should be thrown overboard. Many of his political supporters who were rabid conservatives and fervent local patriots, sought to make the pastoral and agricultural interests paramount. Forrest - a much bigger man - was prepared to move with the times but was not prepared to rush into a blind pursuit of numerical democracy. In a bitter political struggle the mining communities fought for a simplified system of registering voters, while the government fought to preserve an obvious gerrymander. Like a good general, Forrest held the fort until his position was untenable, then withdrew gracefully. To the miners eager for political rights, however, he seemed to be the bar to a glorious future.

Although the main battle was fought over representation, there was a lively secondary battle over economic issues. The new population clearly presented a marvellous opportunity for the local producers and the government had no hesitation

in seizing the opportunity. Imported foodstuffs and clothing were subjected to a heavy tariff and even when goods had passed this barrier, those bound for the goldfields were subjected to a further impost through heavy transport costs.

Life on the goldfields was by no means comfortable and because of the apparent partiality of the government of the 'Swan River Settlement', as it was satirically called, hostility to the government became an article of faith in mining towns. This hostility was aggravated by certain peculiarities of mining law.

In the eastern colonies both law and tradition decreed that for a specified time after the declaration of a new goldfield only alluvial leases would be granted in order that the small prospectors might clean up the easily won alluvial gold without being hampered by the property rights of reefing companies. In its anxiety to secure maximum capital investment, the Western Australian government had abandoned this tradition and between 1893 and 1900, there was a continual series of bitter disputes over the rights of alluvial miners. One of the solutions tried was the creation of a dual title in leases, but this only increased friction and the trouble culminated in the turbulent Adeline and Ivanhoe Venture Cases of 1898-99. Since most alluvial miners were likely to take casual employment from time to

time with the reefing companies, the Alluvial Rights Defence movement found strong support in the infant Trade Unions.

The two groups also shared another common interest. In order to discourage speculation, mining law provided that a lease could only be held if it was continuously worked by a specified number of men for each acre of ground. Should the lease not be properly manned, the holder might be challenged in the Warden's Court and the lease forfeited to the challenger. In its enthusiasm for capital, the colonial government was always prepared to bend the law to suit the convenience of reefing companies and exemptions from the labour clauses of the Act were granted freely, often in the form of general exemptions over a whole field. The alluvial miners were aggrieved because exemption restricted their right to challenge and perhaps win a valuable lease while employed miners were aggrieved because exemption restricted the amount of employment available to them and because the granting of exemption during strikes deprived them of a potent weapon.¹

In spite of all these problems, however, the obvious possibility of wealth attracted restless spirits and Mahon

¹ The foregoing is a summary of the argument in Mossenson. Gold and Politics, M.A. thesis, (W.A., 1952). The main lines have been modified somewhat after discussion with Professor F.K. Crowley of the University of New South Wales.

saw Western Australia as a way out of his troubles. While working on the Australian Mining Standard, he made friends with James McCallum Smith, a shrewd Scot, and when Smith was sent to Coolgardie in January 1894 as special correspondent for the Standard,² the two men formed a profitable partnership in which Smith provided the information on which Mahon bought shares in Melbourne.³ Early in 1895 Smith formed a company to establish a newspaper in Coolgardie⁴ and invited Mahon to become editor. The Mining Standard was liquidated in July and soon after was taken over by F. Critchley Parker.⁵ Mahon then left for Western Australia.⁶

The office of Smith's paper was burned down soon after Mahon's arrival⁷ and it was then decided that Mahon should establish his own paper with Smith's assistance in the new township of Menzies, 100 miles north of Coolgardie. He ordered a printing plant from Melbourne which was destroyed by a fire on the Fremantle wharves. Undeterred, he ordered a second plant which was also destroyed by a fire in the

² Australian Mining Standard, 6 January 1894.

³ McCallum Smith to Mahon, 24 March 1894, 937/1, and 18 February 1894, 937/2.

⁴ The West Australian Goldfields Courier was registered in W.A. 26 April 1895. Newspaper Registration Book in Supreme Court of W.A. //

⁵ During the first world war Parker published virulent anti-Irish and anti-Catholic propaganda pamphlets.

⁶ Menzies Miner, 25 September 1897, 937/766.

⁷ Advocate, 12 October 1895.

railway goods shed at the Southern Cross railhead. Despite these setbacks, he persevered and his third plant finally reached Menzies on Christmas Day 1895. Mahon admitted later that he had been tempted to call his paper The Phoenix but settled for a more orthodox title and the Menzies Miner appeared as a small foolscap-sized eight page weekly on 28 December. An old colleague wrote facetiously in the wildcat column of the Bulletin that his copy of the first issue had been lost among postage stamps and train tickets⁸ but, by the end of the year, it had grown into 20 to 24 demy pages with two pages of illustrations. Beneath the title, it bore the proud legend, 'The pioneer newspaper of the North Coolgardie Goldfield'.

The first rush to Menzies occurred late in 1894 and when Mahon arrived there was already some semblance of civilisation. When the pre-existing progress committee became a municipal council late in 1895⁹ Mahon was the third councillor elected.¹⁰ The mayor, Henry Gregory, was very popular and for some time he and Mahon were good friends. Early in 1896 when a rumour spread that W.E. Clare of the Coolgardie Miner planned a second paper in Menzies, Gregory, an enthusiastic local patriot, decided

⁸ Menzies Miner, 25 September 1897, 937/766, op.cit.

⁹ West Australian Government Gazette, 30 August 1895, p.1411.

¹⁰ Menzies Miner, 25 January 1896.

to forestall Clare by organising his own newspaper company¹¹ and the North Coolgardie Herald, another weekly edited by Julian Tenison Woods, appeared early in March.¹²

Mahon saw the new venture as a deliberate attempt to ruin him and although Gregory had taken no shares in the Herald, he regarded the mayor henceforth as a malicious enemy.¹³

In June 1896 when a group of employed miners and prospectors formed a miner's union in the town, Mahon took a prominent part in the movement and was later granted honorary life membership.¹⁴ In the next few years he attended meetings regularly and his membership of this body, the only labor organisation with which he was intimately associated, provided the formal justification for his later membership of the Australian Labor Party.

Hitherto, in spite of his generally democratic position, Mahon had had little or nothing to do with unionism. He had never joined a printing union, had taken no part in attempts to organise journalists in both Sydney and Melbourne in the 1880s and 1890s and had not displayed more than a very

¹¹ North Coolgardie Herald, 29 April 1897.

¹² Articles of Association filed 29 May 1896, West Australian Companies Office, 253/96.

¹³ North Coolgardie Herald, 29 April 1897, op.cit.

¹⁴ In later years Mahon made this claim frequently and was never challenged. No documentary evidence has been found to support it because the records of the Union have not survived and the run of the local papers in the W.A. State Library is too broken to be helpful.

perfunctory interest in the violent activity going on in Labor circles in New South Wales. Since he was often accused later of unscrupulous use of the Labor Party, an examination of the reasons for his adherence to unionism in Western Australia seems justified. The first point worth noting is his membership in Sydney of the Single Tax League. He probably joined the league because of John Farrell's influence and probably did not stay with it very long, but since by this time the Single Tax movement and the Labor movement were rivals for the democratic crown his attitude towards unionism was probably coloured by his membership.¹⁵ Although Mahon does not appear to have had much contact with Cardinal Moran before 1901, it is clear that he was deeply influenced by Moran's attitude to the Labor movement¹⁶ and would therefore have been antagonised by the prevalence of socialist theories in the Eastern movement. In Western Australia, however, although all miners' unions were radical and democratic, their radicalism was devoted to strictly practical local issues and doctrinaire socialists were rare. Labor on the goldfields suited Mahon's pragmatic temper; he already saw the need for political support; the unionists valued his literary ability and in Menzies the union was led by

¹⁵ Ford, Cardinal Moran and the A.L.P. (Melbourne, 1966), p.54.

¹⁶ Mahon to Father Fitzgerald, 26 October 1909, 937/76.

fellow Irishmen.¹⁷ He was, therefore, happy to become a supporter of Unionism.

Since most of the mining capital came from an affluent London on the other side of the world, the Western Australian goldfields were peculiarly vulnerable to wildcat speculation and the collapse of a number of schemes threatened to ruin the reputation of the field. When Gregory began to float two companies called the Menzies Compass and the Menzies Tornado, Mahon's hatred for the mayor overrode his usual sound judgment and on 4 July 1896 he asserted in a long article that the Compass flotation was a wildcat.¹⁸ In a financial analysis published on the 11th, he alleged that too much of the capital was being pocketed by the directors.¹⁹ This was, of course, dangerous ground, but he had already voluntarily put his head into the noose on 6 July by sending telegrams to the Kalgoorlie and Coolgardie stock exchanges announcing that the Compass property had been pronounced an absolute fraud by an inspection committee of working miners.²⁰ Soon after despatching the telegram, Mahon

¹⁷ Burke, the president of the association, was an old Land League acquaintance. Menzies Miner, 17 April 1897.

¹⁸ Menzies Miner, 4 July 1896.

¹⁹ Ibid., 11 July 1896.

²⁰ Coolgardie Miner, 24 October 1896.

received writs for libel from Gregory and his co-directors amounting to £30,000. In the meantime the Coolgardie Miner had commented on the case and, probably as a set off against possible losses, Mahon himself instituted a cross action against the Miner for £5,000.²¹ Gregory was still popular in Menzies, the Compass had been widely supported and Mahon's inexplicable action was roundly condemned at large public meetings on 10, 11 and 16 July.²² His only support came from a fellow journalist, A. G. Hales, who was interested in suppressing wildcat companies.²³

The case was heard in the Supreme Court in Perth on 22 October before Hensman J. Mahon conducted his own case, pleaded justification and applied for two months adjournment. The Attorney-General, appearing for the plaintiff, objected on the ground that if the libel had been justified originally, Mahon's committee of practical miners should decide the issue without any necessity to rake up other evidence. The judge upheld the objection.

In his opening speech, the Attorney-General declared that Mahon's action was due entirely to his hostility to

²¹ Ibid., 10 October 1896.

²² Coolgardie Pioneer, 15, 22 July 1896.
Coolgardie Miner, 14 July 1896.

²³ Menzies Miner, 11 July 1896.

the North Coolgardie Herald. Gregory gave evidence of a conversation in which, after he had accused Mahon of trying to injure him, Mahon had promised to qualify his accusations. Soutar, an assayer, told how Mahon had borrowed a dolly to test stone from the Compass lease and accused him of misinterpreting the results. Jones, a miner, gave technical support for the Compass lease and the hearing finished when Hales stated that although he had been quite prepared to support Mahon, he was now convinced that the charge was groundless.

Next day Truran, a mine manager, concluded the plaintiff's case with a technical description of the property and it was then decided to adjourn for a month. At this point Mahon announced that both parties were prepared to accept a verdict of £10 and costs against him. He withdrew his charges which had been made, he said, when excited, promised to repair any damage and admitted that he knew nothing against the character of the plaintiffs. All suits were then withdrawn.²⁴

As a result of his Irish experience Mahon was always abnormally quick to see malice where none existed and his usually sound judgment was easily upset by rage. The Compass libel case was the first of two gross errors of judgment.

²⁴ Morning Herald, 23, 24 October 1896;
Coolgardie Miner, 24 October 1896.

resulting from this trait which seriously damaged his reputation. The committee of miners was obviously a journalistic fiction created to give some authority to faulty conclusions based on his own inexperienced investigation. The most that can be said for him is that he probably believed there were some grounds for doubt and was induced by ill health and business worries to magnify those grounds. In settling the case, however, he made sure that the verdict was purely nominal²⁵ and soon afterwards he left for Melbourne to visit his family.²⁶

In August 1896, Mahon started the Miner's Daily News²⁷ and, after his return from the east, succeeded in floating the Menzies Pioneer Newspaper Company²⁸ with a capital of £3,600 held equally by himself and three friends.

The redistribution of 1896 created a new electorate of North Coolgardie based on Menzies, and the ensuing general election in 1897 necessitated selection of candidates. On 31 December Mahon accepted the invitation of a deputation

²⁵ Morehead & Northmore, solicitors, to Mahon, 21 December 1896, 937/6.

²⁶ Menzies Miner, 30 October 1896.

²⁷ Ibid., 1 May 1897, 937/775. The run in the State Library of W.A. starts at No.65 of 31 October.

²⁸ Memorandum of Association, 19 December 1896. W.A. Companies Office, 657/96.

and announced his candidature.²⁹ He had no illusions about the problem facing him. The necessity to earn the franchise by 12 months residence debarred many itinerant prospectors who were potential supporters, from voting. Of the 400 or 500 signatories to the requisition,³⁰ probably less than half were voters, but he decided nevertheless to make the attempt.

Gregory was also invited to stand by a deputation of businessmen but, having previously promised to support James Shaw, who had been very popular as the first mayor of Coolgardie, he at first refused. After having failed to locate Shaw who was visiting New Zealand, he decided that rather than risk giving Mahon a win by default he would stand.³¹

Late in January William Kerr, a popular prospector from the north of the electorate, claimed nomination as a Labor candidate. He suggested to Mahon that both should submit to a selection ballot,³² but Mahon refused because Kerr was not nominated by any union, had no support from any interests within the electorate and had only lately

²⁹Menzies Miner, 1 January 1897.

³⁰Ibid., 6 March 1897.

³¹North Coolgardie Herald, 5 January 1897.

³²Ibid., 6 March 1897.

claimed Labor endorsement.³³ Kerr nevertheless decided to call himself a Labor candidate.

Mahon now worked hard to consolidate his public image.² He took a leading part in protest meetings against an influx of Afghans to the town and ingeniously suggested that the number of Afghans admitted to Australia should be in proportion to the number of Australians admitted to Afghanistan.³⁴ He led deputations on the subject to the warden of the gold-field,³⁵ and even carried the campaign into the municipal council.³⁶ He was also active in campaigns against the granting of general exemptions to leaseholders³⁷ in favour of public works for the relief of unemployment³⁸ and the provision of public batteries,³⁹ while late in February he chaired a meeting of the new Early Closing Association.⁴⁰

Public life, canvassing votes and his normal business activities were too much for his weak constitution and

³³ T'Othersider (Coolgardie), 24 April 1897.

³⁴ Menzies Miner, 6 February 1897, 937/758.

³⁵ Ibid., 13 February 1897.

³⁶ Menzies Miner, 6 February 1897, op.cit.

³⁷ North Coolgardie Herald, 8 January 1897;
Miner's Daily News, 28 January 1897.

³⁸ Menzies Miner, 20 February 1897, 937/783.

³⁹ Ibid., 937/772.

⁴⁰ Ibid., 27 February 1897.

early in March his doctor advised a rest. He was in Perth from 18 to 26 March but, far from resting, was busy interviewing the Premier about various mining problems and the Under-Secretary to the Postmaster General's Department about the mail services in the electorate.⁴¹

Because of the intense personal rivalry of the candidates and their supporting newspapers, the campaign soon developed into a smearing contest. When the Menzies Miner accused Gregory of bad faith in having abandoned Shaw, the North Coolgardie Herald denied the accusation hotly.⁴² The Miner then published a long and very literate letter signed J. Green which labelled Gregory as 'this patron of Asiatics', and the Herald as 'this dirty Afghan, cum Japanese cum capitalistic print'.⁴³ The Herald responded by inferring that Green was a Mahon 'nom de plume', and although the Miner virtuously offered to produce Green, the style of the letter was certainly suspicious. The Herald then accused Mahon of having divulged confidential documents of the Municipal Council and Mahon in return alleged that his name had been purposely omitted from all Herald reports.⁴⁴

The day after his return from Perth Mahon attempted to launch his campaign at Niagara, but bad weather and a

⁴¹ Ibid., 27 March 1897.

⁴² North Coolgardie Herald, 2 February 1897.

⁴³ Menzies Miner, 6 February 1897.

⁴⁴ Ibid., 3 April 1897.

competing race meeting persuaded him to deliver his policy speech at Goongarrie on 3 April.⁴⁵ The biggest issue in goldfields politics was the alleged hostility of the colonial government to goldfields interests and most of the speech was devoted to this subject. Characteristically, he did not follow the popular line blindly. He saw little difference between the parties in the Legislative Assembly but preferred Forrest as a man, to Leake the leader of the Opposition, and was prepared to make allowances for the real difficulties which the government faced on the goldfields. When he considered Forrest's policy to be sound he would happily support him, but intended if elected to sit with the Opposition in order to preserve his freedom of action.

He claimed to have been labelled in a vicious whispering campaign as an unstable firebrand. He denied it but insisted that aggression always attracted more attention than a policy of peace at any price. His profession, he said, had given him a wide knowledge of public affairs and as an old parliamentary reporter, he was already well acquainted with the forms of the House and their tactical uses.

⁴⁵ Ibid., 10 April 1897, 937/765.

His political programme covered most of the major goldfields grievances. He sought amendment of the mining laws to curb the unnecessary granting of labour exemptions and to restrict the scope for wildcat promoters. He referred to the lobbying by mining investors for fee simple titles instead of the shaky leasehold tenures available to them and declared that such moves should be resolutely opposed. Auriferous lands were, he argued, a national heritage, rights in which must never be relinquished. After special reference to the iniquitous necessity to register mining transactions in Perth, he proceeded to discuss reform of the Electoral Act, removal of duties on necessities and reform of the Civil Service. Most of all he advocated enhanced status, salary and independence for the goldfields wardens who should, he said, rank with judges. He concluded by urging the total exclusion of Asiatics from the colony. Although this might be legally difficult, the problems could be avoided if all Asiatics were compelled by regulation to undergo an extended period of quarantine which would eventually discourage them. Although little in the speech was original, it was carefully tailored to suit his audience and was well received.

When Mahon returned from a visit to the fringes of the electorate on 30 April, he was informed by a deputation from

the Miners' Association that Kerr had publicly accused him of having employed compositors below the salary rate ruling in the district.⁴⁶ Kerr's allegations were based on a long article in the North Coolgardie Herald of 27 April containing an affidavit by Morgan of the Typographical Society that Mahon had engaged him in Sydney at £4 instead of £4.10.0, had forced him and other employees to walk from Coolgardie to Menzies and had only reduced hours to conform with the North Coolgardie Herald.⁴⁷ Such charges were particularly dangerous in a goldfields town and Mahon devoted a whole page of the Miner to his reply. He claimed to have established the £4.10.0 rate himself and added that he had virtually permitted his men to set their own working hours in the hot weather, thereby damaging his business. During the illness of one man, he added, he had paid full wages and employed a temporary hand as well. The argument was clinched by affidavits from some of his staff that representatives of the Herald had sought to secure information by bribery.⁴⁸ The Herald countered on 1 May with a very convincing letter from a printer asserting that Mahon had discharged him for daring to ask for overtime.⁴⁹

⁴⁶ Menzies Miner, 1 May 1897, 937/775.

⁴⁷ North Coolgardie Herald, 27 April 1897.

⁴⁸ Menzies Miner, 1 May 1897, op.cit.

⁴⁹ North Coolgardie Herald, 1 May 1897.

These charges certainly damaged Mahon's reputation and were frequently repeated in later years. Although it is impossible to decide how true they were, the circumstantial detail in the Herald's story is supported by later stories of Mahon's meanness.

Meanwhile, Kerr was still seeking Labor endorsement. Mahon's supporters publicly derided his claim⁵⁰ and on 24 April the Miners' Association, now absorbed by the Amalgamated Workers Association, decided formally to endorse Mahon because of his consistent support for Labor and rejected the allegations of sweating against him.⁵¹ When Kerr induced the Coolgardie branch of the Amalgamated Workers Association to protest against the extreme measures taken to exclude him, the Menzies branch replied that they were not prepared to endorse Kerr because he was not a member of any local organisation, because he would certainly lose a selection ballot, and because the nomination of a straight out Labor candidate would be fatal.⁵² The decision was not universally popular and the Goongarrie branch complained that Mahon and a small clique in Menzies were manipulating the electorate to suit his political ambitions.⁵³

50 Menzies Miner, 13 March 1897, 937/769.

51 Ibid., 1 May 1897, op.cit.

52 Miner's Daily News, 19 April 1897.

53 North Coolgardie Herald, 3 May 1897.

A few days before the poll, Mahon announced that he was unable to provide conveyance to the booths because the opposition had already cornered all the vehicles in town. The Herald promptly published a statement from a publican that he had plenty of buggies available but that Mahon would not pay.⁵⁴ In a free spending goldfields town this no doubt helped to seal his fate, and when the result was announced on 5 May, Gregory had won by 60 votes.

At the declaration of the poll, Mahon spoke of the 'Combination of influences arrayed, not with the object of getting Gregory in but of keeping Mahon out'. The North Coolgardie Herald saw other reasons for his defeat. There was no difference between the programmes proposed by Mahon and Gregory: the issues were entirely personal. Mahon had not been prepared to go all the way with Labor on payment of members and womens suffrage and many Labor men had thrown over the organisation rather than their principles. Indiscretions and bungling by officials of the union had settled Mahon's fate.⁵⁵

Mahon's subsequent career in Menzies can best be described as a protracted anticlimax. His public activities

⁵⁴ Ibid., 4 May 1897.

⁵⁵ Ibid., 8 May 1897.

were practically restricted to meetings of the Miners' Association and Catholic Church functions. In November 1897 when his two year term as municipal councillor expired, he sought election as mayor but was decisively beaten.⁵⁶ He had, however, negotiated the establishment of a Road Board to govern the district outside the town⁵⁷ and was elected its first chairman on 21 September 1898.⁵⁸ With time on his hands he organised a Democratic Social Club on the lines of the old Goulburn Catholic Literary Association and served first as its president and later as patron.⁵⁹ Towards the end of 1897 he left Western Australia on another visit to his family in Melbourne.⁶⁰

Mahon had never accepted the rival paper gladly but in the boom of 1896 a modus vivendi had been possible. A general depression in 1897, however, led to a struggle for survival. Since early 1896, Mahon had been seeking the backing of two big financiers, Eugenio Vanzetti and Sir Charles Wentworth Dilke,⁶¹ and in 1897 the company was

⁵⁶ Menzies Miner, 20 November 1897.

⁵⁷ Ibid., undated cutting, 937/757.

⁵⁸ Ibid., 24 September 1898.

⁵⁹ Ibid., 22 January 1898, 28 May 1898.

⁶⁰ Western Argus, 16 February 1898.

⁶¹ Sir C.W. Dilke to Mahon, 22 August 1896, 937/3.

reconstructed. Mahon no longer held any shares in his own name, but 1200 shares were allocated to his wife and children. McCallum Smith, who had hitherto been a sleeping partner, and H.L. Conran, an Adelaide broker, each held 800 shares, Sir Charles Dilke held 600, and the remainder were held by his three old partners.⁶² In November 1897 the North Coolgardie Herald was also reconstructed after voluntary liquidation.⁶³

By the beginning of 1898 it was clear that Menzies had passed its peak. The railway from Coolgardie did something to stimulate business but competition from Kalgoorlie, Coolgardie and Perth made it virtually impossible to maintain four newspapers at Menzies. While in the east, Mahon contemplated a move to the new town of Leonora⁶⁴ but when that scheme fell through, he was near bankruptcy.⁶⁵ The Herald was also in difficulties and a petition to wind it up was presented to the Supreme Court on 21 April.⁶⁶ In an effort to hasten the demise of his rival, Mahon reduced the price of the Miner late in May, but early in June the directors of the Herald sought a solution of their difficulties

⁶² Mahon to Registrar, 8 November 1897, in W.A. Companies Office, 657/96.

⁶³ W.A. Companies Office, 253/96.

⁶⁴ Western Argus, 16 February 1898, op.cit.

⁶⁵ V&P (L.A., W.A.), 1898, vol.2, A21, p.65.

⁶⁶ W.A. Government Gazette, 29 April 1898, p.1138a.

by buying out the Miner. The offer was accepted and the two papers were formally amalgamated on 13 August 1898.

On 16 March Conran had secured the winding up of McCallum Smith's W.A. Goldfields Courier Company. Smith unsuccessfully tried to buy the assets in his own name but, after disputes with the official liquidator,⁶⁷ decided to establish a new weekly paper in Kalgoorlie. When Mahon accepted the editorial chair soon afterwards the famous or, as some thought, infamous Kalgoorlie Sun was born.

⁶⁷ V&P (L.A., W.A.), 1898, vol.2, A21, op.cit.

CHAPTER 3

The Kalgoorlie Sun

Although the Sun commenced publication late in 1898 Mahon did not become editor until April 1899. He was appointed to the Commission of Peace¹ soon afterwards and was assiduous about his magisterial duties. A stable future was indicated and early in 1900 he brought his wife and the two eldest boys to Kalgoorlie, leaving the two younger children with their grandmother in Melbourne.² The fact that he now had a home for the first time in five years no doubt helped him through the next two trying years.

Although by 1899 Kalgoorlie was no longer a primitive mining camp but a sophisticated and fairly civilised community of some 10,000 inhabitants, many of the attitudes and values of the mining camp survived. Democracy was paramount and suspicion of the colonial government was endemic. Many of the sins of more settled communities were regarded with tolerant amusement, while some of their virtues were considered sins. Trade Unions were the most powerful

¹ The appointment was never formally gazetted and since the original file has disappeared, the precise date is uncertain. The Correspondence Register of the Colonial Secretary's Office in the State Archives is annotated with an authority for gazettal on 13 May.

² V&P (L.A., W.A.), 1900, //vol.2, A10, p.161, and information from Mrs Sharland.

pressure groups in local politics and their influence permeated all public movements.

The Sun had been carefully tailored to suit the taste of such a community. More than half its space was devoted to sporting news, and the literary pages owed much to John Norton's Sydney Truth, so much so that Mahon was later described as 'the John Norton of Western Australia'.³ The paper carried little cable news but roamed widely over the local and colonial scene in pungent paragraphs and long sensational special articles which allegedly exposed gross political and social abuses. The Sun attempted little elegant writing; its object was to shock and it did this very well. In American parlance it would have been called a muckraker. The staff in Mahon's time included A.G. (Smiler) Hales, a radical journalist who later turned war correspondent and novelist, E.G. (Dryblower) Murphy, famous locally for his topical doggerel, Thomas Walker with a curious reputation on three continents as spiritualist, freethinker and politician, and Arthur Reid, a rare combination of journalist and businessman.

The Sun was an ideal vehicle for Mahon's pugnacity. His jaundiced eye was always quick to detect unworthy motives in political enemies and his mastery of bitter and

³Bulletin, 4 May 1901.

satirical prose rapidly made the new venture notorious. Between 1899 and 1901, the Sun successfully fought five libel actions, four criminal and one civil. Its leading role in exposing a major fraud also made bitter and powerful enemies. Mahon as editor was the principal defendant in most of the libel actions and with his own memories of legal studies in the 1880s,⁴ coupled with the advice of Dr Lyhane, a brilliant Irish barrister practising in Kalgoorlie, usually conducted his own defence. Realising that the policy of the Sun invited trouble, he and McCallum Smith were always at pains to conceal the inner workings of the paper and his defence usually relied on the inability of his opponents to prove that he had been editor when the libel was committed.

On 30 July 1899 a paragraph in the column 'They Say', accused an anonymous Coolgardie man who was a J.P., a parliamentary candidate, an ex-mayor and a business associate of Perth politicians, of ill-treating an Aboriginal boy.⁵ The cloak of anonymity was, of course, full of holes and Isidore Julius Knight Cohn, an old Coolgardie identity, procured the Attorney-General's fiat for a criminal libel prosecution. The case was heard on 9 September in the Kalgoorlie Police Court with McCallum Smith as defendant on behalf of the Sun. Defending counsel pleaded that the fiat

⁴ His uncle, Rev. Hugh Mahon, enquired about the progress of his legal studies in a letter of 26 November 1885, 937/283.

⁵ Sun, 30 July 1899.

was bad because both the date and place of the alleged libel were wrongly stated and the magistrate, accepting the plea, dismissed the case.⁶

They say, crowed the Sun on 17 September, that a certain Coolgardie J.P. has lately acquired a mania for litigation. That he lost every semblance of dignity in a hasty retreat from a certain shop in Bayley St last Tuesday. That the sight of a number seven boot hovering near his centre of gravity was the reason for his hasty exit.⁷

In 1900 the Sun began a campaign against alleged corruption in the local licencing bench and on 22 July it featured a particular case under headlines reading 'a rakes registered refuge: lecherous lawgivers and languishing lotharios: the financier and the fancy man'. The bench, it said, had no right to grant a licence to Mrs Salinger of the Cafe Anglais because she was living apart from her husband, was financed by her lover, Municipal Councillor Owen Gaze, and was therefore an immoral person.⁸ Both Gaze and Mrs Salinger immediately took the obvious course and secured the fiat of the Attorney-General authorising prosecution of Mahon and Reid for criminal libel. In the police court hearing of the case against Mahon on 26 August, the prosecution called Reid and his wife, who held shares in the company, to prove

⁶ Western Argus, 14 September 1899.

⁷ Sun, 17 September 1899. /

⁸ Ibid., 22 July 1900. /

Mahon's status as editor. Both successfully refused to testify on the ground that they might incriminate themselves. Two members of the Sun's printing staff then blandly declared that since they took their orders from the foreman, they never saw the editor. Although the mortified prosecuting counsel then applied unsuccessfully to have all witnesses declared hostile, the case against Mahon was dismissed and the concurrent charge against Reid withdrawn.

Mahon, in his address, complained bitterly that the prosecution had tried unfairly to suborn his own staff to save the trouble of a proper investigation.⁹ He was, however, extremely lucky in having on the bench a Justice of the Peace who was either partial or incompetent. In British law no witness can refuse to testify on the ground stated and the absurd contention that the printers did not know the status of a leading member of the firm working only a few doors away was quite sufficient to justify their treatment as hostile witnesses.

Since the police court proceedings had clearly been something of a farce, the plaintiffs were granted a second fiat on 31 August, the excuse for which was the discovery of new evidence.¹⁰ Mahon made a second appearance in the

⁹ Sun, 26 August 1900, 937/739.

¹⁰ W.A.P.D., XVII (N.S.), p.822.

police court on 13 September¹¹ before J.M. Finnerty as Resident Magistrate and I.J.K. Cohn as a J.P. Mahon pleaded autrefois acquit but was overruled. He then objected to the bench, quoting Finnerty's publicly expressed doubts about sitting on a case which he might have to hear again in Quarter Sessions, and emphasised Cohn's role in the earlier libel suit. Finnerty merely noted the objection. When a further attempt to plead autrefois acquit was once again overruled by an irritated magistrate, he sought an adjournment because, he said, the decision had taken him unawares, and when this was refused asserted loudly that Cohn should withdraw because he was required as a witness. When this too was refused he angrily stigmatised the proceedings as 'a ghastly Farce'. Mahon was not the man to lose his head in this way and one suspects that he was purposely annoying Finnerty so that the magistrate's well known sense of honour would induce him to favour the defendant rather than risk a biased verdict.

The prosecution then called a number of railway officials to prove that Mahon had, as editor of the Sun, signed applications for the issue of journalists' passes. They were followed by W.J. Cotter, a fellow J.P., who told of a street conversation in which Mahon mentioned a news

¹¹ West Australian, 14 September 1900.

item about Gaze which he had found it difficult to suppress. At this point Mahon was reprimanded by Finnerty for a sarcastic remark.

In his defence Mahon claimed that no attempt had been made to prove the alleged signatures. Even if they were genuine, he added, they did not prove that he had been editor when the libel was committed. Cotter's evidence was more substantial but, had he been editor, he would surely have found no difficulty in suppressing the story, while the fact that he had spoken of suppression suggested that he had no malice against Gaze. He then sought an adjournment to call Arthur Reid who had gone to Perth, but after only 24 hours adjournment, he was committed for trial.¹²

The trial took place on 21 September before Finnerty and five Js.P. Mahon's counsel pleaded truth and justification and argued that the fiat was bad because it rested on an ex parte statement, because it specified only selected words in the article and because it did not specify by name all those against whom action might be taken. The bench adjourned to consider these objections. Next day Finnerty announced that although the first two objections were rejected, the third was upheld because it seemed to be

¹² Western Argus, 20 September 1900.

supported by the English cases Reg. v. Allison and Queen v. Judd.¹³ He therefore directed Mahon's acquittal and signed a nolle prosequi in Reid's case.¹⁴

The goldfields pronounced Mahon's trial as unfair because Finnerty's activities on the licensing bench were in question and because Cohn had good reason to be biased.¹⁵ The Sun celebrated its victory under the headlines, 'Fighting the fiats: the Sun at the Sessions'. The government, however, was not pleased. On 19 September F.C.B. Vosper, M.L.A., questioned the failure of the first case in the House and on 30 October, reinforced by the failure of the second action, moved that the papers be tabled. He argued that four prosecutions had now failed because fiats were issued on ex parte statements and proposed a private members bill on the subject. Pennefather, the Attorney-General, angrily thanked Vosper for raising the subject and asserted that the fault lay not with his department but with the bench. The cases cited as precedents had been completely misinterpreted¹⁶ and the more correct course would have been to reserve judgment and take advice.

¹³ English & Empire Digest (London, 1964), vol. 32, p. 240, 2676.

¹⁴ Western Argus, 27 September, 1900.

¹⁵ Ibid., 20 September.

¹⁶ The digest of Reg. v. Allison cited above in note 13 supports this contention.

At this point, Mahon's old enemy Gregory delivered a vitriolic attack on the Sun and Mahon. The magistrates, he said, were afraid to reserve judgment because the Sun might blast their reputations.

This newspaper was, from beginning to end, one mass of low filth and lying vindictiveness, and any person who knew the man responsible must think he must have been nourished in his infancy on the venom of the squid.¹⁷

Although Gregory's grammar and natural history were weak he obviously had strong support, and Vosper withdrew his motion.

Because of the rather unusual mores of the mining community, the attack on Mrs Salinger could, by arousing widely held notions of chivalry, have generated some hostility and the general silence on the first hearing could be interpreted as hostility. When Cohn, who had not sat on the Kalgoorlie bench for years (as the Sun was not slow to mention),¹⁸ appeared in the second hearing, suspicion of political pressure from Perth turned Mahon into a public hero.¹⁹

While Mahon was busy with the Salinger libel, another crisis arose. In 1898 Alexander Forrest, the Premier's

¹⁷ W.A.P.D., XVII (N.S.), 826.

¹⁸ Sun, 16 September 1900.

¹⁹ Late in 1901 Mrs Salinger, now in financial trouble, launched a civil action for damages. Mahon was by then in Melbourne and the case was settled out of court. File in W.A. Supreme Court.

brother, and some friends had established the Perth Ice & Fresh Food Company to supply the goldfields with refrigerated goods. The understaffed railway department was happy to enter into an arrangement whereby the staff of the company loaded and recorded its own consignments. Because of the standing of the directors the work was never checked until in 1899 the company's low selling prices aroused suspicion. When a discharged manager of the firm joined the Sun in 1900, McCallum Smith was delighted to learn that the company had been systematically defrauding the railways by understating all weights and by consigning high freight goods as ice, on which a nominal rate only was chargeable. Meanwhile, a conscience stricken bookkeeper in Perth had confessed to the General Manager of the railways who launched his own enquiry.²⁰

After the Sun's first article on 6 May²¹ a second article appeared on the 27th headlined 'In the Clutches of Corruption: Rapacious rooking of the railways: How the Perth Ice Co. plundered the public purse',²² Vosper sought a statement in the House but was assured that the matter was being investigated.²³ On 7 June Gregory moved for

²⁰ V&P, (L.A., W.A.), 1900, //vol.II, A10.

²¹ Sun, 6 May 1900.

²² Ibid., 27 May 1900.

²³ W.A.P.D., XVI (N.S.), 172.

papers but being assured that the matter was under investigation and therefore sub judice, he withdrew.²⁴ The railway department had approached the directors on receiving the bookkeeper's confession and had been given full access to company records. When the full extent of the fraud was revealed the horrified directors offered restitution. The department proposed prosecution but accepted the offer after assurance from the Attorney-General that criminal intent by the directors would be virtually impossible to prove.²⁵ The Sun, however, insisted that the directors must either have had guilty knowledge or have been criminally incompetent.²⁶

On 5 September Vosper moved for papers in the Legislative Assembly, but at length accepted N.K. Ewing's amendment for a select committee.²⁷ With Ewing as chairman the committee sat from 6 September to 8 October and reported on the 9th. Mahon and McCallum Smith were invited to substantiate the Sun's charges that the directors were guilty of criminal complicity and that the Attorney-General had compounded a felony by accepting restitution. The committee, irritated by published references to 'the selected committee' and assertions that the directors were being whitewashed, was

²⁴ Ibid., 266.

²⁵ V&P (L.A., W.A.), 1900, vol.II, A10, p.106.

²⁶ Sun, 10 June, 29 July, 23 December 1900.

²⁷ W.A.P.D., vol.XVII (N.S.), p.264.

extremely hostile and Mahon was in a difficult position. It was vital to his strategy in the Salinger libel to conceal his status as editor, but the committee insisted on trying to make him admit it. Much of his evidence was, therefore, skilful fencing, but he nevertheless insisted that although he had no direct evidence of guilty knowledge by the directors, the allegation was a fair assumption which should have been tested in court.

Although the committee's report included a personal attack on Mahon and Smith for groundless charges,²⁸ they were public heroes in Kalgoorlie. The moderate Western Argus published a sub-leader, 'Honor to whom honor is due':

... the Sun deserves the thanks of the government and of the people of the Colony ... No matter what the Sun may do at times yet ... it is right that all well wishers of the community should see that they [Mahon and Smith] are not persecuted or denounced even though they do show up some influential personages in their true colours.²⁹

The Sun emphasised satirically that the Ice Company and not the Sun was being investigated.³⁰ Mahon, in a published letter, asserted that the committee was intended to white-wash the directors, that it had ignored five important

²⁸ V&P (L.A., W.A.), 1900, vol. II, A10, p. IV. McCallum Smith admitted in evidence that the article attacking the committee was written by Thomas Walker.

²⁹ Western Argus, 16 October 1900.

³⁰ Sun, 30 September 1900.

witnesses, that it had omitted to recommend prosecution of one conspirator and that it had not investigated the criminal knowledge of the directors at all.³¹

In the debate on the report, Mahon and Smith were savagely assailed by committee members. Vosper, their only defender, argued that although the Sun had not shown proper respect for the committee, its proprietors had been provoked. Neither Mahon nor Smith had admitted making direct charges, yet clearly the directors were guilty either of culpable neglect or criminal complicity. The Attorney-General heatedly denied any such inference, accused Mahon (with some justice) of evading issues and threatened punitive action to protect the House in future from 'reptile journalism'. Ewing consigned the Sun to the wastepaper basket of the House and its authors to the wastepaper basket of the community. Monger spoke of them as scum. Gregory for once avoided personalities and contented himself with a reasoned refutation of Vosper's arguments.³²

Soon there was more trouble. A short telegraph item in the Sun hinted that a prominent railway official had disappeared, leaving unsatisfactory accounts.³³ Patterson,

³¹ Western Argus, 16 October 1900.

³² W.A.P.D., XVIII (N.S.), 1182.

³³ Sun, 5 August 1900.

the chief accountant, on leave in the east, was the only absentee and on his return he complained to the General Manager of the railways. Soon afterwards the Sun featured a letter from the Attorney-General threatening prosecution and its own reply which denied libel but castigated the Attorney-General over two and a half columns about the Perth Ice Company case. The article was headlined 'Attempt to terrorise the Sun: Shooting with State shrapnel: Peppery points for Pennefather'.³⁴

On 9 November Mahon and Reid appeared in the Police Court as joint defendants in another libel action but, despite Mahon's tactics, both were committed for trial.³⁵ The Quarter Sessions proceedings commenced on 19 December before a bench of Mahon's fellow magistrates chaired by Finnerty. N.K. Ewing, M.L.A., who was prosecuting, had clearly been warned about the state of local opinion and spent an inordinate time in challenging jurymen. The warning proved to be justified, for he was practically denied a hearing when he sought to address a public meeting that night as a Senate candidate.³⁶

The prosecution sought to establish that Mahon was

³⁴ Sun, 16 September 1900.

³⁵ Western Argus, 13 November 1900.

³⁶ Ibid., 1 January 1901.

editor of the Sun, that the libel had been published and that it was untrue. Davies, the general manager of the railways, denied in his evidence that he had ever threatened to break the Sun or to use government money like water in prosecuting the paper. Defence counsel then objected to the case going to the jury because no proof had been offered that Patterson was libelled, because there was no evidence that Mahon knew the story to be untrue and because there was no evidence that Mahon had published the libel. Although the bench refused to support these objections, defence counsel was sufficiently confident to call no witnesses. In his closing speech Ewing concentrated on the Sun's reputation, asking the jurors not to be afraid of personal defamation. Had the case been heard in Perth, this appeal might have carried some weight, but in Kalgoorlie it only reinforced the widely held belief that the Sun was being persecuted and defence counsel made good use of it in his closing speech by referring to Ewing as 'a persecutor and not a prosecutor'. After ten minutes retirement the jury declared Mahon not guilty. Ewing then entered a nolle prosequi in respect of Reid.

Ewing had a difficult task with public opinion firmly against him. He might have solved it by seeking a change of venue, but this was politically dangerous. He was usually

considered a liberal but, after their earlier conflicts, Mahon considered him an enemy and seized the opportunity after the verdict was announced, to publicly tender his sympathy to the 'Crown Persecutor' in his disappointment.³⁷

On 23 December he published an uninhibited report of the proceedings headlined 'The set on the Sun: a Perth pettifoggers plot: panel packing and jury juggling' in which he alleged that Ewing was paid for his work on the Ice Company committee and charged him with trying to stack the jury in the Patterson case. Of Ewing's closing speech he said:

... the speech may be briefly described as the extremest flight of a petty soul. All the pent up malice, hatred and vindictiveness which had been gathering for months flowed for over an hour in a steady turgid stream ... the jury saw with disgust, the man bare his black heart ...³⁸

The Sun's feud with the establishment was carried a step further on 25 November when he charged Alexander Forrest with being a contractor ineligible to sit in parliament because of his interest in a firm selling meat to the government.³⁹ When Vosper asked for an explanation in the House Forrest admitted the charge but claimed that the breach was insignificant, condemned the Sun for making it and expressed

³⁷ Western Argus, 1 January 1901.

³⁸ Sun, 23 December 1900.

³⁹ Ibid., 25 November 1900.

his astonishment that anybody connected with the paper could be a J.P.⁴⁰

By the end of 1900, the goldfields population saw the proprietors of the Sun, with all their faults, as martyrs to the despotism of 'the Swan River government'. The Bulletin expressed the public view succinctly. It reported that the criminal libel action started by the West Australian government had broken down badly and added:

There was such a wild rush to shove into the dock the men who exposed the ^{great} swindle and thereby seriously inconvenienced some important personages that the doers of the swindle almost dropped out of notice...⁴¹

It is impossible to decide, for lack of evidence, how far one should credit the frequent allegations of irresponsible malevolence levelled against the Sun, but the image of a fighting editor persecuted by authority undoubtedly helped Mahon's political career.

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When Mahon arrived in Kalgoorlie, hostility to the colonial government was already an article of faith and the

⁴⁰ Western Argus, 4 December 1900. The Colonial Secretary's correspondence register in the State Archives shows that the file on Mahon's appointment as J.P. was, in fact, called for by the Premier soon afterwards, but his commission was not revoked.

⁴¹ Bulletin, 5 January 1901. Although costs had not been granted to the Sun in either the Salinger or Patterson cases, an appeal to the Supreme Court reversed this decision - a final triumph for the Sun. Morning Herald, 25 May 1901.

long standing grievance over alluvial rights was aggravating it. The dispute on the Ivanhoe venture lease in 1898 had been won by the men. Early in 1899 a second dispute broke out on the Adeline lease in Boulder which dragged its way through various courts until the end of the year. As funds became low, the Alluvial Rights Defence League became desperate and decided to defy the law.⁴² The warden of the goldfield brought in police reinforcements and fourteen alluvial men were arrested. By this time the government feared violence and the warden cautiously decided to transfer the prisoners on remand to Fremantle gaol by a train leaving at 7 a.m. In the next week there were large hostile public meetings all over the city. On 29 November, when the prisoners were brought back to Kalgoorlie for the police court hearing, Mahon was the only J.P. to sit on all four days. Most of the defendants were committed and bail was refused on the casting vote of Hare, resident magistrate, but the dissenting magistrates took the unprecedented step of explaining their position publicly. Mahon saw no good reason why the court, which was only holding a preliminary enquiry, should anticipate and possibly add to the punishment.⁴³

42. Mossenson, op.cit. //

43. Western Argus, 7 December 1899;
Sun, 3 December 1899.

The prisoners were once again removed to Fremantle where the Supreme Court, on an application by defence counsel, ordered the resident magistrate to grant bail. Thus vindicated, Mahon had the satisfaction of signing bail warrants on behalf of the bench.⁴⁴

Hitherto Mahon had avoided public life in Kalgoorlie but his support of the alluvial men brought him into the public eye and on 11 December 1899 he took a prominent part in a farewell to Father O'Gorman, a popular priest who had been a leader in the federal movement.⁴⁵ Federation had been a warm issue on the goldfields since 1898 when the attitude taken by Forrest and Hackett at the Convention encouraged the belief that they were planning to keep the colony out of the union. A Goldfields Reform League fought for a referendum, but when a large petition was rejected by the colonial parliament, a new spirit developed. As early as 1894 there had been talk of withdrawing from Western Australia and either establishing a new colony based on Kalgoorlie or seeking annexation to South Australia. Federation was enthusiastically supported on the goldfields because it offered a way of escape from Perth domination. When this prospect seemed likely to evaporate the old

⁴⁴ Western Argus, 14 December 1899.

⁴⁵ Ibid.

separation scheme was revived. A congress at Coolgardie on 13 December 1899 established a league representing all public bodies to advocate separation,⁴⁶ and at a second conference on 3 January 1900 Mahon, representing the North Coolgardie Road Board, was elected to the executive.⁴⁷

Mahon's role in the separation movement is difficult to assess. The detailed newspaper reports of general and executive meetings record no speeches by him and indeed he was often absent. Late in March he visited his family in Melbourne and was asked by the league to organise an advisory committee there;⁴⁸ if he succeeded the committee has left no trace. By the time he returned to Kalgoorlie on 25 May the excitement was almost over. After the despatch of a petition to the Queen asking for separation, the Secretary of State delicately advised the colonial government to reconsider its attitude. Soon afterwards it was announced that a referendum would be taken and the main purpose of the league was achieved. Although it remained in existence until August 1900 it no longer represented a united public opinion. Business interests rapidly withdrew, leaving a rump of irreconcilables who sought separation as

⁴⁶ Coolgardie Miner, 14 December 1899.

⁴⁷ Western Argus, 11 January 1900. Kirwan received the highest number of votes, 64, while Mahon received the second lowest vote, 29. Battye Library, 383A, cutting book of Sir John Kirwan, p.37-8.

⁴⁸ Western Argus, 29 March 1900.

an end in itself and Labor radicals who sought to use the organisation as a spearhead of democracy.⁴⁹ Mahon attended meetings until the last conference on 21 August but by then his legal difficulties left little time for the ill-defined aims of the rump league.

Mahon's public role in the federation movement is not impressive although he may have been very effective behind the scenes. His participation may, however, have been motivated at least in part by his own political ambitions,⁵⁰ a suggestion which acquires some colour from the marked increase in his public activities from about July.⁵¹ By August he was being mentioned as a potential candidate for federal honours⁵² and it only remained for him to ensure support.

The trade unions were an obvious source of support, but a serious dispute within the movement at this time upset

⁴⁹ The story of the federation movement is taken from Bastin, The West Australian federation movement; a study in pressure groups. M.A. thesis (Melbourne), 1952.

⁵⁰ This is not to suggest that he was insincere in advocating federation. He had in fact been a pro-federationist in the Wollombi election campaign of 1891.

⁵¹ On 18 July he spoke for striking railwaymen, Western Argus, 26 July 1900. On 10 October he responded to a patriotic toast for the Irish National Foresters, Western Argus, 16 October. On 27 December he toasted the Amalgamated Workers Association at a reception, Western Argus, 31 January 1901.

⁵² Western Argus, 23 August 1900.

his calculations. The Labor movement on the goldfields had originated in a series of scattered miners unions which had been amalgamated in 1897 into the Amalgamated Workers Association.⁵³ The organisers were all advocates of industrial unionism and the rules made any worker eligible for membership. As the district became more settled, a number of craft unions also grew up, the strongest of which was the Amalgamated Certificated Engine Drivers Association. In July 1898, the A.W.A. successfully engineered the establishment of a goldfields Trades and Labor Council, which represented most unions in the district, but conflict soon developed between industrial unionists and craft unionists. The conflict came to a head over electoral arrangements. A congress of unions established a Goldfields Political Central Committee on 13 October 1900 to manage both federal and State elections. In spite of a stormy meeting in which Shaw of the Trades and Labor Council left the chair, it was also decided that any good democrat who endorsed the programme should be eligible to stand.⁵⁴

When the A.W.A. began to foster political Labor leagues, the craft unions fought back. At a second congress on 28 October, craft union representatives sought unsuccessfully

⁵³ Kalgoorlie Miner, 8 January 1897.

⁵⁴ Western Argus, 16 October 1900.

to nullify the minutes of the previous meeting.⁵⁵ At a later meeting Malachi Dwyer, representing the craft unions, said that the Leagues clashed with unionism. They were inaugurated by little fellows with an axe to grind.⁵⁶ In contrast, an industrial union advocate spoke satirically of 'the conservative Unionist of the undistinguished order of the red tape'.⁵⁷

On 16 November the A.W.A. seceded from the Trades and Labor Council⁵⁸ and soon afterwards a breakaway group left the A.W.A. to form an Amalgamated Miners Association on craft lines.⁵⁹ A correspondent wrote to the Sun in support of the A.W.A.

... The Unions in all sincerity and with a supreme complacency set themselves the herculean task of returning none but Union men to parliament. They also decided that the workers outside the ranks of unionism had no claim to be consulted in the choice of labour candidates ... The A.W.A. before it was too late perceived the undemocratic tendency of this decision ... but the infinitesimally small clique of Wesleyan mugwumps still stick to their guns ...⁶⁰

Because of the enormous area to be covered, it was obviously vital to complete the Senate selection as soon as possible and since the selection machinery appeared to be

⁵⁵ Ibid., 30 October 1900.

⁵⁶ Ibid., 6 November 1900.

⁵⁷ Ibid., 13 November 1900.

⁵⁸ Ibid., 20 November 1900.

⁵⁹ Westralian Worker, 11 January 1901.

⁶⁰ Sun, 23 December 1900.

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hopelessly seized up, a group of visiting leaders from the coast were invited to select the candidate; they chose Hugh de Largie.⁶¹

Mahon was now determined to contest Coolgardie⁶² because he was more confident of support in the outlying areas and because J.W. Kirwan of the Kalgoorlie Miner, an almost invincible candidate, had decided to stand for Kalgoorlie. Seeing little chance of a settlement in the Labor conflict, he sought the support of a group of Irish Catholic publicans and businessmen and on 9 January at Menzies delivered his policy speech,⁶³ an orthodox statement of Labor policy with a free trade bias. On 11 January he spoke for the first time at Coolgardie, where a committee was formed to support him.⁶⁴

Meanwhile the factions in Kalgoorlie had sunk their differences and a new political central committee was established,⁶⁵ with a sub-committee to deal with selection.⁶⁶ On 21 January the committee decided to

⁶¹ Westralian Worker, 4 January 1901.

⁶² For some inexplicable reason he was allowed to enrol in Coolgardie though actually domiciled in Kalgoorlie.

⁶³ Kalgoorlie Miner, 10 January 1901.

⁶⁴ Ibid., 12 January 1901.

⁶⁵ Western Argus, 22 January 1901.

⁶⁶ Westralian Worker, 12 January 1901.

contest both Kalgoorlie and Coolgardie and to advertise for candidates.⁶⁷ As Mahon was already speaking in the north of the electorate, his committee submitted his name.

Meanwhile, the old conflict had revived. The Political Central Committee decided in the teeth of Trades and Labor Council opposition, to contest Kalgoorlie and selected W.J. Ferguson, a militant Broken Hill strike leader who had recently visited the city.⁶⁸ Shaw, who considered Kirwan an ideal democratic candidate, promptly withdrew the Trades and Labor Council from the campaign entirely,⁶⁹ but since the organisation for the election now existed, this did not affect the issue. On 4 March Mahon defeated two good unionists by 519 votes⁷⁰ and was thereby selected as the Labor candidate to battle with J.F. Archibald, a popular mining engineer.

When he returned to Coolgardie on 20 March he had travelled nearly 2,000 miles, visiting every town up to Laverton then moving north to Lawlers and east to Cue. He claimed to have had a friendly reception, but the harsh conditions of goldfields travel were already affecting

⁶⁷ Western Argus, 29 January 1901.

⁶⁸ Ibid., 19 February 1901.

⁶⁹ Kalgoorlie Miner, 15 February 1901.

⁷⁰ Western Argus, 12 March 1901.

his never robust constitution.⁷¹

In Mahon's absence, the Sun printed a story that Archibald, having inadvertently broken the law by holding a meeting in a hotel, contemplated withdrawing. This clumsy device, if device it was, was indignantly denied and Mahon was at some pains to dampen the hostile reaction.⁷² The Murchison Times of Cue seized the opportunity to deliver a bitter tirade of abuse in which he was accused of using the Labor movement and of having secured selection in 1897 by hole and corner tactics. The old stories of the Compass libel and his alleged sweating in Menzies were also revived.⁷³ Late in March some fatuous sectarian propaganda was attempted⁷⁴ but the campaign was otherwise peaceful.

The day before the poll both the Coolgardie Miner and the Southern Cross Times published editorials criticising Mahon. The latter paper emphasised the Sun's scandalous reputation⁷⁵ while the Coolgardie Miner described him as 'a cold, uninspiring speaker without spontaneity and verve and would be more likely to

⁷¹ Kalgoorlie Miner, 22 March 1901.

⁷² He publicly disassociated himself from the Sun.

⁷³ Murchison Times, 23 March 1901, 937/816. Cutting annotated opposite story of the Compass case. 'An absolute lie - intended to sue for libel but writer not worth powder and shot'.

⁷⁴ Handbill, 937/824.

⁷⁵ Southern Cross Miner, 29 March 1901, 937/831.

send his fellow senators to sleep than interest them.⁷⁶

But the election was not decided by newspapers. Of the eleven subdivisions, Mahon convincingly won six, including Coolgardie itself. Two of the five subdivisions won by Archibald were the ultra-conservative Kimberleys, neither of which held more than about fifty votes. In Mt Margaret, Mahon had more than doubled Archibald's figures and the final totals were, Mahon 3329, Archibald 2974.⁷⁷

⁷⁶ Coolgardie Miner, 29 March 1901, 937/815.

⁷⁷ Unidentified cutting, 937/815.

CHAPTER 4

Years of Success

Mahon's electorate was the biggest in the Commonwealth, and indeed the biggest single member electorate in the world. It extended from the Coolgardie goldfield, after which it was named, to the far North coast and from the Indian Ocean to the South Australian border. Apart from a few important towns, the electorate consisted of semi-arid country sprinkled lightly with vast sheep or cattle stations, isolated mines and tiny frontier villages. The only industries were mining and grazing with scattered pearl fishing settlements on the coast. The south had some railways and made roads but the north had only inland tracks, a struggling shipping service and a single strand of telegraph wire.

The problems of such a territory were enough to daunt any man but Mahon, who had already spent four years in a village on the edge of the desert, found them a small price to pay for a political future. Although ambition had played a big part in his decision to stand, he was also determined to do an honest job for his constituents. He understood their problems and admired their virtues. They on the other hand saw him as a hard dry matter of fact man, a born fighter, not of the martial but of the socialistic kind with only one good, the betterment of the people.¹

¹ Murchison Advocate (Que), undated cutting, 937/820.

The new member left Kalgoorlie by train on Sunday, 14 April 1901² comforted by the promise of a subscription for electoral expenses.³ In Perth, he joined Fowler, the member for Perth, and the two men sailed for Melbourne in the Orizaba on the 18th.⁴ Mahon left the ship at Adelaide to travel by train⁵ and on the 24th he joined Patrick McMahon Glynn in selecting his seat.⁶

The new parliament contained a scintillating galaxy of political stars including several ex-premiers and most leaders of the federation movement. The sixteen Labor members met in caucus for the first time on 7 May to elect the sturdy reliable J.C. Watson of New South Wales as their leader. Mahon attended neither the first four caucus meetings⁷ nor any of the other social functions arising from the opening of parliament because of illness.⁸ When the House resumed early in June he was in his place and from

² Western Argus, 16 April 1901.

³ Handbill, 18 April 1901, 937/848.

⁴ Umpire (Fremantle), undated cutting, 937/825.

⁵ Unidentified cutting, 937/821. "

⁶ Argus, 25 April 1901.

⁷ Caucus minutes, 7 May 1901.

⁸ E.g., welcome to Labor members, Morning Herald, 20 May 1901, and meeting of W.A. members to discuss trans-continental railway, ibid., 23 May 1901. His illness was reported in the Westralian Worker, 14 June 1901.

then on was meticulous in his attendance: he asked his first question on 5 June⁹ and on 7 June was forced to withdraw an attempt to amend Samuel Mauger's motion opposing Sunday labour in the public service when the Speaker ruled that his demand for a 44-hour week in the public service was irrelevant.¹⁰

In spite of what might have seemed an inauspicious start, Mahon soon won a reputation as a promising member who could be relied on for honesty and good sense, with an occasional flash of originality. Like most new members he was concerned about economy and on 11 June violently stigmatised a proposal for a general increase in salaries as 'indecent and dishonest'. At the same time, however, he argued that the public service should not be treated too parsimoniously since it was important to secure the best possible men.¹¹ These were fairly orthodox arguments but next day when he suggested that Hansard reporters be permitted to condense speeches, his originality was not appreciated.¹²

Mahon soon began to develop his own style as a member which he maintained for the rest of his career. He spoke rarely, to the delight of some of his constituents¹³ but

⁹ C.P.D., I, 733.

¹⁰ C.P.D., I, 828.

¹¹ Ibid., 872.

¹² Ibid., 953.

¹³ Murchison Advocate (Cue), 20 July 1901, 937/833.

prepared his few speeches very carefully. Most of his work was done either by questions or in committee. In the committee stages of the public service bill, for instance, he opposed dismissal for habitual drinking, supported private enquiries into offences, discussed the rent for official quarters, moved an amendment to discourage political influence, fought against excessive public holidays, sought a superannuation scheme in lieu of compulsory insurance with private firms and objected to continued support of State superannuation schemes by transferred officers.¹⁴ During the first parliament he asked 95 questions, of which 36 dealt with postal problems and 24 with the public service; the remainder covered a wide variety of topics.

Like most other members, Mahon had certain hobby horses on which he was always prepared to parade. The liberal and tolerant social tone of his electorate reinforced his own predilections and made him a particularly bitter opponent of any attempts to undermine civil liberties. When he castigated proposals for literary censorship by the Customs on 11 July,¹⁵ Kingston facetiously referred to the reputation of the Sun, but his thoughtful and temperate attack on similar provisions in the posts and telegraphs bill was

¹⁴ C.P.D., II, 1748.

¹⁵ C.P.D., II, 2411.

treated more seriously. Some of the new provisions, he said, had a Russian flavour. The business of the Post Office was transmission of mail not tinkering with morals. It was wrong to take some of the functions from the courts and give them to a politician who could be described as a retailer of borrowed convictions and imitated enthusiasms. The lack of any proper definition of blasphemy and sedition left the way open to political censorship and even when the innocence of a defendant was proven there was no provision for compensation. Many of his arguments were emphasised by quotation from John Stuart Mill.¹⁶

Other features of the posts and telegraphs bill also attracted his attention and his work on the bill was the first step in a campaign which he pursued energetically for the next ten years to improve postal and telegraphic communications in his electorate. The West Australian post office was dominated by R.H. Sholl, a conservative bureaucrat whose membership of the colonial establishment enabled him to survive constant allegations of incompetence and to secure appointment as Commonwealth Deputy Postmaster-General. On 17 April 1902 Mahon sought an enquiry into the alleged persecution of junior officials who had given evidence to a royal commission¹⁷ and on 22 April he sought the tabling

¹⁶ C.P.D., III, 3622.

¹⁷ C.P.D., IX, 11784.

of a telegram sent by Sholl to goldfields officials seeking to influence their votes against federation.¹⁸ Mahon's dissatisfaction was shared by other West Australian members and on 4 June he led his colleagues in a combined attack, alleging that the postal service satisfied nobody, that Sholl had defied his minister by victimising alleged trouble makers and that the loose administration of the office had virtually encouraged large scale embezzlement.¹⁹ Although Sholl's administration was regularly criticised in this way throughout the first parliament, Sir John Forrest's influence enabled him to survive until Mahon's own appointment as Postmaster-General in 1904.

In Menzies, Mahon had met Walter Malcolmson, an Ulsterman, who became interested in the Aborigines while prospecting and, though desperately ill, returned to Ireland to launch a press campaign on their behalf.²⁰ Liberal thinkers had long been disturbed at the horrific stories drifting down from the north-west about cruelty to Aborigines and in July 1901 the subject was in the news again.²¹ The moment seemed

¹⁸ Ibid., 11849.

¹⁹ C.P.D., X, 13280.

²⁰ Mahon, 'The West Australian Black', Austral Light, April 1905, p.231; 937/978. Malcolmson to Bishop Gibney, 15 November 1906, Catholic Diocesan Archives, W.A.

²¹ E.g., Morning Herald, 23, 29, 30 July 1901.

opportune, and on 26 July Mahon moved for a royal commission into the condition of north-west Aborigines, the assignment system and their treatment in the courts. In a sedulously temperate speech, he emphasised that he made no imputations against the European settlers who would clearly welcome investigation of the charges made against them.²² Although the motion was never finalised because of government pre-emption of private members' time,²³ it was indirectly effective. Enraged by the threat of Commonwealth interference in their domestic concerns, the northern members of the State parliament hastily introduced a resolution for a State enquiry²⁴ which, although delayed until 1904,²⁵ helped to ameliorate the position.

Since there was clearly no political capital to be made out of the Aboriginal cause, Mahon's single-handed and perhaps quixotic effort redounds to his credit. Because of the reluctance of the government to interfere with a State function he saw that he could have little real influence and did not press the matter further in the House but, from time

²² C.P.D., III, 3150.

²³ Barton obviously thought the proposal an interference with State rights. See report of deputation, Morning Herald, 23 July 1901.

²⁴ W.A.P.D., 28 August 1901, vol. XIX, new series, 626.

²⁵ Royal commission on the condition of the natives, V&P (L.A., W.A.), 1905 (2nd Session), paper 5. The commission was issued 31 August 1904.

to time, he published articles about the Aborigines²⁶ and during the debates on the franchise bill in 1902 sought to restrict the franchise by an educational test instead of by the absolute bar on the whole race proposed by his leader.²⁷

Most of Mahon's constituents probably saw the White Australia policy as one of the main reasons for the existence of a national government but his rare incursions into the subject give the impression of duty rather than conviction. He did complain about the aggressive attitude of Afghan camel drivers early in July but was accused of having his facts wrong.²⁸ In the committee stages of the immigration restriction bill on 1 October, he moved an amendment to a clause granting exemption to ships crews, extending the concession to the crews of pearling luggers laid up in the off season.²⁹ He was required to explain to the caucus this quite legitimate effort to protect his constituents,³⁰ but retrieved his reputation on 9 October by fathering a new clause for the deportation of coloured aliens guilty of crimes of violence.³¹

²⁶ See note 20 above and Mahon, 'Australian Aborigines', Austral Light, October 1913, p.567.

²⁷ C.P.D., IX, 11978.

²⁸ North Coolgardie Herald, //undated cutting, 937/826.

²⁹ C.P.D., IV, 5373.

³⁰ Caucus minutes, 9 October 1901.

³¹ C.P.D., IV, 5385.

Mahon's belief in the freedom of the individual was expressed most cogently in his advocacy of free trade.

Free trade in my opinion is freedom of effort, freedom on the part of each man to do the best he can for himself. I have not all the attributes of a free man... if somebody may come in at the end of the week and take away a portion of my wages ... I am quite prepared to admit that every man owes a duty to society ... I do not consider it any function of government to rob me in order to put money into the pockets of capitalists. I do not consider it is any function of government to foster a factory in Footscray and close down a mine in Western Australia...³²

In the long dreary debates on the tariff, he applied these principles consistently in opposing duties on blankets and foodstuffs. Duties on these articles, he argued, would help to lower the standard of living of his constituents who were nearly all struggling pioneers. Against the strong Protectionist majority, however, he fought a losing battle.

Early in June 1902 Mahon visited his constituency for the first time. He arrived by the French liner Armand Behic on the 18th³³ and in an interview with the West Australian asserted that because the House had simply drifted owing to poor leadership, members from remote States were very dissatisfied at the length of the session. The tariff, which was a revenue tariff only, had been presented far too

³² C.P.D., V, 6609.

³³ Morning Herald, 19 June 1902.

late and the ex-premiers had talked too much. His party saw the Immigration Restriction Act as the main work of the session, but were disappointed that it did not encompass Italians. He saw danger to the Trans-Australian railway scheme from the objections by Victoria to loans for public works.³⁴

He was welcomed in Coolgardie with a purse of 250 sovereigns, and justified his acceptance of the gift by claiming that most members resident outside Victoria found it difficult to support two homes.³⁵ He made his fullest report in an interview with the Westralian Worker. The party, he said, was stronger than it seemed because of the support of other democrats and it was the equal of any other group in intelligence and industry. There were no real stars but this was not a bad thing since they were still watchdogs and critics rather than builders. Internal relations had been harmonious, particularly over the tariff and the South African war where the party had agreed to disagree. He was extremely proud of the moral tone of the party and indeed of the whole House. There were no

³⁴ West Australian, 20 June 1902, 937/839. His reference to Italians is an obvious concession to local prejudices. There is no evidence to suggest that eastern Labor members held any such opinion.

³⁵ Kalgoorlie Miner, undated cutting, 937/843. Since Mahon was not supporting two homes, it is hard to see the relevance of the argument.

immoderate drinkers and the stories about the Prime Minister were mainly canards.³⁶

Soon after his return to Melbourne, Mahon introduced a second private members' motion which provoked much comment. For years, the goldfields had agitated for a railway to Esperance but the Forrest government and its successors, well aware that diversion of the goldfields trade through Esperance would ruin Fremantle and practically split the colony, had hitherto defied the agitation. In moving for commonwealth interference, Mahon sought to put the question in a wider context by arguing that the line was necessary to ensure the absolute freedom of trade guaranteed by the constitution. The State government's support for Fremantle, he insisted, virtually imposed on the goldfields a sectional tax in extra freight charges which violated Section 92 of the Constitution.³⁷

Although Mahon received little support in the House, he was widely congratulated on the goldfields³⁸ and developed the argument further in a published article. His opponents argued that the Commonwealth had no constitutional power to interfere. He replied ingeniously but illogically that the main objectives of the Commonwealth were defence and

³⁶ Westralian Worker, 27 June 1902, 937/841.

³⁷ C.P.D., XII, 16698.

³⁸ E.g., Coolgardie Miner, 11 October 1902.

freedom of intercourse. There was no doubt that the Commonwealth could interfere with State railways to facilitate defence and since freedom of intercourse was equally important, the same powers must be assumed to apply.³⁹

Nevertheless when Charles Cameron Kingston attempted to make capital out of Mahon's ideas in one of his many clashes with Forrest, Mahon had no hesitation in backing Forrest.⁴⁰ He disliked Kingston and respected Forrest but, what was more important, he was well aware that any suspicion of outside interference would endanger the construction of the railway by arousing West Australian chauvinism. He saw Kingston's interference as a deep laid plot by Adelaide capitalists interested in the Northern Territory to divert attention from the Trans-continental railway in favour of their own northern scheme and suggested that Western Australia might, in return, interfere with South Australian loan schemes and block the disposal to the Commonwealth of the Northern Territory.⁴¹

With a general election impending at the end of 1903, Mahon spent the first quarter of the year in his electorate. He attended the official opening of the Eastern Goldfields

³⁹ Unidentified cutting, 937/870.

⁴⁰ Age, October 1903, 937/853;
Advertiser (Adelaide), 5 November 1903, 937/854.

⁴¹ Morning Herald, undated cutting, 937/837.

water scheme in January,⁴² then travelled over 800 miles by coach visiting all the main towns in the south of his electorate and reporting personally on his work in the House.⁴³ When he returned to the State for the election in November, he found himself unopposed⁴⁴ and summarised the work of the first parliament in a speech at Coolgardie. He discussed his objections to the Queensland sugar bonus, then spoke of the High Court which he had supported because it was essential and would not cost more than £10,000 per annum. He had objected to the naval subsidy bill because he wanted a local navy and did not agree with Kingston's stand on the navigation bill because it did nothing to prevent the reduction of wages outside Australia. The Braddon clause had worked well for Western Australia and Forrest had worked well for the Trans-continental railway.⁴⁵

The addition of nine Labor members to the House after the general election left the parties equally divided with 25 Protectionists, 24 Freetraders and 25 Labor. Although

⁴² Morning Herald, 19 May 1903, 937/838;
Coolgardie Miner, undated cutting, 937/856.

⁴³ See various cuttings, 937/834-838.

⁴⁴ Cf. Hackett to Forrest, 26 October 1903, in Forrest papers 766a, Battye Library.

'Mahon if beaten will be by a Labour man for no other will trouble to contest such a wandering seat'.

⁴⁵ Coolgardie Miner, 10 December 1903, 937/862.

reasonably confident of Labor support, Deakin, now prime minister, considered the situation impossible. In an effort to tighten his relations with Labor by showing them the difficulties of his position, he seized the first opportunity of handing the government to them by taking as a matter of confidence his defeat on a clause of the conciliation and arbitration bill.⁴⁶ Mahon's work in drafting the party policy statement⁴⁷ and his recognised ability made him an obvious candidate for inclusion in the new government but Pearce, his fellow West Australian, had almost equal claims. Watson, who was still able to select his own ministers, saw that Mahon could obviously command a large Irish and Catholic vote while Pearce had no such obvious mass support, and announced the selection of Mahon as his Postmaster-General on 27 April 1904.⁴⁸ His appointment probably generated some sectarian hostility and although he relied on Watson's support, he decided to seek concrete evidence of his influence with the Catholic Church by securing through Archbishop Carr of Melbourne, evidence of the support of the popular Cardinal Moran of Sydney. Moran

⁴⁶ Sawyer, Australian Federal Politics and Law, (Melbourne, 1956), vol.1, p.37.

⁴⁷ Caucus minutes, 7 October 1903.

⁴⁸ C.P.D., XIX, 1247.

duly obliged on 1 May with a short letter of congratulation.⁴⁹

In Western Australia, Mahon's appointment was received, according to the Morning Herald, 'with the liveliest satisfaction'.⁵⁰ The Coolgardie Miner spoke of him as 'the first labor member that Coolgardie has acknowledged as a true representative of her interests'.⁵¹ The Melbourne Tribune congratulated Watson on his indifference to the Sectarian rabble.⁵² These tributes were sweet but the many personal congratulatory messages even sweeter, and all were carefully listed. It is perhaps significant, however, that the only ones preserved were those from Cardinal Moran and Archbishop Carr.⁵³

Although he held office for only six months, Mahon used his time well. Sholl was retired on 18 July⁵⁴ and changes soon swept through the West Australian Post Office. In Victoria, however, he found another problem in F.L. Outtrim, Sholl's opposite number, a crusty conservative who ruled with a rod of iron and insisted on the use of his

⁴⁹ Carr to Moran, 28 April 1904. Moran to Mahon, 1 May 1904. Mahon to Moran, 7 May 1904, St Mary's Cathedral Archives, Sydney.

⁵⁰ Morning Herald, 27 April 1904, 937/868.

⁵¹ Coolgardie Miner, 25 April 1904, 937/866.

⁵² Tribune (Melbourne), 7 May 1904, 937/1015.

⁵³ Manuscript list of congratulatory messages, 937/849. Carr to Mahon, 28 April 1904, 937/846. Moran to Mahon, 1 May 1904, 937/847.

⁵⁴ Commonwealth Gazette, 24 September 1904, p.1061.

title of Lieutenant-Colonel in correspondence. Despite instructions from earlier ministers, Outtrim defiantly refused to recognise service unions and Mahon refused to receive letters from him describing fellow officers in offensive terms. Outtrim offered to resign⁵⁵ but his resignation was not accepted, and the Opposition seized the case gladly as a stick with which to beat the government.⁵⁶

Although as Postmaster-General Mahon was mainly concerned with mail contracts, he took one decision which was very popular in Labor circles. The municipality of Glebe, a Sydney suburb, declared an increase in rates and the Australian Gaslight Company promptly increased its charges. When the Glebe Municipal Council objected that the increased payment for street lighting would cripple its finances and refused to pay, the Gaslight Company threatened to cut off supplies to the street lights. Having decided to instal electricity, the Council then sought permission from Mahon to hang lanterns on the telephone poles until their arrangements were completed. After due thought he granted the application because the company was abusing its power as a monopoly.⁵⁷ The Labor government was defeated on 17 August and Mahon once again became a private member.

⁵⁵ C.P.D., XIX, 1395.

⁵⁶ C.P.D., XIX, 2019. /

⁵⁷ C.P.D., XX, 3327. #

Since the death of Parnell, Irish political activity in Australia had been in the doldrums, but the growth of Sinn Fein in Ireland revived activity in Australia. Mahon had no patience with Sinn Fein and wrote in 1908:

I have come to understand the Briton better since my contact with him ... I firmly believe British ignorance of Ireland to be the root cause of Irish misgovernment. Remove that ignorance and the battle is won. This is where the Irish party [Redmond's group] has failed. Its members should have carried their propaganda unceasingly into the British constituencies putting the Irish cause directly to the British worker who after all has no interest in keeping Ireland in subjection.⁵⁸

Although he sponsored the establishment in 1902 of a branch of the Victorian Home Rule organisation called the United Irish League,⁵⁹ he made no attempt to join it in Victoria, probably because he deemed it ineffective.

In spite of his activities in the 1880s, Mahon had by this time been virtually forgotten in eastern Irish circles⁶⁰ and when the need arose, a parliamentary champion was sought elsewhere. In 1904 Dr O'Donnell, of the United Irish League, having read of a Canadian parliamentary motion supporting

⁵⁸ Mahon to unknown Irish correspondent, John, 20 May 1908, 937/176.

⁵⁹ Western Argus, 1 July 1902.

⁶⁰ Soon after his election, the Catholic Press (Sydney) published a thoroughly inaccurate profile in which he was called McMahan. Catholic Press, 29 June 1901.

Home Rule asked J.B. Ronald, a Labor member who had been a Presbyterian minister, to move a similar motion in the House of Representatives. Though Ronald was sincerely anxious to help the cause, he was no tactician and having secured only enough time for his own introductory speech, the motion lapsed.

William Redmond, who was visiting Australia in 1905, spoke to Mahon of his disappointment and asserted that a successful motion would greatly help the cause.⁶¹ Mahon and his compatriots in parliament had hitherto sought to avoid the inevitable sectarian bitterness connected with Home Rule, but Redmond's appeal could not be ignored and he agreed to engineer the passage of a motion supporting Home Rule. Aware that his own well known emotional commitment could arouse hostility, he induced Redmond and Ronald to offer the leading role to Higgins,⁶² a prominent and respected Irish Protestant, who accepted gladly.⁶³ Mahon himself acted as the whip and outlined his proposed strategy in a letter to J. Tighe Ryan, editor of the Catholic Press.⁶⁴ He hoped

⁶¹ Tribune, undated cutting, 937/1043.

⁶² Ronald to Higgins, 26 June 1905. Higgins papers, N.L.A., 1057/111.

⁶³ Higgins to Mahon, 27 June 1905. Higgins papers, N.L.A., 1057/112.

⁶⁴ Mahon to Ryan, 9 September 1905. St Mary's Cathedral Archives, Sydney.

with the co-operation of his supporters to pre-empt all private members' time for nearly two months ahead. The necessary time could then be secured by the withdrawal of various bogus motions. If the Opposition attempted a filibuster, all Irish members would then appeal to the Prime Minister for government time.

Mahon saw that the division was the important point and sought to limit the number of speakers by himself abstaining as an example. Many members, however, felt that such a debate promised nothing but political embarrassment. Forrest felt 'very disgusted with Higgins who, for his own purposes is trying to place us all in difficulty' and urged Deakin to avoid a division.⁶⁵ Other members simply avoided the issue and found a convenient excuse for absence on the day.⁶⁶

Higgins formally moved the motion on 3 August under a running fire of interjections from a few Orange Lodge supporters. Forrest, in reply, had no objection to Home Rule in principle but did object to some of the terms of the motion, and objected most emphatically to what he described as uncalled for interference with the affairs of another

⁶⁵ Forrest to Deakin, 17 August 1905.
Deakin papers, N.L.A., 1540/1720.

⁶⁶ Catholic Press, 26 October 1905, 937/1043.

country. Crouch of Corio then urged that since Australia was part of the empire, she had a voice in imperial business, after which the debate was adjourned.

Mahon's precautions proved thoroughly justified since the debate actually occupied private members' time on 17 August, 31 August, 28 September, 12 October and 19 October, which was probably a record for a private members' motion. Only 55 of 75 members finally voted to pass the motion by 37 votes to 18, but there were six pairs which included Reid, Forrest and Kingston.⁶⁷ Most of the leaders of the House, including Deakin, were in favour.⁶⁸ The opponents and abstainers were castigated violently in the Catholic Press and Mahon, in spite of his emphatic denials was accused of writing the article.⁶⁹ There can, however, be little doubt that he did at least inspire it.⁷⁰

As a private member Mahon found time to pursue his private interests. He had been one of the first investors

⁶⁷ C.P.D., XXVIII, 3818. Higgins gave Mahon much of the credit for the result. Higgins to Redmond 10 December 1905. Photocopy from Redmond papers, Dublin, held by author.

⁶⁸ Both sides sought to implicate Deakin for their own purposes; see interview with E. Hain. Deakin papers, N.L.A., 1540/58/3.

⁶⁹ Catholic Press, 19 October 1905. C.P.D., XXVIII, 4618, 4522.

⁷⁰ While all this was going on, Mahon earned a curious kind of fame by negotiating the pardon of the last Imperial convict in Australia, a Fenian called James Kielly. Cuttings from Southern Cross (Adelaide) and West Australian, 937/852.

in James Patrick Garvan's Citizens Insurance Company in the 1880s and when Garvan's son John Joseph, now managing the renamed Mutual Life and Citizens Company, discovered the connection, the two men began a correspondence which lasted at least until 1917. Mahon had sold his original shares in Melbourne in the 1890s but now purchased a new block, on the strength of which he joined a local board of directors for Western Australia.⁷¹ Mahon and Garvan shared a common interest in finance and Garvan obviously saw Mahon as a valuable ally in protecting the interests of the company, but the full extent of Mahon's co-operation remains obscure since only one side of the correspondence has survived.

Since the New South Wales defections of the 1890s, the Labor movement had always been prone to distrust politicians but, hitherto, the Commonwealth members had been given a fairly free hand. Following the defeat of the Labor government, Isaacs and some other radicals sought and received promise of an electoral alliance from Watson for the defeat of the Reid-Maclean government. This immediately fanned suspicion and the triennial congress of the party in July 1905 put the politicians in their place by forbidding alliances and withdrawing the party leaders' power of

⁷¹ McCorquodale to author quoting M.L.C. records, 15 September 1967, op.cit.

patronage in appointments to the ministry. Mahon was appointed as a delegate to the congress but, arriving late, found that there were already six West Australian delegates and he was therefore ineligible.⁷² There is no evidence to show whether this curious incident was due to a muddle, a calculated snub by his enemies or a tactical move to get rid of a Watson supporter, but there is indirect evidence to suggest that it may have been more significant than it seemed. A few days later the Catholic Press published a scathing article on the conference alleging that it was dominated by politicians, that the equal representation of States was undemocratic, that resolutions for the abolition of the Braddon clause and for a land tax were an attack on State rights and that the decision to leave the selection of ministers to caucus was an insult to Watson.⁷³ If Mahon's exclusion from the congress was malicious, this article was the sort of response which might have been expected of him, but this cannot be proven.⁷⁴

72. Official report of the third Commonwealth Political Labor Conference, Melbourne, 1905.

73. Catholic Press, 20 July 1905, 937/982.

74. The suggestion of Mahon's hand depends on the facts; that he was friendly with the editor of the Catholic Press and sometimes wrote for it; that there is a copy of the article in his papers which are usually either by or about him; that the article cites West Australian examples; that he was a personal friend of Watson.

On the other hand, he had supported both the Braddon clause and a land tax and usually opposed the cry of State rights.

Mahon spent March of 1906 in his electorate⁷⁵ and returned to Perth early in April to join the West Australian sittings of the royal commission on ocean shipping service, to which he had been appointed in August 1905 because of his experience as Postmaster-General with mail contracts.⁷⁶

The Irish National Party had despatched further envoys to Australia to raise funds and on 12 April Joseph Devlin and J.T. Donovan reached Fremantle to be greeted by an Irish reception party including Mahon.⁷⁷ He took no further part in their activities in Western Australia but travelled with them to Melbourne and published a profile of Devlin in the Catholic Press.⁷⁸ Although he is rarely mentioned in published accounts of the reception of the delegates, one member of parliament at least thought fit to apologise to Mahon for his absence from a parliamentary luncheon on 26 July.⁷⁹ The notebooks of Herbert Brookes contain a curious story of intrigue and counter intrigue over Mahon's attempt to secure a seat on the floor of the House for Michael Davitt. Since Davitt's last visit was in 1895 this obviously

⁷⁵ Morning Herald, 15-28 March 1906.

⁷⁶ Morning Herald, 4 April 1906.

⁷⁷ Morning Herald, 13 April 1906.

⁷⁸ Catholic Press, April 1906, 937/1040.

⁷⁹ Bruce Smith to Mahon, 14 August 1906, 937/248.

refers to an unsuccessful attempt to honour Devlin.⁸⁰

Mahon had always been sceptical of the value of the Queensland sugar industry, but had reluctantly accepted the concessions made to Queensland over the Pacific Island labourers as the only way of achieving a desirable end. He saw the introduction of sugar bounties, however, as an injustice to his constituents and henceforth attacked Queensland whenever possible. He fought the sugar bounty bill bitterly in 1905 and secured some restriction of its duration.⁸¹ In December 1905 he used an indiscreet speech by the premier of Queensland as an excuse for asserting that the other States were being bled to pander to Queensland.⁸² On 16 June 1906 he once again attacked a proposal by Queensland that the Commonwealth should pay to repatriate the Kanakas:

I think that the States which derive no benefit from the Sugar bonus but which on the other hand contribute very heavily towards it, have done enough for Queensland without being robbed and exploited in the manner suggested.⁸³

This and his many other attacks on Queensland irritated the

⁸⁰ Deakin papers, N.L.A., 1540/58/3. Interview with Samuel Mauger, p.2.

⁸¹ C.P.D., XXX, 6884.

⁸² Ibid., 7438.

⁸³ C.P.D., XXXI, 325.

Queensland members of his own party and probably contributed to his increasing unpopularity.

Mahon's unpopularity, often noticed by political writers,⁸⁴ probably arose from many sources, not least his tone in debate. Sometimes the words themselves seem to carry little sting, but his manner obviously gave offence. On the tariff bill in 1902, he spoke of Alan Maclean finding 'the line of duty coinciding with the line of political self-interest'.⁸⁵ Of the Governor-General's establishment, he said:

His salary is a very handsome one, and if he chooses to spend it on the society people of Toorak and Potts Point, that is his lookout. I believe he is a very liberal man but I have not heard of any large grants being given by him to charities or educational institutions.

The last remark brought three angry protests and Barton referred to it ponderously as a 'terrible aspersion'.⁸⁶ On the judiciary bill in 1903 he joined issue with McCay:

[He] will take the stand usually adopted and see that the interests of Castlemaine are not overlooked.

Is that a fair taunt, replied McCay, is it not rather small.

⁸⁴ Punch (Melbourne), 9 June 1904, 937/857, spoke of him as 'a master of flouts and gibes'.

⁸⁵ C.P.D., VIII, 10769.

⁸⁶ C.P.D., IX, 12239.

Possibly it is, answered Mahon, I will not dispute that the honorable and learned member is an authority.⁸⁷

On 28 October 1904 even George Reid plaintively described Mahon's remark that Australia would have been blessed if the Prime Minister had been born dumb, as 'very bitter'.⁸⁸ Such gibes could be quoted ad nauseam whether directed at the Opposition or his own party. When other members made similar remarks, they would be considered the normal courtesies of debate, but with Mahon they were different.

The defeat of the Kalgoorlie to Port Augusta railway survey bill in the Senate was greeted in Western Australia as a revelation of eastern treachery and a bill for secession, which had lapsed in the Legislative Assembly, was revived. Forrest's Liberal Party seized the opportunity and hastily attempted to organise a West Australian party to capitalise on the discontent in the general elections.⁸⁹ Forrest optimistically believed that he could win three Senate seats, three seats in the House of Representatives and could shake up both Mahon and Fraser of Kalgoorlie.⁹⁰

⁸⁷ C.P.D., XIII, 1149. Mahon later apologised, 1154.

⁸⁸ C.P.D., XXIII, 6313.

⁸⁹ J.R.M. Murdoch: 'The Western Australian party in the 1906 federal elections' in Australian Journal of Politics and History, August 1967.

⁹⁰ Forrest to Deakin, 26 May 1902 (sic. 1906?). Forrest papers, Battye Library, 766A.

Mahon left for Western Australia as soon as the House was prorogued on 5 November, and the election campaign opened on 10 November.⁹¹ The theme of the campaign was the grievances of Western Australia, and in his first speech he made an uncompromising affirmation of his belief in federation, stigmatising the West Australian Party as 'a delirious project'.⁹² Mahon had hoped to be unopposed but Forrest, optimistic about the State rights issue and bitterly resenting the near monopoly of West Australian seats by Labor, induced J.W. Archibald, Mahon's opponent of 1901, to try again.⁹³ Archibald attempted to appeal to local chauvinism in accordance with Forrest's ideas. Mahon, he said, subordinated the interests of his constituents to the interests of a political party controlled in the east and had consequently seriously neglected the electorate.⁹⁴ Since Mahon was a particularly good constituency man, this charge fell flat and Mahon in reply was able to appeal strongly to the old local prejudices by describing Archibald as representative of a party dominated heart and soul by Forrest.⁹⁵ In November he covered the districts north of

⁹¹ Kalgoorlie Miner, 10 November 1906.

⁹² Kalgoorlie Miner, 17 November 1906.

⁹³ Ibid.

⁹⁴ Kalgoorlie Miner, 20 November 1906.

⁹⁵ Kalgoorlie Miner, 22 November 1906. Forrest had been incautious enough to state publicly that he wanted his party to obey him. His subsequent withdrawal was, of course, greeted cynically.

Kalgoorlie, returning to Coolgardie on the 28th.⁹⁶ He then made a quick visit to Geraldton⁹⁷ and returned to Coolgardie for a final joint meeting with Pearce before the poll on 12 December.⁹⁸ When the results were announced on 13 December, Mahon had increased his majority to over 4,000 and had won every polling booth except Coolgardie and Malcolm.⁹⁹ With his parliamentary future thus assured for another three years, he left for Melbourne on 14 December.¹⁰⁰

⁹⁶ Kalgoorlie Miner, 30 November 1906.

⁹⁷ Morning Herald, 7 December 1906.

⁹⁸ Kalgoorlie Miner, 12 December 1906.

⁹⁹ Morning Herald, 14 December 1906.

¹⁰⁰ Kalgoorlie Miner, 14 December 1906.

CHAPTER 5

The Tide Turns

Mahon's success in the general election seemed to indicate that his star was in the ascendant, but the influences which led later on to the near collapse of his career were already at work. His pragmatic approach to politics was not out of place in the party of 1901 but among the new men of 1903 were many young ambitious machine men who saw heresy in his unorthodox attitudes and envied his position within the party. With the Labor party in a minority, however, his experience was important and the opposition to him remained hidden.

In January 1907 Cardinal Moran invited Mahon to deliver the traditional St Patrick's commemoration address in Sydney,¹ and after visiting Bathurst with Senator Needham for a Home Rule speech on 19 March² he returned to Sydney to speak on 6 April. His theme was the position of Catholics in Australia. Although in Ireland the faith was virtually indistinguishable from the National cause, he claimed that no priest needed to participate in Australian politics because in spite of the unnecessary stupidities of Protestant sectarianism, Australians were becoming increasingly tolerant

¹ Moran to Mahon, 15 January 1907, 937/200.

² Bathurst Daily Argus, 19 March 1907, 937/1042.

of other creeds. There was now a worldwide recognition that the Irish sought only self government, not the right to persecute Protestants, and the Home Rule resolution showed that this was accepted also in Australia. He condemned the political influence wielded by Dr Dill Mackey's Protestant Defence League, castigated its recent manifesto and concluded by an appeal for unity among those struggling for the freedom of Ireland.³ When the Sydney Morning Herald accused him of unnecessarily raising a sectarian bogey, he entered into an inconclusive tu quoque argument with the Herald in its correspondence columns.⁴ His own party said nothing, but the speech must have helped to arouse the latent Protestant prejudice of some members who were probably offended further when he announced at the opening of a convent a few days later, that the Labor party was not opposed to the maintenance and success of a Catholic school system.⁵

Although Mahon had long shown active interest in the affairs of British New Guinea, his interest in the appointment of J.H.P. Murray to the Lieutenant-Governorship could

³ Notes for speech, 937/22.

⁴ Unidentified cutting, 937/895; Catholic Press, 18 April 1907, 937/897.

⁵ Unidentified cutting, 937/909.

also be misinterpreted and probably was. The Commonwealth had acquired the Territory in 1901. Mahon had actively supported the motion for acceptance⁶ and in the subsequent debates on the Papua bill had secured a clause providing a fund levied on the land revenue for the support of aged and destitute natives.⁷ After five years of interregnum culminating in a royal commission to investigate bitter internal feuds, the reorganised administration had been temporarily placed under the control of Murray who, brought up in the neutral atmosphere of a mixed marriage, had voluntarily returned to the Catholic church. The permanent appointment as Lieutenant-Governor was also coveted by Miles Staniforth Smith, a Kalgoorlie contemporary of Mahon's who had resigned his seat in the Senate to take a subordinate position in Papua in the belief that he held a virtual promise from Deakin of appointment over Murray's head. Smith was a jovial extrovert who saw himself, without much reason, as a born leader, but Murray and Mahon shared a common interest in things Irish and had many personality traits in common. Mahon's role in the complicated backstairs intrigue which finally secured the position for Murray

⁶ C.P.D., VI, 7420.

⁷ C.P.D., XV, 3008.

is not clear,⁸ but in November 1908 Murray was told by an independent observer how much he owed to Mahon's consistent advocacy⁹ and the two men later became firm friends.

Mahon's absorption with Catholic and Irish affairs continued even after the beginning of the session. Mrs Eva O'Doherty, who had been the poetess of the Young Ireland Party in 1848, had married Dr Kevin Izod O'Doherty and after migrating to Queensland had been left in genteel poverty by the death of her husband in 1905.¹⁰ Her plight aroused all Mahon's mystical nationalism and after writing articles on behalf of a fund for her support,¹¹ he undertook lecture tours on behalf of the fund in South Australia in December 1907¹² and in Tasmania in March 1908.¹³

All this activity on behalf of causes irrelevant to federal politics provided ammunition for his enemies, and as early as April 1907 his friends in Western Australia were

⁸ J.A. La Nauze, Alfred Deakin: a political biography (Melbourne, 1967), which contains the only extensive account of the negotiations makes no mention of him.

⁹ N. Neilsen, M.L.A., to Mahon, 26 November 1908, 937/201.

¹⁰ Eva O'Doherty to Mahon, 7 September 1907, 937/204.

¹¹ Unidentified cutting, 937/950.

¹² Southern Cross (Adelaide), 6 December 1907, 937/1039.

¹³ Monitor (Launceston), 21 March 1908, 937/1037; illuminated address from United Irish League held by Mrs Sharland.

obliged to deny publicly that he had failed to help the candidate in the difficult Swan electorate during the general elections of 1906. The writer of a profile in Melbourne Punch in December 1908 announced emphatically that:

Mahon is the fiercest of bigots. He is a Roman Catholic who hates those who are not of his faith with a deep hatred ... There is no doubt that Mahon has been made to pay for his religious bigotry. In Caucus, in Parliament, in the country, wherever he goes, opposition and enmity dog him.¹⁴

Had Mahon been more conciliatory, he would perhaps have disarmed the opposition but his health was often poor and illness exacerbated his aggressive temperament. On 4 September 1907, while he was supporting a motion to give precedence to government business, Charles Fraser of Kalgoorlie, an ambitious young union official who had supplanted Kirwan in 1903, interjected sneeringly that Mahon would have thought otherwise had a Home Rule motion been on the notice paper. Angrily, Mahon replied that Fraser's

¹⁴ Punch (Melbourne), 24 December 1908, 937/1181. The portrait is absurdly exaggerated. Mahon had Protestant friends (e.g., Walter Malcolmson, J.C. Watson), and his family were sometimes worried about his religious position, but he shared to the full the ghetto mentality of the church at the time and saw sectarianism sometimes where it did not exist. The main reasons for opposition and enmity were his aggressive treatment of opponents and the fact that he did not gladly suffer fools whether Protestant or Catholic.

interjection was both irrelevant and impertinent and acidly advised 'my young and precocious' friend to keep quiet'.¹⁵ This was, of course, a dangerous tone to take with a member still in his twenties, who was already regarded as the leader of a militant party cave. Clearly, Mahon had made a dangerous enemy.

Mahon's position might have been strengthened had he paid more attention to the party machine, but his one and only appearance at a national conference, in Brisbane in 1908, was one of his least effective performances. His only contribution was on the second day when he opposed any exemption from the proposed federal land tax because this would make it a class tax.¹⁶ In the minutes, his attitude seems curiously perfunctory. He showed no interest in other topics and in speaking to the motion he was obviously acting under instructions from his own State organisation which had resolved against exemptions in its annual conference of 1905.¹⁷ It is difficult to understand why he should have concluded his speech by doubting the need at present for the Commonwealth to impose taxation when, only two months later, he was seeking caucus permission to move for the financing of defence preparations by direct taxation.¹⁸

¹⁵ C.P.D., XXXVIII, 2800.

¹⁶ Official report of the fourth Commonwealth Political Labour Conference, Brisbane, 1908.

¹⁷ Westralian Worker, 14 July 1905.

¹⁸ Caucus minutes, 17 September 1908.

The return of thirty-two supporters of Reid's anti-socialist war cry had worried the Labor Party and under Watson's lead, it was prepared to support Deakin's minority protectionist party rather than risk governing alone. Fisher, appointed leader late in 1907, lacked Watson's skill in managing his party, and late in 1908 caucus decided that more was to be gained by accepting office in its own right with Deakin's support. On 6 November, Fisher formally withdrew support and on 11 November the Deakin government resigned. Caucus met to select ministers on 12 November and after Watson had sought unsuccessfully to leave the selection to Fisher, Fisher and McGregor were selected without a ballot. The meeting then adjourned till the afternoon when Pearce, Hughes, Tudor, Batchelor, Mahon and Hutchinson were selected. Although no voting figures were recorded, one can perhaps guess from the order of names in the minutes that Mahon did not poll well, but his long experience and his Catholic following were still important to a party without a safe majority.¹⁹

In an otherwise entirely Protestant ministry, Mahon's appointment as minister for Home Affairs in charge of the public service inevitably aroused allegations of sectarian influence. On 15 December J.M. Fowler, member for Perth,

¹⁹ Caucus minutes, 12 November 1908.

announced his resignation from the party/ to a meeting of his West Australian colleagues on the ground that one member had been squeezed into the Cabinet because of his religion. Fowler was obviously jealous but Mahon, always sensitive, immediately sought and secured assurance from Watson that he had not urged his own appointment in 1904. On the contrary, added Watson, the only pressure of any sort had been exerted by Fowler.²⁰ There is no reason to doubt Watson's denial but Fowler's charge contained some truth. Mahon was clearly Cabinet material on his own merits but Watson, as an experienced politician, must surely have taken some account of his ability to attract a Catholic vote. The increased stature of Pearce in 1908 made the problem more difficult. The inclusion of two West Australians in the Cabinet must have been hard to justify and the only possible reasons for the inclusion of Mahon were his ministerial experience and the importance attached to his influence with the Irish Catholic community.

In spite of Mahon's apparent absorption with Catholic and Irish affairs, he was still one of the more effective members of his party. His speeches, though usually short, were always substantial because his journalistic training

²⁰ Correspondence between Mahon and Watson, 18-29 December 1908, 937/17-19.

had taught him compression. In the budget debate of 1907, for instance, within the compass of a relatively short speech, he attacked the New South Wales government over the Federal Capital negotiations, submitted a proposal for an official condensation of Hansard to be published in the press, castigated Queensland over the sugar bounties alleging that the policy had not made the industry white and complained both of misrepresentation in immigration propaganda and the immigration of surplus labour, then opposed a proposal for financing old age pensions by special taxes on tea and kerosine, sought special consideration for Western Australia in the navigation bill, castigated the increasing expenditure of State governments and their use of the Premiers' Conferences and concluded with a savage attack on Forrest's administration of defence. Forrest was furious, but even Joseph Cook congratulated Mahon on a well prepared speech.²¹ On 15 October 1907, when he made another of his periodic attacks on Queensland, Fisher, although interjecting angrily throughout, also congratulated him.²²

His portfolio was not of major importance and although he had little opportunity to develop any significant line of policy during his six months of office, he still earned

²¹ C.P.D., XXXIX, 3210.

²² C.P.D., XL, 4650, 4758.

high praise as a minister. As minister in charge of the public service, he drafted new regulations on the political rights of officials, brought in a new public service bill, considered the future organisation of the post office and renewed the appointment of D.C. McLachlan, the public service commissioner, while rejecting his request for an assistant.²³ He also reorganised the sick leave arrangements²⁴ and gave scant encouragement to proposals for a superannuation scheme.²⁵ Having concluded the negotiations for the transfer of the Federal Capital, he sought to convert opponents of the Canberra site by establishing a camp from which they could explore the territory, but found little support.²⁶ To one political commentator -

The most obvious feature of the new Ministry is its absolute harmlessness ... The permanent heads of the departments are virtual ministers of state ... but ... Colonel Miller is not the Minister of Home Affairs. He is merely the secretary to the department. Mahon remembers that and acts accordingly.²⁷

The opinion was confirmed in 1910 by Alfred Deakin in criticising personal sketches of Labor Party leaders in an English paper: 'Mahon who is omitted was distinctly the

²³ Caiden: Career Service (Melbourne, 1967), p.89.

²⁴ Herald, 19 March 1909, 937/1007.

²⁵ Leader (Melbourne), 3 April 1909, 937/1269.

²⁶ Various cuttings, 937/1169.

²⁷ Unidentified cutting, 937/1182.

ablest administrator of the last cabinet'.²⁸

Mahon once again spent the recess on Irish affairs and on 14 February made his first speech to the United Irish League at their annual picnic. He showed his contempt for his enemies in accepting the invitation:

You know how fair and even generous Australians are ... As to the minority which might object, it does not seem that ones abstention from such movements is likely to mitigate their intolerance...²⁹

By then he was probably well aware of the hostility to himself within the Party, but the speech, far from being an apology, was a challenge. He regretted his inability to accept previous invitations and was ponderously jocular about the hesitant invitation which he had received this time. He had, he said, suspected some danger but could see none but motor cars and 'a cargo of humanity' here a fortnight ago 'wearing red neckties, ribbons and a ferocious expression'. He saw no peril in a minister associating with Irish sympathisers. He admired the freedom with which the highest offices in Australia were open to the humblest citizen; every one had an interest in preserving that freedom and no word or action of his would ever consciously impair it since

²⁸ Deakin to Jebb, 2 June 1910. Jebb papers, N.L.A., 339/63-73.

²⁹ Mahon to O'Donnell, 25 January 1909, 937/206.

it was valuable not only to Australia but the Empire.

Australian public men had, therefore, a duty to support Ireland in order to strengthen the empire for the titanic struggle which was looming. He then launched into a long attack on the physical force advocates in Ireland and concluded by recommending to them the example of the Australian Labor Party.³⁰

He attended many other Catholic functions in the recess and on 18 March induced most of the Cabinet to attend the St Patrick's day celebrations in Melbourne where the Governor-General was the main speaker.³¹ Later in the year he was personally thanked by the Vicar-General of the diocese of Melbourne for his loyal assistance and great support during the absence overseas of the Archbishop.³²

During the recess Deakin at last abandoned his efforts to maintain a centre party. He would have preferred to associate with Labor but, unable to accept their machine techniques, reluctantly amalgamated with the Free Trade Party led by Joseph Cook. With a strong united opposition at last, Labor's future was apparently gloomy and Mahon seized the opportunity before the House opened of making a tour of

³⁰ Advocate, 20 February 1909.

³¹ Age, 19 March 1909, 937/881.

³² Dean Patrick Phelan to Mahon, 4 June 1909, 937/219.

his electorate to consolidate his position. He spoke often but all his speeches revolved round two themes which he elaborated at the Fremantle Trades Hall on 28 April. The increasing threat of German naval expansion had motivated proposals to present a Dreadnought to the Royal Navy. Mahon decried what he termed a panic and argued that in any life or death struggle, overseas Britain would certainly place its whole resources at the disposal of the Motherland. His second theme was an attack on the State rights cry, a defence of the Commonwealth government and a bitter condemnation of the system of Premiers' Conferences which were, he said, an excrescence on the constitution.³³

Mahon's views on defence were extraordinary in a man of his background but, in the light of his less inhibited speech at Mornington, there is no reason to believe he was not sincere. His views were greeted with respect even by the conservative West Australian, but one wonders whether there was equal respect in the party of which Deakin wrote:

Its majority is not loyal and a very strong minority is openly disloyal. Watson was a mild imperialist, but Fisher is not even that, except under pressure.³⁴

As soon as the House met on 26 May, Deakin moved what amounted to a vote of no confidence. Fisher sought a

³³ West Australian, 29 April 1909, 937/1010.

³⁴ Deakin to Jebb, 2 June 1910, op.cit.

dissolution and when it was refused, resigned on 29 May leaving the fusion government to take office on 29 June. As a private member, Mahon continued the campaign against State pressure on the federal government which had started in Western Australia. On the adjournment motion on 30 July, he accused the ministry of lowering the dignity of federation by discussing federal matters with State politicians who have no constitutional rights in regard to them.³⁵ During the debates on the constitution alteration (finance) bill in October, he argued that the Commonwealth should take over State debts in order that the idea of State sovereignty should be done away with. He objected to the agreement about return of revenue because it sought to bind the Commonwealth in perpetuity and encouraged State extravagance.³⁶

Mahon's concern for the prestige of the Commonwealth was accompanied by a similar concern for the prestige of parliament. In 1904 he had questioned the right of the Speaker, Sir Frederick Holder, as an officer of the House, to accept a salary from the executive between parliaments.³⁷ After embarrassing the government and being overruled, he withdrew but clung to the point and raised it again with equal lack of success in September 1909.³⁸

³⁵ C.P.D., I, 1898.

³⁶ C.P.D., LII, 4381.

³⁷ C.P.D., XVIII, 686.

³⁸ C.P.D., LI, 2893.

During the acrimonious debate on the appointment of a Speaker after the death of Sir Frederick Holder, the Clerk of the House, who was taking the chair in the absence of the Speaker, attempted to resolve a deadlock with a casting vote. The next day Mahon moved a privilege motion seeking to have the incident expunged from the record as a dangerous precedent, but was defeated 20-32 in a division.³⁹

Mahon's campaign for the general election of April 1910 was launched at a civic reception in Coolgardie on 12 January. Although he admitted that a walkover would be convenient for him, it would not be good for the electorate because he would have no opportunity to consult his constituents.⁴⁰ He soon found that he had a dangerous antagonist in Robert Hastie, who had been the first leader of the State Labor Party and had changed his coat after the resignation of the Dalrymple government in 1905.⁴¹ Although Hastie had been popular on the goldfields, he was now anathema to unionists, but he had the support of many non-unionists and could not be ignored.

During the next two months Mahon covered most of his electorate including, for the first time, the far north.⁴²

³⁹ C.P.D., I, 1808.

⁴⁰ Western Argus, 18 January 1910.

⁴¹ Ibid., 1 February 1910.

⁴² Westralian Worker, 18 March 1910.

and was able to devote some attention to assisting weaker metropolitan candidates.⁴³ The highlight of the campaign was a speech at Geraldton on 26 March, in which he condemned the centralising tendencies of the government in Perth, objected to the financial agreement because it weakened the Commonwealth and encouraged extravagance, asserted that the poor paid an unfair proportion of defence costs and suggested that Forrest had failed to promote West Australian interests because he was as much under the thumb of his party as any Labor man.⁴⁴ The speech was condemned verbally by the acting premier, Wilson,⁴⁵ and in the editorial columns of the West Australian.⁴⁶ The poll was held on 13 April and Mahon was elected with an increased majority,⁴⁷ Hastie having won only in the conservative agricultural districts of Geraldton, Greenough and Northampton. A fatuous pamphlet circulated in the campaign had attempted to smear Mahon by listing some of the wilder attacks on religion by Labor extremists, but the contrast with his own rigid orthodoxy can only have been to his advantage.⁴⁸

⁴³ Ibid., 4 March 1910.

⁴⁴ West Australian, 30 March 1910.

⁴⁵ Unidentified cutting, 937/932.

⁴⁶ West Australian, 31 March 1910.

⁴⁷ Final figures were Mahon 9,915, Hastie 3,170, McClay 226.

⁴⁸ Deakin papers, N.L.A., 1540; State Executive minutes, 5 March 1910, Battye Library, 1319A, vol.2, p.9.

Mahon returned to Melbourne at once to find that the Labor Party, with its first clear majority, was preparing to form a government. At the caucus meeting on 29 April, after Catts of New South Wales had unsuccessfully proposed a distribution of portfolios proportionate to the number of members in each State, the ballot elected McGregor, Pearce, Findley, Hughes, Batchelor, Tudor, Thomas and O'Malley.⁴⁹ For the first time in ten years, Mahon was no longer a member of the party hierarchy.

Although he made no public comment, his own feelings can be deduced from the title on his file of papers on the selection, 'The Affair of 29 April 1910'.⁵⁰ He was nominated as Speaker next day but declined⁵¹ and preserved a rigid silence on the subject. Speculation was of course rife. The Melbourne Age spoke of a determined canvass among new members on behalf of Frazer, aided by sectarian influence and Mahon's apparent indifference.⁵² The Catholic Press spoke directly of sectarianism and threatened a change in the Catholic vote.⁵³ The Labor Call blamed Mahon's alleged indifference to the party interests and his refusal to help

⁴⁹ Caucus minutes, 29 April 1910.

⁵⁰ 937/1271-1289.

⁵¹ Age, 30 April 1910, in Frazer papers, N.L.A., 981.

⁵² Ibid., 937/1279.

⁵³ Catholic Press, 5 May 1910, 937/882.

other members.⁵⁴ James Howard Catts repeated the story that Mahon did not do his share and added that the Victorians compared his attendances at organising meetings with those of Pearce.⁵⁵

Most of these stories probably held some truth, but the fact was that Mahon was unpopular because of his manner and because he was not prepared to make a religion of socialism. While he was useful he remained in power but, as soon as he could be safely dispensed with, he fell.

Mahon had been tempted before⁵⁶ and was tempted later⁵⁷ to defect from the Labor Party as Fowler had done but, in spite of the injury to his pride, he resisted the temptation. By this time he had acquired a very deep seated faith in his own somewhat unorthodox conception of Labor ideals. To a priest who sought his advice on whether to vote for a Labor candidate preaching continental socialism, he wrote:

There are probably a good many men here and there throughout Australia who adopt the tenets of Continental Socialism without any true comprehension of their meaning and ultimate result. But they are too few to change the current of the Labor movement ... whatever doctrine newspapers and politicians may preach, whatever has been or may be put into political platforms,

⁵⁴ Labor Call, 5 May 1910, 937/1281.

⁵⁵ Evening News (Sydney), //5 May 1910, 937/1283.

⁵⁶ J.B. Ronald to Mahon, //6 September 1907, 937/230.

⁵⁷ W.N. Hedges to Mahon, 12 March 1912, 937/127.

the innate sense of justice governing the Australian masses will intercept any invasion of the just rights of any section of our fellow citizens. Labor has no hostility to the true rights of property but only to its usurpations; and it is Privilege, not Property which trembles in anticipation of the triumph of Labor ideals. To me, the Labor party is the only really conservative party in Australia. Its policy being to improve the lot of the individual, to diffuse national wealth so that all producers shall receive their rightful share, it presents an impregnable barrier to the forces of revolution ...⁵⁸

Knowing Mahon, many people expected an aggressive reaction to his rejection. According to the Australasian

If someone works the caucus round
With secret and triumphant laughter
A threat of no uncertain sound
Is heard of things to be hereafter
And if such oaths be registered
That someone by an by will rue it
I'll whisper you a truthful word
Hugh Mahon is just the Mahn to do it.⁵⁹

He had never been afraid of conflict in the House with members of his own party but, apparently attributing his rejection to the left-wing coterie around the Melbourne Trades and Labor Council, he directed his attack on its organ, the Labor Call. He planned a privilege motion accusing the Labor Call of receiving excessive government advertising to no purpose, of pursuing vendettas against Labor leaders, of

⁵⁸ Mahon to Father Fitzgerald, Maryborough, 26 October 1909, 937/76.

⁵⁹ Australasian, 7 May 1910.

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obscurity and of unfair attacks on senior civil servants who could not reply,⁶⁰ but found a more subtle method. On 23 September Charles Carty Salmon, a fusionist member, complained in the adjournment debate of excessive government advertising in the Labor Call. Mahon himself made a fairly mild speech in support of the motion suggesting that in all fairness, the journal of the Employers Federation should receive equivalent advertising.⁶¹ The Westralian Worker wrote angrily of his attack on the Labor Call and of his clash with Hughes over the land tax bill on 29 September.⁶²

Mahon M.P. is a political conundrum. Professedly he is a democrat whose snobbish coldness of demeanour would make a snake shudder ... is Mahon preparing to follow in the footsteps of J.M. Fowler who not long ago ratted from the Labor Party. Mahon must be carefully watched by Laborites in future.⁶³

Soon after the session began, Mahon accepted an invitation to help in the New South Wales elections and spent three weeks in Sydney.⁶⁴ He made no speeches and the party press

⁶⁰ Draft for speech, 937/327.

⁶¹ C.P.D., LVII, 3703.

⁶² Ibid., 3833.

⁶³ Westralian Worker, 14 October 1910. The article was signed with the initials A.M. If, as seems possible, it was written by Alexander McCallum, general secretary of the party, it is even more significant. A cutting of this article is one of the few references to Mahon in the papers of Charles Frazer, N.L.A., 981.

⁶⁴ C.P.D., LVIII, 5040. //

ignored him, but since a temporary electoral newspaper was produced called the Labor Vanguard - a title which he later used effectively in Western Australia - it is safe to assume that he was engaged as a journalist.

One of the last surviving relics of the 17th century horror of Catholicism was the King's coronation oath, in which he was required to refer to the idolatry and superstition of the Catholic Church and to abjure it forever without any hint of mental reservations. In the long reign of Queen Victoria, the oath had been forgotten and Protestant pressure groups had prevented reform in the coronation of Edward VII. Catholics considered the oath offensive and the Australian hierarchy sought to add the voice of Australia to the general demand for a change in the coronation of George V. On 21 July 1910 Mahon moved an address to the crown for abolition of the offensive clauses of the oath. In one of his finest speeches he made a logical and temperate appeal for justice to a large and completely loyal section of His Majesty's subjects. The only serious objection came from W.H. Kelly, an Orangeman, who, obviously influenced by the sympathetic temper of the House, merely moved a mild amendment designed to avoid any suspicion of sectarian bias in the motion.⁶⁵

⁶⁵ C.P.D., IV, 602.

The return of a Liberal government in London with a declared policy of Home Rule for Ireland seemed to promise a happy end to the long struggle. In a speech to the Shamrock Club, Mahon echoed the general optimism:

There was every indication of this happy consummation being at hand. British democracy would not continue to tolerate the predominance of the old ascendancy gang in Ulster ... there was abundant evidence that England had recognised her mistake and was bent on a genuine and sincere effort to allow Irish ideas to prevail...⁶⁶

The optimistic mood of the Nationalists was matched by an increasing mood of bitter defiance among the diehard Protestants of Ulster, culminating in a massive propaganda campaign and preparations for violent resistance. In September 1912 the Ulster covenant pledged thousands of opponents of Home Rule to stand together and early in 1913 plans were laid for a provincial government. Soon afterwards both sides began arming.

Mahon had never overcome the effects of the lung trouble acquired in Kilmainham and was always likely to become ill under pressure. His political difficulties and the increasingly gloomy news from Ireland brought on a recurrence of the old trouble and when he was peremptorily requested by the State Executive to help with the federal

⁶⁶ Unidentified cutting, 3 December 1910, 937/901.

referendum campaign, he declined on medical instructions.⁶⁷ Seeking relief, he joined a parliamentary party touring Papua and travelled widely through the Territory cementing, at the same time, his friendship with Lieutenant Governor Murray. He was able to earn a little money on the side by writing articles for the Sydney press praising Murray's work in Papua.⁶⁸

In Western Australia, however, his abstention from the referendum campaign had not been well received. Kirwan advertised his illness in the Kalgoorlie press but nevertheless warned him privately to make a special effort to retrieve the position since there were many, even in his own party, who coveted his seat and were working quietly against him.⁶⁹

His opportunity to apply Kirwan's advice soon came. Early in July J.B. Holman, a journalist in the Legislative Assembly, proposed a small weekly newspaper for the State elections and asked Mahon to act as editor. He accepted gladly and arrived in Western Australia in mid-July 1911. He was still not well however, and Holman edited the first

⁶⁷ State Executive minutes, 1 April 1911 et seq, vol.I, pp.61, 64, 71, Battye Library, 1573A.

⁶⁸ Daily Telegraph (Sydney), 7, 8 July 1911; unidentified cuttings 937/884-886; Australian Mining Journal, 13 July 1911.

⁶⁹ Kirwan to Mahon, 15 June 1911, 937/163.

issue of the Labor Vanguard on 19 July while Mahon was in hospital.⁷⁰ The editors were given a free hand,⁷¹ and the paper was an enormous success selling 20,000 copies on the first day. Mahon stayed for nine weeks and returned to Melbourne secure in the knowledge that he had contributed materially to the sweeping victory of the party in the State elections.⁷²

The steady decline of the Coolgardie goldfield since federation necessitated a redistribution of the West Australian electorates, and a commission was appointed for the purpose early in 1911. For Mahon, the report was a disaster.⁷³ It recommended that the eastern goldfields part of the electorate should be absorbed into Kalgoorlie while the rump should be combined with a large block of agricultural land taken from Forrest's Swan electorate to form a new constituency. Mahon was thus asked to contest a new constituency almost as big as the old one from which his strongest supporters had been excluded and to which had

70 State Executive minutes, 12 August 1911, vol.2, p.101, Battye Library, 1573A.

71 Ibid., p.101, op.cit.

72 Labor Vanguard, 14 October 1911, 937/873; unidentified cuttings probably from the Vanguard, 937/1240-1248.

73 File 11/3382 in electoral office records, Battye Library, 483. Mahon was in north Queensland with a Royal commission on the pearling industry but abandoned it after attending only four sittings to look after his electorate.

been added a large new block of voters who knew nothing of him and were almost certain to be conservative.

Although a redistribution was clearly essential, Mahon saw some chance of modifying the details. He probably instigated a proposal by the State Executive on 9 April that two State electorates in the north of the eastern gold-fields, which had been added to Kalgoorlie by the commissioners should be given to the new electorate in exchange for a large pastoral area on the north-west coast.⁷⁴ On 11 July 1912 the question was discussed in caucus. Mahon argued that the commissioners had acted illegally because they had based their proposal not on the existing figures of population but on their own estimate of how that population was likely to change, and because one of the commissioners had left the State before the report had been finalised. Although Hughes, as a lawyer, supported the commission,⁷⁵ when the debate moved into the House of Representatives on 23 July 1912, Mahon questioned the legality of the commission's actions quoting a contrary opinion by Frank Gavan Duffy, K.C., and moved to refer the report back to the commissioners. His motion was however defeated 23-22 because the ministry decided to support the commission.⁷⁶ The Senate, where there

⁷⁴ Ibid., Appendix I.

⁷⁵ Caucus minutes, 11 July 1912.

⁷⁶ C.P.D., LXIV, 1123, 1132, 1413.

was a heavy Labor majority but few ministers, supported Mahon and the report was referred back to the commissioners.⁷⁷

The chairman of the commission having gone overseas in the meantime, a new commissioner was appointed and a fresh proposal, which differed little from the original, was debated on 10 October. Although both Fowler and Mahon objected to the procedure of appointing a new commissioner, Mahon seemed almost resigned. He no longer saw illegality and though he thought the new procedure imperfect, believed it was the best that could be done. The new proposal was then passed through both Houses.⁷⁸

Although Mahon was resigned, he was not hopeless. He had been selected for the new electorate of Dampier before the redistribution was finalised and arrived in Western Australia early in January 1913 on a last visit to his old constituency.⁷⁹ After returning briefly to Melbourne, he arrived back in Western Australia on 9 February⁸⁰ to start his campaign on 18 March.⁸¹ Because he was opposed by his old enemy Gregory, who had become most unpopular as a

⁷⁷ C.P.D., LXV, 1791.

⁷⁸ C.P.D., LXVII, 4117.

⁷⁹ Western Argus, 3 February 1913.

⁸⁰ Ibid., 11 February 1913.

⁸¹ State Executive minutes, 17 March 1913, vol. I, p. 232, Battye Library, 1573A.

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minister, the State party gave him generous support⁸² and immediately after the opening of the campaign, he set out on a speaking tour of his new agricultural constituents.⁸³ He based his claims for election mainly on his support of farming interests in the tariff debates but was greeted coldly.⁸⁴

On 7 May he delivered a major speech in Geraldton. He sought to demonstrate that the State profited by association with the Commonwealth, repeated the account of his work for farmers on the tariffs and argued strongly for wider use of the referendum by the Commonwealth.⁸⁵ The speech, skilfully designed to appeal to the parochial prejudices of Western Australians, probably won some votes but could not change the final result. Leaving Geraldton, he returned to Perth to produce the one special issue of the Westralian Worker devoted to the campaign⁸⁶ and after a brief trip into the eastern wheatbelt, returned to Perth to await the result as philosophically as possible.⁸⁷ By 6 June he knew he was defeated.

82 Westralian Worker, 14 March 1913.

83 Ibid., 21 March, 4, 11 April 1913 etc.

84 Northam Advertiser, 12 April 1913, 937/1142.

85 Westralian Worker, 9 May 1913.

86 Westralian Worker (Dampier Special), 13 May 1913, 937/1290.

87 Westralian Worker, 16 May 1913.

The shock of defeat was cushioned because he had half expected it.⁸⁸ In a letter to Ireland he attributed his defeat to the redistribution and to the extravagance of claims by the A.W.U. for rural workers. He prided himself on having polled more than the Senate candidates but, putting on the best face, said he was glad to be out of politics.⁸⁹ On a polite letter of thanks for his services, however, he noted bitterly 'written after the election at which the bulk of them voted against me'.⁹⁰

The Labor Party had also been narrowly defeated and the Catholic Press, in an editorial mainly devoted to the defeat of Mahon, asserted that the loss of Irish votes after the rejection of Mahon from the Cabinet had helped to lose the election.⁹¹ The Kalgoorlie Miner argued that Dampier had been dreaded by both parties, but Mahon's performance against hopeless odds was to his credit.⁹² J.C. Watson spoke of him as one of the ablest men in the federal parliament and referred to his defeat as 'a great pity indeed'.⁹³

⁸⁸ E.A. Roberts, M.H.R., to Mahon, 16 June 1913, 937/239.

⁸⁹ Mahon to unknown correspondent, John, 10 November 1912, 937/177.

⁹⁰ Secretary, W.A. Pearlers' Association, to Mahon, 26 July 1913, 937/220.

⁹¹ Catholic Press, 5 June 1913, 937/948.

⁹² Kalgoorlie Miner, 4 June 1913.

⁹³ Catholic Press, undated cutting, 937/948.

Unlike many defeated politicians, Mahon was not without resources. He had a comfortable income from share dealings and good business prospects. In 1902 the Catholic Church in Ireland, tired of paying high insurance premiums on secure properties, had organised its own insurance company. Aware of this arrangement, Mahon decided to apply the knowledge acquired by association with the Mutual Life and Citizens Company in forming a similar company in Australia. With the approval of the hierarchy, the company was registered in New South Wales on 22 November 1911 and opened for business on 1 January 1912 with Mahon as managing director. After the provision of 50% bonuses, the net profit on the first years trading was £2172. 8s.0d.⁹⁴

Despite his relatively secure position, Mahon found it hard to forget ten years of his life. He contemplated a book of political reminiscences,⁹⁵ but this was no substitute for the real thing. Rumours were circulating of an imminent double dissolution and on 17 November 1913 he nominated in the selection ballot for Dampier.⁹⁶ Ten days later Charles Frazer died and the whole position changed

⁹⁴ Hugh Mahon: 'Church Insurance from within' in Austral Light, 1 September 1913, 937/974.

⁹⁵ Kirwan to Mahon, 28 September 1913, 937/165.

⁹⁶ State Executive minutes, vol. I, 17 November 1913, p.296, 15 December 1913, p.302, Battye Library, 1573A.

overnight. Instead of the almost hopeless Dampier electorate, he now had the opportunity of nominating for a reasonably compact electorate which he was almost certain to win. He nominated for the selection ballot at once through friends in Kalgoorlie.⁹⁷

He was opposed in the ballot by Jabez Dodd, trusted leader, and two younger men. Andree Hayward, an old colleague, wrote:

... his [Dodd's] appearance in the field, has naturally had the effect of reducing to a small compass, the rush of Labor candidates. Against such a redoubtable opponent, the chances of Mr Green and Mr Mahon shrink to nothing ... the ex member for Dampier ... has long ceased to be persona grata in Labor circles...⁹⁸

In spite of, or perhaps because of these dismal predictions, Mahon stayed in Melbourne. Early in December Dodd withdrew because of illness. The cynical view was that he had only nominated to prevent too much opposition for Glance. According to Hayward, Glance was now the strongest candidate because he was in close touch with the goldfields unions.⁹⁹ The ballot closed on 22 December and in his final commentary on the 19th, Hayward noted a remarkable change. Although Mahon had been considered negligible because he was not on

97 Ibid.

98 Cygnet (Perth), 5 December 1913.

99 Cygnet, 12 December 1913.

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the spot, because he was regarded as selfish and insincere and because he had never been able to brush off the odium attaching to a rejected minister, he had staunch friends and his old ability as a wire puller had not left him. He was by far the ablest candidate and since Green was 'an amiable buffoon' and Glance 'a shifty union hack', his chances were now good. Mahon's strongest cards, he added, were his continued attachment to the party after rejection from the ministry and his determined fight for Dampier against the unpopular Gregory.¹⁰⁰

Hayward was right. Mahon beat Glance by 2948 to 2284 votes. The Kalgoorlie Miner commented that Mahon had won against a strong industrial candidate without even visiting the State because of his long experience and because of his excellent constituency work, but most of all because of his magnificent fight in Dampier.¹⁰¹ The Boulder Evening Star underlined the point neatly: Mahon had entrusted his nomination to friends because he was unpopular with the party bosses. As usual, however, the workers had pleased themselves.¹⁰²

¹⁰⁰ Cygnnet, 19 December 1913.

¹⁰¹ Kalgoorlie Miner, 23 December 1913.

¹⁰² Evening Star, undated cutting, 937/949.

CHAPTER 6

Mahon Redivivus

Mahon's victory in the selection ballot put him back into parliament because the Fusion Party decided not to contest Kalgoorlie, but his selection continued to arouse astonishment. The Boulder Evening Star knew of 'some staunch unionists who would rather see Mahon hanged than work for his final success' and claimed that he had deliberately snubbed the top dogs of Labor on the Golden Mile.¹ Andree Hayward had been told by a prominent Labor man that the party could bear the loss of Dampier in exchange for the loss of Mahon.²

Late in January 1914 he revisited Western Australia to assist in the State election campaign³ and made a triumphant tour of the constituency with Senator Edward Findley.⁴ He had quarrelled with McCallum Smith and the Sun sneered at a civic reception where Mahon accepted 'vermillion shades of smooze' laid on by the spadeful with a sphinxlike unconcern as if he believed it to be justified.⁵ Wisely Mahon ignored such vulgarities.

¹ David G. Georgeson in Evening Star, undated cutting, 937/949.

² Cygnets, 24 December 1913, 937/1157.

³ Western Argus, 6 January 1914.

⁴ Ibid., 27 January, 3, 10/ February 1914.

⁵ Southern Cross Times, 14 February 1914.

By March he was back in Melbourne helping to organise a giant demonstration to support the passage of the Home Rule bill in the House of Commons. Of the 45,000 people present on 4 April, thirty-one were members of parliament, including Fisher, Hughes, Pearce, Groom, Glynn, Needham and Brennan, but Mahon himself was absent. Although he had intended to take the chair on one of the three platforms, he had a severe attack of influenza and had to stay in bed.⁶

Joseph Cook, who had become leader of the Fusion Party after Deakin's retirement and Prime Minister after the defeat of the Fisher government, found that his majority of one offered nothing but frustration and decided to gamble on the double dissolution provisions of the constitution. He carefully manufactured a disagreement between the Houses over the government preference (prohibition) bill, and then successfully sought a double dissolution on 5 June 1914. By now Europe was sinking into chaos and while Mahon was on his way to Western Australia to open his campaign,⁷ Britain declared war on Germany and her allies. On arrival in Kalgoorlie he found himself unopposed and free to help Coffey, the Labor candidate for Dampier.⁸ His only comment on the

⁶ Advocate, 9 May 1914.

⁷ Western Argus, 4 August 1914.

⁸ Westralian Worker, 14 August 1914, 937/1115.

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war was made at Boulder before leaving for Dampier when he described it as a fine thing for Princes but a poor one for the working classes, and made a strong plea for sane and courteous treatment of enemy aliens on the goldfields.⁹

The election gave the Labor Party a decisive victory with majorities of ten in the House of Representatives and twenty-six in the Senate. Mahon's rest from parliamentary pressures in 1913 had restored his equilibrium and he was more relaxed and friendly when he attended the first caucus meeting on 17 September.¹⁰ The senators, as usual, tried in vain to increase their numbers in the ministry. Carr moved two machinery motions for obscure purposes of his own and Fenton lost a motion for twelve ministerial posts. When the voting began, Fisher was again chosen as leader while Pearce, Gardner, Russell, Hughes, Archibald, Arthur, Jensen and Spence were all chosen on the first ballot. This left only one position outstanding with two eligible candidates, Mahon and Tudor. Excitement began to mount. Catts moved that the ballot be postponed till absent members arrived but, although his motion passed, it was soon rescinded. Finally McDonald moved that both men should be appointed and

⁹ Western Argus, 18 August 1914.

¹⁰ Melbourne Punch, undated cutting, 937/910.

the motion was carried.¹¹ Because of Tudor's previous experience he was appointed to Trade and Customs while Mahon, because of his doubtful health, became honorary minister assisting J.G. Arthur at External Affairs.¹² Arthur, however, was too ill to take part in the proceedings of parliament and when he died on 16 December Mahon became minister for External Affairs in his own right.

Soon after the outbreak of war, the Cook government had appointed a royal commission, chaired by Alfred Deakin, to investigate the state of the nation's food supplies. In October, Deakin asked the new government to appoint a minister to the commission.¹³ Mahon submitted the question to Cabinet and replied that the government preferred to depend on departmental investigation.¹⁴ On 28 October Deakin insisted that the commission sought only better communication. Well aware that departmental investigation was sometimes more efficient, he was prepared to suspend its activities until called on.¹⁵ Mahon replied firmly that the government considered the commission unnecessary.¹⁶ When Deakin, somewhat hurt, retorted that the commission was

¹¹ Caucus minutes, 17 September 1914.

¹² Argus, 18 September 1914.

¹³ Commonwealth Parliamentary Papers, 1914-1917, vol.V, p.189,

¹⁴ Ibid., p.190.

¹⁵ Ibid., p.191.

¹⁶ Ibid., p.191.

already in abeyance¹⁷ Mahon answered with brutal frankness that the government desired that the commission should at once terminate and asked for the resignation of all members.¹⁸

This absurd misunderstanding was probably due to Deakin's failing mental powers and Mahon's chronic lung condition, but worse was to follow. Early in 1914 Australia had been invited to a great international exhibition to be held at San Francisco in 1915. The Cook government had thereupon organised a management commission of State ministers chaired by Deakin which, though nominally responsible to Patrick McMahon Glynn as minister for External Affairs, was treated by that genial Irishman as a virtually independent authority. Neilsen, the New South Wales commissioner, having been sent to America by his own government, was appointed resident commissioner; soon after the declaration of war, he cabled Deakin recommending cancellation of all plans, since the exhibition would now be very much reduced. The commission rejected this advice and, when the new government took office, submitted a firm recommendation to proceed, without mentioning Neilsen's cable - a step which was certainly unwise although it could be justified by precedents set under Glynn.

¹⁷ Ibid.

¹⁸ Ibid., p.192.

By December Deakin was ready to go to America but, in the meantime, Mahon had seen Neilsen's report and on 30 December he wrote a firm but polite request to Deakin for an explanation.¹⁹ Deakin replied mildly on the same day explaining that Neilsen's recommendation had been unanimously dissented from by the commission.²⁰ An incautious reference in the letter to 'the States concerned' aroused all Mahon's federal fervour and he replied stiffly on 31 December that the dissent of the commission was irrelevant since the question involved Commonwealth money and, as the government had been misled by the failure to provide vital information, he contemplated revoking the commission.²¹ Deakin, by now obviously deeply upset, replied that Glynn's policy had given the commission discretion, that the cable had been freely available to Mahon on a file in his own department and that the States involved also had some rights.²² Mahon, in his reply of 5 January, became insulting and the correspondence culminated on 13 January in an appalling letter couched in Mahon's most polished style of sneering sarcasm. Referring to Deakin's denial that he had withheld vital facts, he said:

¹⁹ Mahon to Deakin, 30 December 1914, C.P.P., 1914-1917, vol.V, p.727.

²⁰ Deakin to Mahon, 30 December 1914, *ibid.*

²¹ Mahon to Deakin, 31 December 1914, *ibid.*, p.728.

²² Deakin to Mahon, 4 January 1914, *ibid.*

The candour of your denial is superficially impressive. But I reflect that there is an intellectual process known to theological casuistry as mental reservation. Penchance you have had some fleeting familiarity with this branch of the dialectical art. Unversed in it myself, I admire the more the favoured few, to whom it is an inherited gift, sedulously cultivated by incessant practice and carried to ripe perfection. A polished orator duly fortified with mental reservations, is a great power, especially in popular assemblies. The exercise of his gift brings him pronounced success, though sometimes, unfortunately, it is not lasting. He may even extricate himself from damning charges of treachery to lifelong friends and colleagues...

He then reiterated his charge of withholding information, and added:

The subtle distinction you now make is, that non supply of material information is not equivalent to withholding it. Can such an attenuated pretence be real salve to any honest man's conscience? May I look for your answer in a monosyllable instead of in an essay?

After further belabouring the unfortunate victim, he concluded:

Nothing in your laboured apologia can obscure the outstanding fact that your commission was then 'in Articulo Mortis'. You have rsuscitated the cadaver by a coup in keeping with your olden feats in another sphere. Time dims the memory of these successes, and it is something to have focussed Australian attention anew on the unique methods by which they were secured.²³

²³ Mahon to Deakin, 13 January 1915, *ibid.*, p.736. The full significance of this extraordinary letter can only be appreciated when it is realised that Deakin, once Australia's greatest orator, had retired from politics because of serious mental disability, a fact of which Mahon should have been well aware. Deakin's own drafts for letters in the case are rendered pitiably illegible by excisions and re-excisions.

By about 10 January the dispute was common knowledge and on the 11th Mahon gave an interview to the Argus in order, as he said, that he should not be the victim of garbled or incomplete versions.²⁴ Although he had informed cabinet at every stage, some of his colleagues now found the quarrel distasteful and saw political danger in the almost universally hostile reaction. Hughes, as acting Prime Minister, consulted cabinet and announced that Deakin would go to San Francisco with Mahon's concurrence; to save Mahon's face, he was allowed to announce that he had magnanimously initiated the decision.²⁵

Mahon's quarrel with Deakin was like the Compass libel case - a major error of judgment which is difficult either to explain or justify. Undoubtedly Deakin was technically wrong and Mahon was perfectly correct in trying to keep a close watch on expenditure at a difficult time. Glynn's looser methods certainly provided some justification for the commission, and there is reason to suspect that the cable was suppressed by the secretary of the commission who did not want to lose a trip to America.²⁶ Most ministers would have been content to reprimand and then compromise. Mahon, however, had just returned from the political wilderness by sheer luck, had scraped his way into cabinet by more

²⁴ Argus, 11 January 1915.

²⁵ Ibid., 15 January 1915.

²⁶ Interview with Atlee Hunt, 20 May 1921, Deakin papers, N.L.A., 1540/58/2.

luck and was probably anxious to demonstrate his efficient compliance with the wishes of his colleagues who were, he believed, completely in favour of his inflexible approach. Memories of Deakin's alleged treachery in forming the Fusion, reinforced by his incautious appeal to State rights had, however, aroused his anger and, when angry, Mahon was always dangerous. As one commentator wrote, 'Whenever he sights an enemy on the horizon, he seizes a club and attempts to hunt him down'.²⁷ Deakin was unfortunate in being the enemy.

Mahon was simply too much for him and on 14 January he rather feebly closed the correspondence by announcing that Mahon had produced nothing but "assertion and abuse."²⁸

Deakin duly sailed for San Francisco and for some time harmony seemed to be restored. But next May the quarrel erupted again when Mahon, without consulting the commission, recalled D.B. Edward, the secretary, to Melbourne and appointed in his place an old Menzies friend, George Oughton. Deakin and Robertson, the Queensland commissioner, promptly resigned; Oughton was refused admission to the San Francisco office, and the Victorian commissioner, Hagelthorn, a tough minded politician, tried to negotiate with Mahon. When he met Mahon who was ill at home, it was agreed that the

²⁷ Melbourne Punch, undated cutting, 937/910. op.cit.

²⁸ C.P.P., 1914-17, vol.V, p.737.

commission would withdraw opposition to Oughton, and that Hagelthorn would induce Robertson to act as executive commissioner, provided that the Commonwealth guaranteed all expenditure over £30,000.²⁹ Hagelthorn's conciliatory

attitude, however, was apparently tactical for, on 18 May, the Premier of Victoria formally complained to the Prime Minister of Mahon's interference with the commission.³⁰

The reply, drafted by Mahon, was once again in his most offensive vein. The protest, he declared, was not calculated to improve friendly relations between the governments and he hoped it would not be repeated. He had absolute discretion over both the commission and the secretary. All the trouble was due to an attempt by the commission to usurp executive functions.³¹ The case was, of course, the subject of Questions in the House when W.A. Watt alleged that Mahon had been politically and mentally unsound for a long time and should have resigned when the cabinet had withdrawn its support.³²

In the meantime, Hagelthorn tried unsuccessfully to induce Robertson to withdraw his resignation and at last

²⁹ Memorandum by Mahon, 15 May 1915, C.P.P., 1914-17, vol.V, p.741.

³⁰ Premier of Victoria to Prime Minister, 18 May 1915, C.P.P., 1914-17, vol.V, 741.

³¹ Draft reply to Premier, n.d., *ibid.*

³² C.P.D., LXXVI, 3021.

suggested that the only solution was for the Commonwealth to withdraw.³³ Mahon brushed off the suggestion by deferring consideration. On 4 June Hagelthorn asked once again for a decision which he could discuss with Holman of New South Wales³⁴ but on the same day, the Argus published all the correspondence about the withdrawal of Edward given to its San Francisco correspondent by the commissioners.³⁵ 'The illicit disclosure of confidential documents' said Mahon angrily in the House, 'has had no parallel within my knowledge outside the mushroom republics of South America',³⁶ and on 5 June emphasised his opinion in a letter to Hagelthorn in which he referred to the publication of the correspondence as a novel method of conducting business, and ironically agreed to provide a letter, if told what was required, but not for publication in the press'.³⁷

Hagelthorn, who was much tougher than Deakin, replied in a savage letter on the 7th practically telling Mahon to mind his own business and suggesting that the States would only be prepared to work with another minister.³⁸ Mahon ignored this, but when Hagelthorn referred to him in the

³³ Hagelthorn to Mahon, 24 May 1915, C.P.P., 1914-17, vol.V, p.743.

³⁴ Hagelthorn to Mahon, 4 June 1915, C.P.P., 1914-17, vol.V, p.744.

³⁵ Argus, 4 June 1915.

³⁶ C.P.D., LXXVII, 3702.

³⁷ Mahon to Hagelthorn, 5 June 1915, C.P.P., 1914-17, vol.V, p.744.

³⁸ Hagelthorn to Mahon, 7 June 1915, C.P.P., 1914-17, vol.V, p.745.

Legislative Council as 'a freak of a minister',³⁹ he replied in two pages of cold rage. After this Hagelthorn gave up, closed the correspondence and resigned his commission.⁴⁰

Atlee Hunt, secretary of the department of External Affairs, was nominally Mahon's chief adviser, but the two men had little in common, and Mahon distrusted Hunt.⁴¹ The department's main responsibilities were the maintenance of Imperial relations through the High Commissioner in London, the administration of Commonwealth Territories and the control of restricted immigrants. Problems arising out of these functions occupied a good deal of Mahon's time in the next few years.

The new government had to decide early in its career whether to renew Sir George Reid's appointment as High

³⁹ Argus, 23 June 1915.

⁴⁰ Mahon to Hagelthorn, 23 June 1915, C.P.P., 1914-17, vol.V, p.746. See also a mysterious letter, Fisher to Deakin, 11 August 1915. Deakin papers, N.L.A., 1540/31/400. Correspondence Fisher to Deakin with statement of accounts. He says 'I feel I owe a double apology to my minister for External Affairs. The enclosure puts an end to everything. I shall pass this wretched business from my mind with the thought that I tried to temper the wind to the shorn lamb. The epitome is beyond a thought reader'.

⁴¹ Interview with Atlee Hunt, 20 May 1921, Deakin papers, N.L.A., 1540/58/2. Hunt believed that Mahon distrusted him because his father had been a prominent Orangeman. See also Mahon to Murray, 5 January 1915, Staniforth Smith papers, N.L.A., 1709/710.

Commissioner, which expired in 1915. The Cook government had left a minute on file of its intention to renew the appointment but, when the subject was debated on 27 November 1914, Mahon accused Glynn of trying to tie the hands of the new government by his minute. The opposition denied the imputation indignantly, claiming that it was no more than a simple courtesy.⁴²

Eventually Reid was reappointed for twelve months and when on 5 June 1915 Mahon announced that his term would not be extended Watson, Fisher, Hughes and Mahon were all suggested by speculative commentators as possible successors.⁴³ Mahon was only considered a possible if neither Fisher nor Hughes wanted the post but as it happened Fisher, tired of holding together a recalcitrant party, took the position himself.

Both Papua and the Northern Territory also posed special problems. Ever since his appointment in Papua, Murray had been pestered by continual agitation for an elected Legislative Council and trial by jury, but had resisted on the ground that a European minority could not be given responsibility for a native majority. Mahon was subject to similar pressures from the advanced democrats in his own party, but supported Murray both from conviction and from

⁴² C.P.D., LXXV, 1165. The correspondence was published in Parliamentary Paper No.229 of 1914-15. C.P.P., 1914-17, vol.V, p.325.

⁴³ Argus, 9 August 1915. //

loyalty to a valued subordinate. When pressed by Dr. William Maloney, M.H.R., he justified his attitude by describing brutality to natives which he had personally witnessed in 1911. Talk of Magna Carta was cant and humbug because there was always an appeal to Australia. Prospectors might be safe as elected representatives but planters were not, and as for the cry of no taxation without representation, the fact was that natives paid most of the taxes through customs duties. He believed firmly that Murray could be trusted to govern impartially and that most of the opposition to him was not impartial.⁴⁴ The pressure was not confined to advanced democrats. Capitalists seeking a more active policy of development also urged representative government, complained of active opposition to their interests and accused the government of coddling the natives.⁴⁵ Mahon, however, never wavered in his support of Murray.

In the South Australian parliament, the Northern Territory had been rated as a country district with full parliamentary representation, but when the Territory was transferred to the Commonwealth, the privilege was withdrawn. The District Council, which still carried on local government, was therefore the sole outlet for political discontent and

⁴⁴ Mahon to Dr Maloney, 4 January 1915, 937/616.

⁴⁵ Daily Standard (Brisbane), 4 January 1915;
Argus, 1 February, 10, 15 May 1915.

the collapse of the ambitious development schemes initiated earlier gave the malcontents plenty to talk about. Mahon believed that many of the problems of the Territory were due to divided control; after meeting Dr Gilruth, the administrator,⁴⁶ he therefore decided to give him a freer hand. On 3 February 1915 he announced that Gilruth would henceforth deal directly with other ministers instead of working through the department of External Affairs. At the same time the elected District Council was replaced by a partly nominated Advisory Council.⁴⁷ The territorial malcontents were led by a local branch of the Australian Workers Union with influential party contacts in Melbourne, and Mahon was assailed as a traitor to democracy both by turbulent public meetings in Darwin⁴⁸ and in the Labor press.⁴⁹ One excited citizen of Darwin even claimed that as a member of the 21st Hussars, he had been in an escort to protect Mahon from a howling mob on his way to gaol. Mahon's one concession to pressure was the grant of a full adult franchise for the Advisory Council, but the lack of any representation remained a sore point in Darwin for another six years.

⁴⁶ Argus, 8 January 1915. //

⁴⁷ Ibid., 4 February 1915. //

⁴⁸ Ibid., 8, 27 February 1915.

⁴⁹ E.g., Labor Call, 11 February 1915. //

Mahon's only popular measure in the Northern Territory was his nationalisation of hotels early in 1915. When accused of using the Territory to test socialist theories without political risk,⁵⁰ he retorted that nationalisation had been a pronounced success in Western Australia and that his main object was to protect the railway construction gangs from bad liquor.⁵¹ He formally announced implementation of the nationalisation policy on 3 June,⁵² but by October faced a strike of all hotel employees for increased wages.⁵³

On 9 June during the estimates he proposed a policy for the Northern Territory. He advocated construction of a railway into Queensland, but also intended to complete the north-south railway. He foresaw development in mining, pastoral and agricultural phases but was anxious to avoid any undue boom. He was conciliatory about the nationalised hotels, and concluded by advocating returned soldier settlement.⁵⁴ Early in July he sent Atlee Hunt to investigate the practicability of these proposals.⁵⁵

⁵⁰ Argus, 9 February 1915.

⁵¹ Ibid., 7 April 1915.

⁵² C.P.D., LXXVII, 3645.

⁵³ Argus, 28 October 1915.

⁵⁴ C.P.D., LXXVII, 3836.

⁵⁵ Northern Territory of Australia: Memorandum by the Secretary, Department of External Affairs (Melbourne, 1916), 937/1311.

Owing to the virtual cessation of immigration, Mahon had few serious problems in this area. Ironically, one of his few important decisions concerned the deportation of two Chinese editors accused of subverting the Chinese government.⁵⁶

The once solid Labor Party was now beginning to disintegrate. Although the Cabinet seemed to be united in prosecuting the war to the limit, a strong backbench extremist element, led by Anstey, saw no reason why social and industrial welfare proposals should give place to the war or indeed, why extraordinary war powers should not be used to advance such proposals.⁵⁷ In spite of his penchant for wordy warfare, Mahon was essentially peaceful and not an enthusiast for the war like Hughes and Pearce. On the other hand, he had one son in the forces⁵⁸ and the Irish Nationalist Party had declared itself completely behind the war. He despised militarism and jingoism and made none of the usual enthusiastic speeches about the war but accepted it as an unpleasant fact and was prepared to give all the support necessary for a successful outcome. With the exception of his co-religionist, Brennan, he had nothing in common with the Anstey group and

⁵⁶ Argus, 18 February 1915.

⁵⁷ Ibid., 14-18 June 1915. J.B. Welfield, The Labor Party and the War 1914-1915, Armidale and District Historical Society Journal, No.9, November 1966.

⁵⁸ Advocate, 31 July 1915.

there was no suggestion that he supported them in any way.

In mid-1915 the position began to change. Heavy casualties among Australian forces in Gallipoli and elsewhere created the spectre of a manpower shortage and whispers of conscription began to be heard. Early in October, Mahon's health broke down and he spent a fortnight in Sydney to recuperate.⁵⁹ In his absence, Andrew Fisher resigned as Prime Minister to become High Commissioner. This meant reconstruction of the Cabinet and Mahon hastened to Melbourne on 20 October. He was elected to the ministry on 21 October,⁶⁰ but Hughes deferred the allocation of portfolios for a week; during which time the metropolitan press prophesied that Mahon would take over Fisher's position at the Treasury.⁶¹ He seemed to be the only possible candidate, since his well-known interest in insurance and his private share dealings gave him an obvious advantage in financial experience over any other minister. Indeed, it is not out of the question that he had himself inspired the prophecies since he coveted the Treasury.

At the Cabinet meeting on the morning of 27 October Hughes and Pearce arrived late. After some talk, Hughes

⁵⁹ Argus, 19 October 1915.

⁶⁰ Caucus minutes, 30 October 1915.

⁶¹ Argus, 25, 27, 28 October 1915.

called Mahon to a private conference in the nearby Attorney-General's office, where he spoke briefly about the need to take all the business of External relations into the Prime Minister's Department. He then sketched a scheme for a new department of Home Affairs, excluding the Lands and Works section of the old department, which was to become an independent ministry, and invited Mahon to accept the portfolio. Although Mahon would have preferred the Treasury, he was ready to remain at External Affairs but Hughes' scheme seemed so much like a loss of confidence in him that he angrily refused to accept the new proposals. On returning to the meeting, the Prime Minister announced that Pearce, Tudor and Jensen would retain their positions while O'Malley would take Home Affairs and Webster Post Office. He himself would remain as Attorney-General to direct the forthcoming referendum campaign and as Prime Minister would also take the Treasury. Here Mahon's notes become confused for Higgs is then offered the new Home Affairs which O'Malley had already accepted. Higgs then put in a claim for the Treasury and when Hughes replied that Mahon also made a claim, Mahon stated his position; he offered to leave the question in the hands of his colleagues, but when Tudor stated flatly that it was wrong for the Prime Minister to consult anybody, Hughes, seeing that he had a majority, hastily announced that

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Higgs would take the Treasury and that Mahon would remain at External Affairs.⁶²

Mahon saw the incident as a plot between Higgs and Hughes and was probably right. His unfortunate lack of diplomacy in the Panama Pacific Exhibition case was sufficient justification for keeping him out of the Treasury and for removing External relations from his control. Higgs, an ageing and cooling firebrand, had no better claim than Mahon, but Hughes had little choice.

⁶² Memorandum of Cabinet discussion, 27 October 1915, 937/682. Mahon was clearly dissatisfied and asked Atlee Hunt to investigate earlier Cabinet reconstructions to see how much prior discussion had taken place. Atlee Hunt to Mahon, 1 November 1915. Atlee Hunt papers, N.L.A., 52/1501.

CHAPTER 7

The Year of Conscription

Mahon had always been sensitive about his religion and was always anxious to avoid any suggestion that he favoured it. When in 1916 the Roman Catholic mission at Yule Island in Papua sought his help in replacing its lost French finance, he avoided the issue by suggesting the use of funds accumulated as a result of his clause in the Papua Act for the support of aged and destitute natives.¹ Where the clergy were in trouble, however, he was always ready to help. In December 1914, when the Bishop of Rockhampton complained of the censorship of confidential correspondence with the Vatican, he arranged that all such correspondence passed through the Archbishop of Melbourne would be exempted from censorship.²

In August 1915 a group of German and Alsatian priests and a lay brother of the Oblate order, who had been interned in Ceylon, were transferred by the British government to Australia. While they were in the camp at Liverpool, in New South Wales, the lay brother died and, soon afterwards, the others were transferred to Trial Bay in Northern New South

¹ Mahon to Hunt, 16 November 1915. Atlee Hunt papers, N.L.A., 52/1505-6.

² Circular letter to Bishops, 6 January 1915, 937/374 and associated correspondence.

Wales. The Australian superior of the Order applied for their release on the ground that although they spoke German some were French and the others had virtually abandoned their German nationality. If they were not to be released, he asked that they be interned at Rottnest near his Fremantle monastery, treated as officers and permitted a daily mass. All of these requests were refused.

The Archbishop of Perth sought help from Mahon who, although opposed by the camp authorities, secured permission for a priest from Lismore to visit the camp daily. He then visited Trial Bay himself in February 1916, and became convinced that the priests had been interned in spite of a guarantee of neutrality and that they had been treated roughly in transit. The camp authorities complained bitterly that he had unwisely sought information from a committee involved in a recent mutiny and had taken most of his information from Plate, a civil internee described by the United States Consul as a leading agitator.³ He was able, however, to secure some improvement in the treatment of the priests.

On 23 March Mahon was informed by the High Commissioner that the British government was prepared to let Australia decide whether or not the priests should be repatriated, but

³ Lt.-Colonel Sands to Pearce, 21 February 1916, Pearce papers, A.W.M. Bundle 1, folder 3, item 149.

when he applied to the Defence Department for repatriation his request was refused because the reason for their internment was unknown and because experience showed that religious bodies had already fomented disaffection in Australia. The department, however, agreed to consult the British government and announced on 15 June that the priests could be repatriated but must pay their own passages. In the middle of this correspondence, Mahon went to Western Australia and before his return the priests had departed, their passages being paid by the New Guinea Company.⁴

Conscription was now a major public issue and late in 1915, when all men of military age were invited to publicly record their attitude to military service, the radical-dominated Melbourne Political Labor Council condemned the proposal and advised unionists to ignore the cards.⁵ When Mahon was interviewed in Kalgoorlie on 14 December about this decision, he declared it most unwise because the only alternative to a voluntary invitation of this type was conscription.⁶ His first public statement about conscription

⁴ Mahon summarised his large file of correspondence on the case in an article published in The Tribune, 26 February 1920. The original file of papers is numbered 937/453-613 and includes some correspondence about other priests in difficulties, particularly Father Charles Jerger.

⁵ Scott, Australia during the war (Sydney, 1936), p.312.

⁶ West Australian, 15 December 1915.

was made in the Westralian Worker. Conscription, he said, was a term which conjured up hateful memories of continental drill sergeants. It was, therefore, easy to understand the hostility it aroused in England and would undoubtedly arouse in Australia. Anti-conscriptionists rejected conscription as a German innovation, believed that the patriotic spirit of the nation would fill any gaps in the firing line and argued that one volunteer was worth ten pressed men. Conscriptionists had given no thought to the possible consequence of mass disobedience. Any punitive action could only mean the dissipation of the national energies in internicene conflict. Conscription must not be confounded with compulsory military training for home defence, which was both logical and democratic. The rich, who now advocated conscription, had in the past failed to impress the youth of the nation with its obligations to compulsory military service.⁷

On 30 December Mahon was interviewed by the Melbourne Herald. Although the report was probably garbled in publication, it further clarified his position. When asked whether the present emergency required compulsory military service, he replied that if the Imperial government considered compulsory military service necessary, it must be assumed

⁷ Westralian Worker, 17 December 1915.

that they needed every fit man. 'He agreed with Mr Hughes', that, 'it is our duty to give assistance, the Imperial government's duty to decide where the assistance is required and to what extent'.⁸

These two statements, as Mahon's only public utterances on conscription before the 1916 referendum, deserve careful attention. The Worker article is clearly a coldly logical and noncommittal review of the facts and the attitudes of the parties towards those facts. Although reluctant to see conscription applied, he clearly saw no objection to it in principle, but considered that a response to the clamour for conscription at that time would be politically dangerous. In the Herald interview too, he advocates nothing but merely states what he considers the appropriate role for Australia in the grand strategy of war. Although he could have been accused of evading the issue, the sound foresight displayed in the Worker article does at least say much for his political vision.

Early in January 1916 Hughes sailed on his first visit to England, leaving Mahon to manage the Attorney-General's Department as well as his own 'in the confident assurance that all will go well'.⁹ When Garran, the departmental

⁸ Herald (Melbourne), 30 December 1915, 937/1160.

⁹ Hughes to Mahon, 19 January 1916, 937/135.

secretary, returned from farewelling Hughes in Sydney, the two men plunged at once into the enormous task of creating an organisation to control enemy property.¹⁰

Mahon also had problems in his own department. J.A.S. Kayser, in charge of passports, had been accused of disloyalty because of a reported conversation years before. Mahon refused to condemn him and asked, 'who would like to be confronted with an isolated remark in irresponsible after dinner chat seven years back?'¹¹ As part of his plans for the development of the Northern Territory, he initiated an enquiry into the pastoral industry, but was attacked by radical Victorian members for appointing anti-Labor commissioners.¹² Dr H.I. Jensen, a Darwin geologist who saw himself as the local spearhead of socialism, was a continual thorn in his side and had been a leading agitator in opposition to the Administrator, Dr Gilruth.¹³ Partly owing to Jensen's machinations, Gilruth's reappointment was rejected by cabinet on 28 January¹⁴ but Mahon saw no reason to abandon Gilruth and was the more inclined to fight for him because he disliked Jensen. On 28 March he secured a modification of the earlier

¹⁰ Argus, 24 January 1916.

¹¹ Correspondence in Atlee Hunt papers, N.L.A., 52/1519-1520.

¹² Correspondence, 7-13 March 1916, 937/627-631.

¹³ Correspondence, 19-22 March 1915, 937/624-626.

¹⁴ Shorthand draft, Mahon //to Hughes, 16 March 1916, 937/121.

decision which enabled Gilruth to re-apply for appointment at the end of his term¹⁵ but, at the same time, he was forced to agree to an enquiry into Gilruth's administration.¹⁶

At the same time Mahon was also involved in two West Australian industrial disputes. The Kurrawang woodcutters' strike in January was fairly straightforward,¹⁷ but the strike on the Trans-Australian railway workings was much more complicated. Allegations of corruption among the engineers made by the clerk, Gilchrist, were investigated by a royal commission and declared groundless. When O'Malley, as minister for Home Affairs, insisted on replacing Gilchrist in his old job, Darbyshire, the superintending engineer, refused to work with him and most of the workers on the line struck in sympathy. At the request of the Australian Workers Union and the mayor of Kalgoorlie, Mahon agreed to mediate. He firmly defended the principle of ministerial responsibility and although admitting that Darbyshire had been provoked, induced him to apologise to O'Malley; at the same time he secured the transfer of Gilchrist to other work.¹⁸

As acting Attorney-General, Mahon administered the War Precautions Act which, among other things, dealt with seditious

¹⁵ Mahon to Atlee Hunt, 29 March 1916, Atlee Hunt papers, N.L.A., 52/1052.

¹⁶ Argus, 1 April 1916.

¹⁷ Ibid., 13, 15 January 1916.

¹⁸ Correspondence 937/1131, 1133, 1135, 1137, 1151; O'Malley's file is N.L.A., 460/1703-1918.

utterances. On 13 March he met a deputation of unionists seeking release of Joseph Skurrie imprisoned for three months for declaring that Australian soldiers were as likely to commit atrocities as were Germans.¹⁹ Mahon refused to accept the delegation's claim to an abstract right of free speech, but later released Skurrie because he had expiated his offence.²⁰

On 16 March, in a personal note to Hughes, he reported:

Garran continues to wrestle gallantly with pyramids of papers ... Higgins²¹... had the scrap iron people on our carpet lately ... enemy share business goes on without a hitch ... You fluttered Higgins J.²² properly over Broken Hill matter. He actually threatened resignation. Higgins J. on strike would have convulsed the continent ... Cabinet decided not to renew Gilruth's appointment ... Little Maloney²³ and Company threatened dreadful smash if Fairbairn²⁴ was chosen for NT commission. Trades Hall also ... A few such trumpery outbursts but on the whole all goes well ... An occasional bleat from Joe Cook²⁵ but otherwise his crowd quite tame ...²⁶

Under the pressure of the two major departments Mahon became ill and on 27 April retired to his home, initially for

¹⁹ Argus, 14 March 1916.

²⁰ Labor Call, 30 March 1916.

²¹ Sir John Higgins.

²² Henry Bournes Higgins.

²³ Dr William Maloney, M.H.R.

²⁴ George Fairbairn, Liberal M.H.R.

²⁵ Joseph Cook, M.H.R., Liberal leader.

²⁶ Shorthand draft, Mahon to Hughes, 16 March 1916, 937/121.

two days.²⁷ While he was incapacitated, the Easter Rebellion broke out in Dublin and pursued its bloody course for a week before it was suppressed. With the exception of small Sinn Fein elements in Sydney and Melbourne, the Australian Irish were firm Home Rulers and were shocked by what was clearly a disastrous blow to the cause. The United Irish League and kindred organisations all over Australia expressed their opposition in cables to the British government.²⁸

Mahon made no public comment but at the request of Pearce, as acting Prime Minister, drafted a cable for the government:

Commonwealth government expresses deep regret at rebellious outbreak in Dublin (stop) Are confident great bulk Irish people disavow and deplore proceedings (stop) Representative Irishmen here as well as Catholic bishops, all Irish born, denounce and repudiate criminality of Dublin fanatics.²⁹

The authorities in Dublin deliberately decided on reprisals and within a week fourteen rebel leaders were shot. Even the most loyal Irish Australians now began to waver and the treatment applied to the rebels was bitterly contrasted with the kidglove treatment of the Ulster rebels of 1914 and the magnanimity extended to the Boers after the South African

²⁷ Argus, 28 April 1916.

²⁸ Argus, 27 April 1916. //

²⁹ Draft cable, 29 April 1916. Pearce papers, A.W.M. Bundle 1, Folder 3, Item 187. Mahon is identified as the author by an annotation in Pearce's hand.

war.³⁰

Mahon's illness lasted through most of May and kept him out of the conscription debate on 9 May, but his silence on the subject, which was already beginning to tear the party in two, intrigued many people. The Labor Call revived a tired old pun with 'Our Mahon may be a good Mahn all the same'.³¹ By the end of May he resumed duty³² and consented, as acting Attorney-General, to the prosecution of Bob Ross, a prominent Labor journalist, for statements prejudicial to recruiting.³³ The Melbourne Trades Hall Council debated a motion calling for the resignation of the government on 22 June. One supporting speaker asked whether any true Labor man could prosecute a man for voicing his opinions and another alleged discourtesy to party members by Archibald, Pearce, Webster and Mahon. The motion was lost, but 30 of the 81 members supported it.³⁴

Since his retirement, J.C. Watson had been concerned mainly with Labor press and had organised an independent cable service to break the monopoly of the Australian

³⁰ Advocate, 13 May 1916.

³¹ Labor Call, 1 June 1916.

³² Mahon to Higgins, 24 May 1916, Higgins papers, N.L.A., 1057/259.

³³ Labor Call, 8 June 1916.

³⁴ Ibid., 29 June 1916.

Associated Press group. When some New Zealand papers defected, the scheme seemed about to collapse and on 7 April Mahon won Cabinet's approval in principle of preliminary arrangements for a Commonwealth cable service.³⁵ In May he proposed to go to England immediately to organise the scheme and perhaps offer to assist the British government in Irish negotiations.³⁶ Hughes, in England, disapproved strongly and wanted the proposal held over until his return³⁷ but Mahon, dissatisfied with Pearce's cable drafted a second cable, pleading his own case.³⁸ Hughes was adamant and replied to Pearce that his views had not changed.³⁹ Although rebuffed Mahon planned to meet Hughes in Perth, convince him and proceed to England.⁴⁰ At the same time he obtained a letter from the United Irish League authorising him to speak for the League in England,⁴¹ and after a quarrel with Pearce in Cabinet, left for Perth.⁴²

Mahon's extraordinary behaviour over the proposed trip prompts the suspicion that he was still far from well, and

³⁵ Cabinet decision, 7 April 1916, 937/689.

³⁶ Radiogram, Pearce to Hughes, 30 June 1916, 937/687.

³⁷ Radiogram, Hughes to Pearce, 2 July 1916. Copied on 937/687.

³⁸ Draft cable, Mahon to Hughes, n.d., 937/686.

³⁹ Pearce to Mahon, 18 July 1916, 937/684.

⁴⁰ Mahon to son Eddie, 27 July 1916, 937/683.

⁴¹ Dr O'Donnell to Redmond, 26 July 1916, 937/205.

⁴² Mahon to son, 27 July 1916, op.cit.

his undignified persistence in the face of rebuffs suggests that he had a stronger motive than the cable service. The letter from O'Donnell can only be described as a gross blunder. The story leaked out and the Argus commented, very properly, that if Mahon were to represent the United Irish League the anti-Home Rule forces also deserved representation by somebody of standing.⁴³

Hughes and Mahon apparently met when Hughes arrived on 31 July: Hughes was ready to approve Mahon visiting England for the good of his health but Mahon, anxious to do what he could in the Irish crisis, saw that he could achieve little without official standing and asked Hughes to consult Cabinet about the original proposal.⁴⁴ Hughes then left for Melbourne and on 10 August Mahon was instructed to return to Melbourne by the 24th, leaving the overseas trip for consideration after the meeting of parliament.⁴⁵

He had planned to visit Kalgoorlie to deal with a strike against the employment of enemy aliens on the mines⁴⁶ but his health again deteriorated and after advising the West Australian branch of the United Irish League how to forward

⁴³ Argus, 11 August 1916, 937/694.

⁴⁴ Mahon to Hughes, 31 July 1916, 937/694. The handwriting in this letter suggests that either he was ill, under great nervous strain, or the letter was written and signed by an amanuensis.

⁴⁵ Telegram, Hughes to Mahon, 10 August 1916, 937/691.

⁴⁶ Mahon to Hughes, 11 August 1916, 937/692.

a resolution in favour of Home Rule to the British government,⁴⁷ he asked Senator Lynch to represent him in Kalgoorlie⁴⁸ and returned to Melbourne.

Hughes had come back determined to introduce conscription at any cost, but found little support within his party and began to canvass support elsewhere. He secured a statement from the British government that although martial law was retained in Ireland as a precaution, shootings had ceased and the country was being governed like England under the Defence of the Realm Act.⁴⁹ Armed with this evidence, he sought an interview with Archbishop Kelly of Sydney, but found him absent and was greeted cynically by the Catholic editors of the city.⁵⁰ Mahon accepted the task of discussing the cable with the Victorian hierarchy, but when Archbishop Mannix made his unalterable opposition to conscription perfectly clear in the first few minutes of the interview, he abandoned the project.⁵¹ Soon afterwards, Hughes was incautious enough to boast to a union official who, unknown

⁴⁷ Catholic Press, 14 September 1916.

⁴⁸ Westralian Worker, 18 August 1916.

⁴⁹ Secretary of State to Hughes, 12 September 1916, 937/301. Endorsed by Mahon 'This is the cable Hughes gave me to show Archbishop Carr & Dr Mannix'.

⁵⁰ Tighe Ryan to Mahon,¹¹¹ 13 September 1916, 937/237.

⁵¹ Mahon's story is confirmed by the Rt Hon. A.A. Calwell, who was told by Dr Mannix that he never knew why Mahon had come.

to him, was a Catholic, how he had secured Orange support by alleging Catholic hostility to conscription. When Mahon heard this story it was the last straw. He offered his resignation to Hughes and refused to do anything more to help the conscription campaign. Since Tudor had already resigned, Hughes asked him not to resign immediately in order to avoid a Cabinet reconstruction at a difficult time. At this point the conversation was interrupted, and he never again spoke privately to the Prime Minister.⁵²

Although Mahon was not an opponent in principle of conscription, he was not prepared to countenance the atmosphere of hysteria in which the campaign for conscription was conducted. During the election campaign in 1917 he said:

... there never has been, and there never can be a question on which one man is less justified in offering advice to another than this question of conscription. It is pre-eminently a question which ... every man should decide for himself without exterior influence ... When by compulsion, the community drives its citizens into battle, the consequences of its act ... are irrevocable. This is not to say that the communal act is wrong in itself. The point is that each citizen shall take full responsibility...⁵³

Holding these views he had rigidly abstained from participation in the campaign and had also refrained from public comment out of loyalty to his chief. By the end of October, however, that loyalty was cracking. On 21 October his

⁵² Daily Herald (Adelaide), 4 May 1917, 937/1209.

⁵³ Unidentified cutting (Westralian Worker?), 937/1184.

agent in Kalgoorlie enquired about reports that he proposed to support conscription on the goldfields. Mahon replied that he had no intention of visiting the goldfields and had never supported conscription. If his constituents disapproved of his attitude, he offered to resign.⁵⁴ When Hughes heard of this, he expressed astonishment because Mahon had always supported conscription in Cabinet with voice and vote.⁵⁵ This was denied by Mahon's supporters, but he himself said nothing, though by now his colours were publicly nailed to the anti-conscriptionist mast. Yet Hughes statement may well have been correct, even when due allowances are made for his tendency to exaggerate. What Mahon opposed was not conscription but the administrative and political means by which Hughes sought to introduce it.⁵⁶

By 24 October the strain of the crisis had proved too much for Mahon and he entered Lewisham Hospital in Sydney.⁵⁷ On 11 November he returned to Melbourne⁵⁸ and in the dramatic Caucus meeting of 14 November, at which the party was finally split, he was elected by the rump to prepare a press

⁵⁴ Argus, 23 October 1916.

⁵⁵ Ibid

⁵⁶ Editorial: Mr Hughes & Mr Mahon, Betraying Cabinet Secrets, Catholic Press, 26 October 1916.

⁵⁷ A search of the hospital records for the period has failed to find any record of his admission. He did however address letters from Lewisham Hospital.

⁵⁸ Sunday Times (Perth), 11 November 1916.

statement.⁵⁹ Next day he resigned from the Cabinet.⁶⁰

The split in the parliamentary party was a major skirmish in a much wider struggle covering the whole of Australia. When the smoke cleared, Mahon discovered that of his West Australian colleagues, he had lost his friend Patrick Lynch as well as Pearce, De Largie, Burchell and Henderson with whom he had never been particularly close. In the State parliament, ten members had followed Hughes, but the party organisation remained firmly behind the Labor Party. His own electorate, however, had given a massive vote in favour of conscription in the referendum.⁶¹

In July 1916 the British government introduced a new Home Rule bill, providing for the exclusion of Ulster from the proposed Irish dominion, but by 1917 Redmond and the Ulster unionists were still fighting bitterly over details. The Irish National executive in Sydney proposed a new Australian Home Rule motion to strengthen Redmond's hand,⁶² but this time Mahon was not even consulted. He was bitterly

⁵⁹ Caucus minutes, 14 November 1916.

⁶⁰ Ibid., 16 November 1916.

⁶¹ While all this was going on Mahon and Watson had negotiated the appointment of a young journalist called John Curtin as editor of the Westralian Worker. Curtin to Mahon, 9 February 1917, 937/43.

⁶² Jageurs to Higgins, 1 February 1917, Higgins papers, N.L.A., 1057/270.

hurt and regarded the proposal as a plot by supporters of conscription to pacify Irish anti-conscriptionists.⁶³

Hughes had formed a minority government with Liberal support but, when his attempts to form a Nationalist government failed, it was clear that the impasse could be resolved only in a general election. Mahon was duly nominated for Kalgoorlie on 5 March 1917,⁶⁴ and on the 20th attended a special State conference to report on the conscription crisis. He said that the rank and file had split only in Tasmania and South Australia, demonstrated that Labor's defence policy gave no warrant for conscription for overseas service and asserted that Hughes was ruthlessly trying to fulfil rash promises to Tory politicians and newspapers. Under wartime pressures, he added, Cabinet had not criticised Hughes' schemes as rigorously as it should have done, but his own decision to resign had been made in disgust at the Prime Minister's tactics. He attributed his last minute resignation to illness and the conviction that his resignation belonged to Caucus and not the Prime Minister.⁶⁵

⁶³ Draft memorandum undated, 937/661. This may well have been true as it was initiated by J.D. Fitzgerald, M.L.C., a close colleague of Holman, and finally carried through the Senate by P.J. Lynch.

⁶⁴ State Executive minutes, vol. 12, p.277, Battye Library, 1573A.

⁶⁵ Australian Labor Federation, W.A. Division. Report of proceedings of 10th General Council, (Special Congress), 1917, p.3.

When the campaign opened in April, the National Party⁶⁶ nominated E.E. Heitmann to oppose Mahon. Heitmann was a journalist of German descent who had been a Labor M.L.A. and a friend of Mahon's,⁶⁷ but the passions aroused by conscription transcended friendship and the campaign was particularly bitter. In the ten issues of a Labor Vanguard, which he was authorised to publish,⁶⁸ he concentrated heavily on Heitmann's German ancestry in the hope of changing the vote of at least some ultra patriots. In mid-April a flood of anti-Catholic pamphlets, published by Critchley Parker of the Australian Mining Standard descended on the electorate.⁶⁹ Hughes, Cook and other Nationalist leaders hastily denied responsibility, while Forrest saw a subtle Labor plot because, he said, the pamphlets had been distributed only to Catholics.⁷⁰ On 30 April Archbishop Mannix referred to the pamphlets in a speech at Gardenvale and claimed, on Mahon's authority, that Critchley Parker had been given free right

⁶⁶ Formed in 1917 by the fusion of Hughes National Labor Party and the Liberal Party.

⁶⁷ Mahon had twice helped him through financial difficulties by guaranteeing loans by the M.L.C. Insurance Co. //

⁶⁸ Copies of all issues, 937/1185-1196.

⁶⁹ Probably Critchley Parker's 'Patriotic Pamphlets' series in which he castigated Irish Catholics in general and Archbishop Mannix in particular. //

⁷⁰ Unidentified cutting, 937/1212.

of entry to the Prime Minister's office and that when Parker was threatened with a libel action by an American firm, the Prime Minister had saved him by passing a special regulation to forbid such actions in wartime without the consent of the Attorney-General.⁷¹ Speaking at Kyneton on the same day, Hughes retaliated by accusing Mahon of changing his position in support of conscription only after an interview with Mannix, and asserted that the regulation protecting Parker had been passed in his absence.⁷²

Mahon outlined the history of his attitude to conscription in an interview with the Adelaide Daily Herald,⁷³ and replied to Hughes in an interview with the West Australian. While Hughes' story was literally true, he said, the regulation was drafted before Hughes left and his own role was the purely mechanical task of putting it through Cabinet.⁷⁴ In spite of Sir Robert Garran's support for Hughes denial that he knew anything of the regulation, it is difficult to imagine Mahon voluntarily obliging an anti-Irish publicist and the most likely explanation is that Garran had himself originated the regulation as something which he knew would have Hughes' support.

⁷¹ Argus, 30 April 1917, 937/1211.

⁷² Australian Statesman and Mining Standard, 3 May 1917.

⁷³ Daily Herald (Adelaide), 4 May 1917, 937/1209.

⁷⁴ Unidentified cutting, 937/1214.

Ever since the 1890s there had been a firmly held though quite unsupported popular belief on the goldfields that all southern European migrants were somehow involved in a complicated migration system which ensured their immediate employment on arrival over the heads of native Australians. In August 1916 a rumour spread that a shipload of Maltese was coming to replace men on active service. The first part of the story was true but the second, which was never proven, aroused great excitement. Mahon repeated the story during the election campaign, and suggested that the Maltese had been intended to fill the economic vacuum created by conscription. Hughes replied that he himself had asked the Imperial government to stop the Maltese and while Mahon had supinely awaited a reply from England, he had personally forbidden the landing of a shipload of Maltese who arrived in the meantime. He had then taken the business out of Mahon's hands because he thought him incapable of strong enough action.⁷⁵

The general election of 1917 was complicated by the problem of extending the franchise to men on active service. Hughes undoubtedly believed that the troops would support his 'win the war' party and the official Labor Party, whatever doubts it may have had, dared not oppose the Act passed

⁷⁵ Kalgoorlie Miner, 28 April 1917.

for the purpose⁷⁶ which provided for a special election procedure in which votes were to be cast not for persons but for parties. The poll was held on 5 May and by the 7th, Heitmann had a small lead. The boxes from the outlying centres at first put Mahon well ahead, but by 15 May his lead had been reduced to 137. The two men were very evenly matched; within the city area of Kalgoorlie, Mahon had taken Boulder, Hannans and Ivanhoe, while Heitmann had only won Brownhill. In the outlying centres, however, Heitmann had won Coolgardie, Dundas, Menzies and Mt Margaret, while Mahon had only taken Kanowna, Leonora and Yilgarn. Even so, had the poll been confined to those resident in the electorate, Mahon would have won by 136.⁷⁷ Heitmann's majority of 316 from the overseas returns, however, gave him the victory by 180 votes.

Mahon and his supporters attributed the result partly to inferior organisation and press hostility, but mainly to the soldiers' vote. Because of the recent confusion, they argued, many soldiers undoubtedly thought that ministerialist meant Labor and not a fusion dominated by old political enemies.⁷⁸ The contention was supported by the officers in

⁷⁶ Commonwealth Electoral (wartime) Act, No.8 of 1917.

⁷⁷ Kalgoorlie Miner, 18 May 1917.

⁷⁸ Ibid.

charge of the election overseas, who reported that many men had abstained from voting either from apathy or because they did not understand the position at home,⁷⁹ and that some may have been confused because propaganda spoke of Labor and Nationalist, while the ballot papers gave a choice between ministerialist and opposition.⁸⁰ Further confirmation came from Sergeant W.P. Foley, on active service. In a letter to R.E. Clifford he wrote:

Federal politics was the cause of much discussion a short time back, Mahon being quoted as odds on favorite. How in the name of fortune soldiers votes defeated him I cant explain ... I hardly know of anyone from the Fields who voted against him. I am not going to offer any explanation but the method of voting at the front didn't appeal to me.⁸¹

Mahon contemplated an appeal to the High Court but, having received no support from Caucus, abandoned the idea,⁸² and retired once again into his secure position as managing director of the Catholic Church Property Insurance Company.

⁷⁹ Final report re Federal Elections 1917 - overseas Forces (Typescript in Australian war memorial), App.H.

⁸⁰ Ibid., p.12.

⁸¹ Unidentified cutting, 24 November 1917. State Executive A.L.P. cutting book I, Battye Library, 1573A/7.

⁸² Caucus minutes, 13 June 1917.

CHAPTER 8

Climax

The Irish executions of 1916 had, paradoxically, given the defeated party final victory and the new state of affairs was symbolised in 1917 by the election of De Valera, the Sinn Fein leader, for the old constituency of William Redmond, killed in action.

In Australia Sinn Fein, encouraged by Archbishop Mannix, was rapidly gaining ground. The defection from the Labor movement of many of its nonconformist leaders had left a rump dominated by Irish Catholics. Had Mahon remained in politics he would have been an obvious and probably successful candidate for party leadership. Instead he had been defeated and, nearing sixty, with a general election three years away, his chance of a comeback seemed slim. He could never resist a political battle, however, and in July 1917 offered the State executive to run a Labor Vanguard for the duration of 'Lutey's wrestle with the arch rat Scaddan'.¹ He spent part of August and September in Western Australia and was back again for the second conscription referendum in December.²

¹ Mahon to A.E. Green, M.L.A., 9 July 1917, 937/105. Refers to a contest for Brown Hill between ex premier John Scaddan and J.T. Lutey of the A.L.P.

² Unidentified cuttings of letters, 15-19 December 1917, 937/1203.

Like Redmond's Nationalist Party in Ireland, the United Irish League lost ground in Australia. Its place was taken by the frankly Sinn Fein Young Irish League, some of whose members had already become martyrs through internment.³ The new leaders organised a Home Rule demonstration chaired by Archbishop Mannix at the Richmond racecourse on 5 November. The United Irish League held aloof, but when Mannix had some of the more extreme resolutions toned down, many of its members followed the new line.⁴ Mahon, who found it difficult to shed his lifelong belief in constitutional methods, was among the abstainers but intervened nevertheless in a press dispute between Mannix and the Argus about the demonstration.⁵

His public appearances in the next twelve months were rare, probably because he was busy with private affairs.⁶ In February and March 1918 he ran a political column in the Westralian Worker⁷ and in July 1918 led a deputation to the minister for price fixing, over the price of meat.⁸ He

³ C.P.P., 1917-19, vol.V, p.1055.

⁴ Argus, 3 November 1917.

⁵ Ibid., 6 November 1917.

⁶ He was moving from his old home in Stanhope Street, Malvern, to a new orchard he had established at Ringwood, and was supervising the construction of a new house by Walter Burley Griffin.

⁷ Cuttings of series, 937/1204-1208.

⁸ State Executive minutes, vol.12, p.447, Battye Library, 1573A.

appears, however, to have been extraordinarily silent about Irish politics at a crucial period. In March 1918 the British sponsored Irish Convention had broken down and soon afterwards John Redmond died. In November the Irish Nationalist Party suffered electoral annihilation and the triumphant Sinn Fein Party, refusing to take seats in the House of Commons, set up its own Dail Eireann in Dublin. This was open rebellion and the only course left for the constitutionalist was to declare his allegiance. Late in 1917 Mahon had avoided committing himself at the Home Rule demonstration but, on 26 January 1919 at the traditional Irish picnic, organised for the first time by the Celtic Club instead of the United Irish League, he made his position clear by affirming the sole right of the Irish people to determine the form of government for Ireland and by referring in his speech to 'the conclusive demonstration in Ireland of the futility of mere parliamentary action'.⁹ The train of events suggests that he had at last resolved his crisis of conscience and from then on he was an open supporter of the Sinn Fein government.

The United Irish League, by now completely discredited, fought against final extinction throughout 1919, but a new organisation was obviously needed to co-ordinate the ten

⁹ Advocate, 1 February 1919.

Irish societies around Melbourne. About 3 July a preliminary meeting decided to establish the Irish Ireland League.¹⁰

It was formally constituted on 22 September with J.W. Ryan as provisional president and A.A. Calwell as secretary.¹¹

Its objectives were:

- To assist the people of Ireland.
- To create and foster among the Irish race in Victoria, a spirit of loyalty.
- To promote knowledge of the history, language and music of Ireland.
- To demand for Irishmen and their descendants, the rights enjoyed by others in Victoria.
- To raise friends for Ireland.

At this meeting Mahon was elected to the governing council,¹² and on 27 September he was elected president.¹³

Mahon won the Kalgoorlie selection ballot for the general election of 1919 by nearly 1900 votes¹⁴ and left for Western Australia in October.¹⁵ His son Arthur, who had won the M.C. as an artillery officer in the war, arrived in Kalgoorlie before him. Mahon himself was delayed in Adelaide by the cancellation of a train and while there spoke in the

¹⁰ Ibid., 5 July 1919.

¹¹ Rt Hon. A.A. Calwell recently retired as leader of the Federal Parliamentary Labor Party.

¹² Advocate, 27 September 1919.

¹³ Ibid., 4 October 1919.

¹⁴ Telegrams McCallum to Mahon, 20 October 1919 and McCallum to Callanan, 22 October 1919; Correspondence of the 1919 campaign committee, Battye Library, 1573A/23.

¹⁵ Mahon to McCallum, 21 October 1919, *ibid.*

State election campaign and helped to settle a railway dispute.¹⁶ He arrived in Fremantle on 20 November, left immediately for Kalgoorlie and opened his campaign on the 22nd.¹⁷ After 62 years of violent activity and indifferent health, Mahon was no longer the vigorous candidate who revelled in elections and travel, but he now had help. While he spoke only in Kalgoorlie and occupied himself mainly with the production of a Labor Vanguard, Arthur Mahon and a number of State politicians toured the backblocks on his behalf.¹⁸ His opponent, Heitmann, had made no special impression in parliament and although he had enlisted had seen no active service. The Hughes government had begun to lose popularity with the inevitable postwar economic upsets and to a war weary electorate Mahon represented a return to a happier past. He was fortunate too in the outbreak of a major strike over the employment of non-unionists on the mines and the arrest of eleven strikers on 11 November, gave him a perfect opportunity to remind his audience of how he and Staniforth Smith had defended the alluvial miners in 1899.¹⁹ When the

¹⁶ Kalgoorlie Miner, 17 November 1919.

¹⁷ Telegram, Arthur Mahon to McCallum, 14 November 1919; Campaign committee correspondence, op.cit.; Kalgoorlie Miner, 24 November 1919.

¹⁸ Mahon to McCallum, 23 November 1919; McCallum to Green, 29 November 1919; Campaign committee correspondence, op.cit.

¹⁹ Westralian Worker, 28 November 1919, 937/1202.

final figures were published Mahon had won the seat by 740 votes.

Mahon's parliamentary performance in 1920 was far below his old standard, either because of the decline in his powers or because of his increasing absorption in Irish affairs.²⁰ Soon after the session opened he gave notice of a motion which deplored British policy in Ireland as designed to antagonise America and conflict with the theory of respect for the rights of small nations, directed the Australian representative at the League of Nations to urge self-government for Ireland and ordered that copies of the resolution be sent to the British government, the president of the United States and the Council of the League of Nations.²¹ When the notice paper was published Sir Robert Best, a leading Orangeman, countered by proposing a five point amendment which effectively negated Mahon's motion. In spite of another supporting motion from Frank Brennan²² Mahon, after counting heads, saw that he had no chance of success and abandoned his motion.

Instead of speaking to his Home Rule motion on 18 March

²⁰ Of the 102 days for which he was a member, he was only present 60 times and spoke only three or four times. ///

²¹ Notice paper, 18 March 1920, Clerk of the Papers, House of Representatives.

²² Notices of proposed amendment, 10, 17 March 1920, 937/302, 303. ///

he made a wide ranging speech on the Address-in-Reply which almost approached his old form. He welcomed the Country Party to the House but doubted its professed respect for economy because it had approved W.A. Watts' trip overseas, had agreed to a separate administration for the Mandated Territory of New Guinea, and had approved the establishment of the Commonwealth Police Force which was a scandal. The Labor Party had in any case protected country interests for years. He then discussed the sugar industry which, he said, had always leaned on the community and concluded by generally reviewing the problems of war gratuity, repatriation and war service homes.²³ For all practical purposes, this was his last speech.

Mahon was more deeply involved in Irish and Catholic affairs than he had ever been. In February, he prepared a paper on the interned priests for an annual conference of the Catholic Federation,²⁴ and on 6 April he spoke at a farewell function for Archbishop Mannix, then leaving for Europe. With mild facetiousness he pointed out that although His Grace was leaving, his return ticket was already booked, and that Mannix had refused a testimonial of £50,000. The Archbishop's critics, he said, would have been delighted.

²³ C.P.D., XCI, 539.

²⁴ Advocate, 21, 28 February 1920.

with the opportunity offered by £50,000 or even 50,000 pence. He was glad to know that rumours of the Archbishop's translation were unfounded, and defended the right of even a high cleric to speak his mind on politics.²⁵

By May Mahon was beginning to feel the strain and attempted to resign from his position in the Irish Ireland League.²⁶ He was persuaded to continue in office, but did not attend a meeting organised by the league on 15 August to protest against the order prohibiting Mannix from entering Ireland, although he expressed his full support for the object of the meeting in a letter of apology.²⁷

By now Ireland was in a state of anarchy approaching open warfare, with daily murders and arrests. On 20 August Terence MacSwiney, Lord Mayor of Cork, was arrested for possessing a copy of a police cipher code and, after being sentenced by court martial to two years imprisonment, was removed immediately to Brixton Prison near London, where he promptly went on a hunger strike. In previous cases, a hunger strike had often secured the release of the prisoner, but MacSwiney was so important that the British government steadfastly refused concessions. MacSwiney, a mystic with a

²⁵ Ibid., 18 April 1920.

²⁶ Mahon to Calwell, 20 May 1920, 937/65.

²⁷ Advocate, 19 August 1920.

touch of fanaticism, thereupon opted for martyrdom and on 25 October, seventy-four days after his incarceration, he died of starvation. Thirty years earlier, MacSwiney's father had settled in Melbourne where the boy was brought up, returning to Ireland only after the death of his father in 1895.²⁸ The case aroused world wide interest, but since members of the family still lived in Melbourne, the Melbourne Irish felt a deep personal involvement. Mahon, as president of the Irish Ireland League, sent a cable to Mannix asking him to protest against 'the murderous treatment' of MacSwiney.²⁹ On 26 October the league passed a motion of sympathy with MacSwiney's family and began to plan a protest demonstration for 7 November.³⁰ Mahon, who had been ill, decided to take independent parliamentary action and on 5 November moved the adjournment of the House to discuss the death of MacSwiney as a matter of urgency.³¹ Australia, he said, had fought to defend the right of small nations to self determination, and since the people had accepted the war enthusiastically, they must be taken also to support the principle which should be applied to Ireland. The death of MacSwiney could therefore upset relations between Britain and Australia. He began

²⁸ Moirin Chavasse: Terence MacSwiney (Dublin, 1961).

²⁹ Advocate, 2 September 1920.

³⁰ Ibid., 28 October 1920.

³¹ C.P.D., XCIV, 6257.

an emotional eulogy of MacSwiney, and when interrupted by Major Charles Marr, a nationalist ex-service member, was led into a heated exchange of personalities about war service. When Marr fell silent, Mahon attacked the British police, but was caught up in another heated wrangle with interjectors during which he denied hotly that his parliamentary oath of allegiance implied allegiance to the British government. In response to another interjector, he asked angrily what the war between Britain and Germany had to do with Australia. He became so emotional that Sir Joseph Cook claimed, on a point of order, that it was impossible to debate the subject calmly. Mahon promptly accused Cook of trying to silence him by usurping his time.

The Prime Minister in reply, regretted that Mahon should try to do evil to Britain and, although he sympathised with MacSwiney, asserted that his death, for which Britain could not be blamed, was in a wrong cause. In any event, the case was of no concern to Australia. He would not justify British policy in Ireland and, although he himself had tried to mediate, he believed that Britain could never govern Ireland properly. On the other hand, England could never permit an Irish republic to threaten her security. He interpreted Mahon's reference to strained relations as a threat to foment trouble - let him try it. The third speaker,

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Tudor, had just concluded a short and rather colourless speech when Marr moved the gag. Although J.M. Fowler protested and four government members voted with the Opposition, the motion was carried 30-17 and Mahon was denied the proper ventilation of the subject which he had sought.

Two days later a crowd estimated at 3,000 to 5,000 attended the Irish Ireland League demonstration on the Richmond Reserve where Mahon, as chairman, delivered the most savage speech of his career.³² British policy in Ireland, he said, was more infamous than that of the most bloody and cruel of the Russian Czars, and the sobs of MacSwiney's widow would one day shake the foundations of this 'bloody and accursed despotism'. If the police were being shot in the back they must be running away but, in any case, they were only 'Spies, informers and bloody cutthroats. Their souls if they had any were probably in Hell and I would not have the sweet soil of Ireland poisoned by their carrion clay'.

In comparison with Mahon's full blooded and wholesale malediction, the speeches of the other politicians present were something of an anticlimax, but the meeting nevertheless concluded on a thoroughly aggressive note when J.J. Collins,

³² The full text, as published in the Tribune, will be found in Appendix B.

a returned soldier, moved that in view of the disgrace which British policy in Ireland had brought on the Empire, the meeting should pledge its support to any move for the establishment of an Australian republic.³³ This was carried unanimously.

Because of the increasing intransigence among the Irish community since 1916, Sinn Fein was regarded by 1920 as being synonymous with disloyalty, and the reports of the meeting in the daily press were greeted by an immediate outcry. The report in the Age was clearly condensed and represented no more than a fair reporter's summary of the main lines of the speech.³⁴ The Argus, on the other hand, gave the meeting half a column, including what appeared to be a verbatim report of Mahon's speech, but which was little more than a third, clearly selected for sensation value.³⁵ No verbatim report was available until the publication of the Catholic weekly Tribune on Thursday, the 11th.

On the morning of 9 November, the matter was discussed in Cabinet and when the House met at 3 p.m., Hughes moved

³³ Mahon had left the meeting by this time and there is some doubt as to whether Collins' motion was on the Agenda. Collins, though still alive, refuses to answer letters but I find it hard to believe that Mahon would have willingly supported such a motion.

³⁴ Age, 8 November 1920.

³⁵ Argus, 8 November 1920. The text of the report will be found in Appendix B.

the adjournment on a matter of privilege. After reading the report from the Argus, he asked permission for Mahon to make a statement. In reply Mahon said that his parliamentary record had hitherto been impeccable, that his religion had recently been attacked in the House, that he was subject to the law of the land for anything he said outside the House and that anybody who dared to catechise him in the House about his extra parliamentary activities could 'go to the devil'. When Hughes asked him once again to confirm or deny the report, he defiantly refused and walked out. The Prime Minister then left the Chamber himself and spent several hours in conference with the Solicitor-General, Sir Robert Garran.³⁶

The next day the matter was discussed in a Nationalist Party meeting.³⁷ Hughes said:

Parliament must take action or it would be condemned by the people of Australia. The government considered that Mr Mahon should be expelled from parliament. It was for the party to express its opinion. It must be remembered that if Mr Mahon were expelled and was once again elected it would be a bad thing for the party. Then again, Mr Mahon might deny making the statement, or he might, when charged, retract and apologise. If he did this, the offence might be overlooked. It was essential that some action must be taken at the earliest possible moment, otherwise the government and the party would be discredited.

³⁶ Age, 10 November 1920.

³⁷ Nationalist Party Minute Book, 10 November 1920; Pearce papers, N.L.A., 213/374.

The party decided, without any real discussion, to support expulsion and a formal memorandum in Hughes' execrable hand requiring Mahon to attend in the House for an expulsion motion, was delivered to Mahon's home at 1.30 p.m. by the secretary of the Prime Minister's Department. When at 2.30 Hughes gave notice that he proposed to move for expulsion next day, Mahon was still absent and was reported to have a sprained ankle. In a letter to Tudor, however, he explained that -

If I attend I must do one of two things
 (1) I must modify or explain away the passages of my speech on which their charge hangs, or (2) make a statement in justification of those passages.

To take the first course means surrender to the bigot sectarian clamor that has been raised; in other words to crawl down ...

Now as to the second - Hughes is in an obvious difficulty in proceeding on an unverified report in an enemy newspaper of an isolated passage or passages divorced from what preceded and followed ...

So I consider the wiser policy is to allow my answer of yesterday to stand ... I dislike disregarding the views of the party ... [they] should remember that we are dealing with a gang whose minds are already definitely closed ...

I wish by my absence to show my scorn and contempt for the whole servile crew.³⁸

When the House opened in the afternoon, Hughes introduced his motion immediately after Question Time³⁹ by reading a letter from Mahon in which he

³⁸ Mahon to Tudor, [10 November 1920], 937/655.

³⁹ The galleries were crowded and a radio amateur had been permitted to carry out an experimental transmission.

- (1) asserted that the charge against him was supported only by a garbled report in an enemy newspaper;
- (2) Denied disloyalty to the sovereign or empire but asserted the right of any Australian to criticise British ministries;
- (3) Alleged that the main theme of the speech was a plea for peace between Britain and Ireland to preserve the empire;
- (4) Refused to appear personally in parliament because his fate had already been decided.

The Prime Minister then went on to say that Mahon had not denied anything and added that although he had no verbatim report of the speech, he had the affidavits of four journalists to support the charge. He flatly denied the existence of any sacred principle of self determination which might be held to justify the Irish revolt, declared that any proposal to separate Australia from Britain was treason, since without Britain, her 'Rock of Ages', Australia was defenceless and asserted that Ireland and Britain being at war justified violent measures. He concluded by asserting that as one who knew Mahon well, he was convinced that the latter was motivated not by passion but by cold calculated design.⁴⁰

The speech was mainly Celtic oratory designed to justify the expulsion.⁴¹ Incidentally, it also served to justify

⁴⁰ C.P.D., XCIV, 6389.

⁴¹ Mr Kim Beazley, M.H.R., was told some years ago by the late Sir Earle Page that he was so disgusted by Hughes' histrionics that he contemplated voting against him, but decided it would be politically unwise to do so.

Mahon's absence on the ground that his fate was already sealed.

The debate which followed was extraordinary. The only other speakers on the ministerial side were Maxwell and Fowler, both political 'Mavericks'. Tudor, the leader of the Opposition, moved an amendment denying the competence of the House to deal with Mahon and asserting that he should have been tried by a judge and jury. One after another his followers developed different aspects of the same theme, but none of them was prepared either to deny firmly that Mahon had used the words in question or to assert firmly his right to freedom of speech.⁴² All they were prepared to say was that the facts were not adequately proven and that parliament was not the proper place in which to try and prove them. Both Fowler and Maxwell, however, pointed out that Mahon's refusal to deny the allegation was tantamount in their eyes to an admission of guilt. The other government members preserved a stony silence.

Not long after the dinner adjournment Hughes produced the affidavits to which he had referred earlier. The Argus report had been taken by F.J. Kelly, a freelance journalist who also worked for the Advocate. Three of the affidavits

⁴² Hon. Norman Makin who was present, confirms my impression that the Labor Party was deeply embarrassed.

proved only that Kelly had described his notes as an accurate report of the speech and that the Argus report was an accurate condensation of that report. The only evidence by an eye-witness was from Carrington of the Age. Hughes then produced Kelly's original notes as a trump card, but since they were not supported in any way, their value was equally questionable.⁴³

As the debate dragged on through the night it became more and more acrimonious: at 3.40 a.m. Tudor's amendment was defeated by 34 votes to 17. Frank Anstey, who was the only real orator in the Labor Party, then directed his attention to the original motion. He argued that the trial of such a question by parliament must be unjust because of the political passions aroused and had just begun to criticise the evidence when Sir Joseph Cook suddenly moved the gag. The astonished Anstey asked the Speaker whether the gag could be properly moved in the middle of a speech. When assured that the procedure was correct, he said dramatically, 'Thank you, I am much obliged. God help you in the future', and sat down. The gag was then carried 34 to 17 and the original motion by the same majority.⁴⁴

⁴³ None of these documents can now be found in the records of the House.

⁴⁴ C.P.D., XCIV, 6472. Of the 26 members of the Labor Party only 16 actually voted. Eight were paired but only five of these are marked as absentees.

Although the evidence presented by Hughes was feeble, there is little or no real doubt that Mahon did make a particularly savage speech, the object of which was to bring the British government into hatred and contempt. Despite the constant inference that he had been misreported, the first verbatim report⁴⁵ showed that with the exception of a final paragraph in which he had described the condition of Ireland as a danger to the Empire, even the Argus report, though selective, gave a fair impression of the tone of the speech. It is equally clear, however, that he was not attacking the monarchy or the structure of the Empire. His sole object was to condemn particular aspects of British activity in Ireland and if his choice of words was indiscreet, others had been equally indiscreet without facing any charges.⁴⁶ The speech was not a carefully planned attempt to sway a multitude as Hughes implied.⁴⁷ It was, in fact, delivered

⁴⁵ Advocate, 10 November 1920. Mr Frank Murphy, now editor of the Advocate, who was present, has no doubt that Mahon was properly reported.

⁴⁶ E.g., Senator J.C. Stewart who, in 1917, had condemned the principle of monarchy in general and the Royal family in particular. Herald, 15 March 1917. H.H. Asquith, who had described events in Ireland as 'a policy of blind, pitiless and indiscriminate revenge. Unidentified cutting, 937/658.

⁴⁷ Rt Hon. A.A. Calwell who was present at Richmond, thinks that Mahon had at first no intention of speaking as he did. He used no notes and was obviously deeply moved. It should be pointed out however that parts of the Richmond speech repeat almost verbatim, his speech in the debate of 5 November.

purely in response to circumstances. Mahon believed passionately that the MacSwiney case deserved discussion and had tried to ventilate it constitutionally in parliament. When the opportunity was denied him, his normally irritable temperament, probably aggravated by recent illness, caused an outburst of the violent and vituperative language to which he had always resorted in conflict. Rationalising his motives after expulsion, he said:

They called my speech an outburst. Well, you can't secure the ear of a continent by mealy mouthed platitudes or tawdry commonplaces. You can win it only by something striking or dramatic, and in such a good cause, the results were worth the risk.⁴⁸

Mahon clearly did not think that he had said anything seditious and indeed his first response to Hughes' challenge suggests that he was taken by surprise. He had always been known as a logical speaker, but his first reaction was to refer to his twenty years of impeccable service and to attacks on his religion, both of which were irrelevant. He seemed to need time to think then, having thought, decided to say nothing and walked out.

Since Hughes never mentioned the case again after the expulsion debate, one can only guess at his motives. To many people both at the time and since, he was completely cynical.

⁴⁸ Tribune, 18 November 1920, 937/658.

Mahon believed that he hoped

- (1) To stimulate lagging subscriptions to a £25,000 testimonial by a judicious display of imperialist fervour;
- (2) To improve his shaky political position by making a vacancy which could easily be won by a National Labor candidate.⁴⁹

The first of these suggestions is obviously a canard which, while it may be true, is unlikely ever to be proven. The second and more credible suggestion, however, deserves careful consideration.

The success of the Country Party in the general election of 1919 plunged parliament back into the three party morass which had bedevilled its early years. In Sawyer's words:

Summing up the position in the Representatives, the Nationalists, after providing a Speaker, did not at any time possess a safe majority over the other two parties; until the Kalgoorlie by-election (November [sic] 1920), they had 37 reasonably safe votes to Labour's 26 and a potential twelve for the Country Party - a minority of one against the combined Labour,- Country Party vote; after that, the Nationalist muster was 38 against a potential opposition of 37. The persistence within the Nationalists of a group opposed to the leadership of Hughes increased the chance of a government drawn solely from the Nationalists being defeated on snap votes.⁵⁰

⁴⁹ Ibid.

⁵⁰ Sawyer: Australian Federal politics and law, 1901-1929 (Melbourne, 1956), p.187.

Although the Country Party generally supported the Nationalists, its indiscipline and inexperience were sufficient to make any party leader nervous, and Hughes had therefore good reason to jump at any opportunity of improving the position.

Although political problems no doubt loomed large in Hughes' mind, his speech to the party meeting suggests that he was also worried about the public reaction to Mahon's speech. The government had allowed a full day to pass before taking any action - a day in which Mahon had been condemned with one voice by every major newspaper in the Commonwealth. Fowler, who had no reason to love Hughes, alleged that the proposal for expulsion had originated not with the Prime Minister but with the rank and file.⁵¹ This might be literally true, but it is much more likely that Hughes modestly yielded to requests from his followers to carry out a course of action on which he was already embarked.

Even if it is conceded that cynical political motives were the main reason for Mahon's expulsion, there is no reason to believe that Hughes was not genuinely shocked by Mahon's tirade. Although a worldly wise cynic in many ways, the Prime Minister was at the same time highly emotional and had been a consistent advocate of Nationalism and Imperialism for many years. Irish nationalist opposition

⁵¹ C.P.D., XCIV, 6429.

to his conscription proposals had, in his opinion, been not only defiance of his authority but treachery to an embattled Empire on behalf of a cause which had no conceivable relation to Australian interests. Mahon, by his refusal to support conscription, had been associated in Hughes' mind with what he chose to call the Sinn Fein traitors led by Mannix and, although many people saw the Prime Minister's apparent obsession with Sinn Fein treachery as another part of his armory of shallow political trickery, it is not at all inconsistent with the leading principles governing his political career.

Before 1914 it had been accepted almost as an article of faith, that Australia could develop an ideal civilisation of its own in isolation from the old world which would be protected by a combination of distance, the Royal Navy and a fairly crude system of national militia. By 1920, however, the dream had become a nightmare, and it was widely believed that the only permanent security for Australia lay in membership of a community of nations sufficiently powerful to overawe potential aggressors. Although radical theorists equated national dignity with self reliance, the traumatic experience of war and the ever present menace of Japan was quite sufficient to convince many people that the only safety lay in the ample skirts of the Mother Country. To Hughes,

Pearce and other believers in this theory of foreign affairs, any suggestion that the filial bond might be broken warranted a near hysterical reaction and Mahon was a convenient scape-goat. Any other member of the House might have been given the benefit of the doubt, but Mahon had so many enemies anxious to pay off old scores, that his fate was sealed as soon as expulsion was suggested.

Mahon's refusal to defend himself on the ground that the decision was already made, was a serious error of judgment. Admittedly, there seemed little or no chance of swinging any votes in the House but, in view of the obvious possibility of having to fight a by-election, he should have made some effort to improve his public image. As it was, the electors were constantly told that he had been misrepresented, but no attempt was made to indicate exactly what he had said.

The argument that his offence should have been subject to the ordinary processes of law was superficially attractive, particularly in view of a very similar contemporary English case,⁵² but on closer examination it breaks down. There was really no way in which the Commonwealth could have prosecuted Mahon without taking serious political risks. There was no appropriate Commonwealth legislation and no appropriate

⁵² Lt. Col. Malone, M.P., had advocated bloody revolution in a speech at the Albert Hall on the same day as Mahon's speech. He was tried and sentenced in a police court. Times, 8 November 1920.

Commonwealth court. A war-weary electorate could have objected violently to prosecution under the War Precautions Act. The only other possible procedure would have been private prosecution in a Victorian court by a Commonwealth official, but such a course, besides being undignified, would have been very risky. The cause of the Commonwealth would have been at the mercy of a State Attorney-General, who could easily have quashed the prosecution if he did not see eye to eye with Hughes. The case might easily have dragged on interminably, thereby providing Mahon with the political forum which he sought and, even had the case gone to trial, there was no certainty of success because of the intricacies in the law of sedition.⁵³

The failure of a prosecution against Mahon could easily have done the government considerable harm and Hughes, probably on Garran's advice, chose a course of action which not only secured political advantage but could be legally justified. Parliament has an undoubted right as a corporation to purge itself of undesirable members,⁵⁴ and seven members had already been expelled from Australian parliaments in asserting this

⁵³ The legal arguments are based on a private opinion given to the author by Professor Geoffrey Sawer of the Australian National University.

⁵⁴ Sir T. Erskine May: Treatise on the law, privileges, proceedings and usage of parliament, 15th ed. (ed. Lord Campbell), London, 1950.

right.⁵⁵ Mahon may not have been technically guilty of sedition but as Maxwell argued in the debate, a member should be expected to have higher standards than an ordinary citizen.

There can be no question that the expulsion was perfectly legal, but one can still question the motives of the people concerned. Hughes, in political difficulties, saw a way out of his troubles by the persecution of a man who, he believed, had abandoned Australia at a critical moment to support an alien cause - a man whom he probably disliked personally. It is hard to believe that Hughes, knowing Mahon personally, really saw sedition behind the speech, but he did see and take a perfectly legal way through his difficulties. The other members of the government parties saw no reason to desert their leader and risk their political futures in pursuit of an ill-defined principle of abstract justice when, by so doing, they might appear to endorse sentiments of which they heartily disapproved. All the decision were taken on the basis of political expediency only, and were carried out by violating all the normal canons of justice. Mahon was charged on quite inadequate evidence with an offence which

⁵⁵ In Victoria, Costello in 1861, J.S. Butters, C.E. Jones in 1869, and E. Findley in 1901. In New South Wales, E.A. Baker in 1882, P.J. Crick in 1890, and R.A. Price in 1917.

amounted to nothing more than dissent from a majority opinion. The verdict was decided in advance by a partisan jury and the defendant was sentenced in absentia.

It is questionable, however, whether principles of justice have any real application in politics. Self preservation is the first law of politics, a law which Hughes observed. Mahon, as a practising politician, suffered a political penalty imposed by a political tribunal for a political offence. He had the political right of appeal to the electorate and lost the appeal. In such a context, justice seems hardly relevant.

CHAPTER 9

Epilogue

In the brief flurry of excitement during the week of the crisis, most papers devoted two or three columns to the dramatic events in Melbourne, but generally the reaction of Australian democracy to flagrant injustice was surprisingly tame. The Kalgoorlie Miner, in the heart of Mahon's electorate, was almost the last paper to commit itself, probably because of Kirwan's old friendship with Mahon. A factual news story on 11 November claimed that the republican resolution was not on the notice paper of the Richmond meeting and reported some local doubt that Mahon would be renominated if he applied.¹ This was followed on the 12th with a verbatim report of the debate and accounts of protest meetings in Melbourne and Boulder.² Further news stories followed during the week and the subject was then dropped until the by-election campaign was well under way. In two editorials signed by Kirwan on 11 and 14 December, the Miner came out firmly but fairly against Mahon. The only real question before the electors, said Kirwan, was whether or not Mahon was guilty, and after a balanced summary of the

¹ Kalgoorlie Miner, 11 November 1920.

² Ibid., 12 November 1920.

evidence, he concluded that since Mahon had made no attempt to deny his reported statements, he was guilty by default.³

The Age referred to 'this sordid and unhappy incident' and added that had members united in doing their duty, Mahon would have been expelled in half an hour.⁴ The columnist, 'Scrutator', remarked in the West Australian that,

... Expulsion should come as a welcome relief to the member for Kalgoorlie. He must be finding it intolerable to continue to bear the burden of his oath of allegiance to this bloody and accursed empire. Whether such extravagant utterances as those of Mr Mahon really do harm to anybody but the utterer, is very questionable.⁵

The Perth Sunday Times, which had violently urged censure, was less restrained. It called Mahon a vilifier and traducer, '... not only of the British people but of brave men whose boots he is not fit to lick ...' It cast doubts on the story of his imprisonment in Ireland and accused him of trading on it. It quoted the Richmond speech and in an ascending paroxysm of fury, spoke of Mahon as '... gentle creature, sweet soul, dirty blackguard ...' Referring to Mahon's contention that Australia had fought for the rights of small nations, the Sunday Times said bitterly,

³ Ibid., 11 December 1920, 937/658, 14 December 1920.

⁴ Age, 12 November 1920.

⁵ West Australian, 13 November 1920.

... they fought for Australia and the empire and 99 out of every 100 would denounce any German engineered conspiracy to smash up British hegemony ... we don't know anything particularly honorable that he [Mahon] has accomplished. He went in a poor man and gets out a fairly opulent person ... Australia owes him nothing.⁶

The Perth Sunday Mirror, a small but cheerfully vulgar weekly, was more tolerant. The daily press, it alleged, had not put the facts clearly. No Irishman could be blamed for speaking as Mahon had, except for his references to the Empire and his attack on the police. The Argus report was suspect but could only be confirmed by eye witnesses.

We have our quarrels with Mahon, to state things bluntly, we don't think he was ever fitted to represent Labor. We don't think he ever will be. But holding that belief, we were doubly curs should we deign to accept the aid and abettance of the black-guard bosses' press just because ... they chose to hound the man out of politics.⁷

Henry Boote wrote laconically in the Australian Worker,

Hugh Mahon has been expelled from the federal parliament. This is no disgrace to Hugh Mahon, but to those who voted for his expulsion at the bidding of that vicious little mischief maker, Hughes ... there is a lot of squint eyed bigotry in this business.⁸

The article was supported by a Claude Marquet cartoon of

⁶ Sunday Times, 14 November 1920.

⁷ Sunday Mirror, 21 November 1920.

⁸ Australian Worker, 18 November 1920.

Hughes as Salomé pleading with Australia for the head of Mahon.

The Brisbane Worker published a long, thoughtful article by J.H. Catts, M.H.R., entitled 'Sectarianism and sedition', which described some of the events in the House and added,

[The Australian Labor Party] cannot and must not become a mere propagandist of the Irish cause, whatever the merits of that cause. To do so would not only be a base betrayal of the economic interests of the Australian masses, but it would soon wreck the movement.⁹

Stead's Review in its usual temperate and intelligent fashion suggested that Hughes had demonstrated his motives clearly by rejecting a proposal that the Nationalists would not oppose any other Labor candidate for Kalgoorlie but Mahon.¹⁰

The Catholic papers were of course solidly behind Mahon. The Catholic Press spoke of 'Butchering Hugh Mahon'¹¹ and the Freeman's Journal described 'How Hugh Mahon was garotted'. It admitted that Mahon had spoken with more vigour than discretion, but denied that anyone could believe him seditious.¹²

Both the Tribune and the Advocate published a long interview in which Mahon stated his case fully and expressed

⁹ Worker (Brisbane), 25 November 1920, et seq.

¹⁰ Stead's Review, 27 November 1920, 937/658.

¹¹ Catholic Press, 18 November 1920.

¹² Freeman's Journal, 18 November 1920.

his pride in having been expelled by enemies when Hughes had been expelled by his friends.¹³ Despite all this support, however, the metropolitan dailies were/without exception hostile. The consensus was expressed by the Sydney Morning Herald. Mahon, it said, had uttered vulgar and abusive claptrap, which is explained but not excused by his Irish birth. Without Britain we are defenceless and it is therefore treachery to advocate cutting the painter over the grievances of a foreign country. The Sinn Fein war is not our war and Britain is not our enemy.¹⁴

The hostile reaction was of course led by the ultra protestant and ultra patriotic. On 11 November there were large hostile demonstrations in the Melbourne Town Hall and at Hawthorn,¹⁵ and the Boulder Municipal Council discussed the case on the 12th.¹⁶ Councillor Jenkin, an ex supporter of Mahon, publicly denounced him and asserted that Mahon had expressed contempt for the empire in the past. On 15 November Mayor Leslie of Kalgoorlie called a public meeting¹⁷ at which Mahon's old magisterial colleague, Burton, moved

¹³ Tribune, 18 November 1920, 937/658;
Advocate, 18 November 1920.

¹⁴ Sydney Morning Herald, 12 November 1920.

¹⁵ Argus, 12 November 1920. Speakers at the Town Hall rally included the Grand Master of Masons, the Moderator General of the Presbyterian Church and Benjamin Hoare, leader of the Anti Mannix Catholics.

¹⁶ Kalgoorlie Miner, 12 November 1920, 937/658.

¹⁷ Ibid., 15 November 1920.

dissent from Mahon's views and congratulated the Prime Minister. Axford of the Returned Soldier's League wished that all disloyalists would come out in the open so that his league could deal with them; his colleague Ross assured the meeting that there was no question of sectarianism.

The Returned Soldier's League at Ringwood where Mahon was now living, demanded on 26 November that he should leave the town.¹⁸ The Advocate, however, asserted that the motion had been passed by only eight of the 120 members of the branch, that leading citizens had urged that the idea be abandoned, but that an official of the branch had been encouraged in a phone call from a leading politician, to keep the agitation going.¹⁹ In a later article it accused Hughes directly and asserted that the secretary of the Ringwood branch had been censured by a later meeting.²⁰

One of the more curious features was the complete silence of Archbishop Mannix and since he has left no papers at all, the reason for his silence will never be known. But he was overseas at the time and probably had no access to Australian newspapers, so his silence is hardly surprising. By the time he returned, the whole question was irrevocably

¹⁸ Box Hill Reporter, 26 November 1920, 937/658.

¹⁹ Advocate, 2 December 1920.

²⁰ Ibid., 16 December 1920.

settled and comment was pointless.²¹

The writ for a by-election on 18 December was issued on 17 November, and at a social that evening, Mahon announced his intention to contest the selection ballot.²² By 20 November three other candidates had nominated, but Edward Needham, a unionist, a Catholic and an assiduous cultivator of the party machine, who had already been a member from 1903 to 1917, was the only serious threat.²³ The Nationalist candidate was George Foley, who had been a Labor leader on the goldfields and an M.L.A. before the conscription crisis.

Mahon spoke for the first time in Hannan Street on 27 November.²⁴ He was supported by J.W. Keane, a prominent Ballarat unionist and although there was some disorder, he was given a fair hearing. He concentrated on attacking Hughes personally and insisted that the real issue of the contest was freedom of speech. The £25,000 testimonial to Hughes, he said, should in itself be enough to arouse suspicion.

While the selection ballot was still in progress, Needham suddenly withdrew his nomination.²⁵ An immediate

²¹ A number of people have suggested to me that Mannix was ordered by the Vatican to keep out of Irish politics. Although this is not inconceivable, his silence over the Mahon case can be explained without any such theory.

²² Argus, 17 November 1920, 937/658.

²³ Kalgoorlie Miner, 20 November 1920.

²⁴ Ibid., 29 November 1920.

²⁵ State Executive minutes, 6 December 1920, p.30, Battye Library, 1319A.

flurry of comment and speculation followed and Needham was alleged to have been intimidated either by the party leaders in the east or by the Catholic Church, of which he was a loyal adherent.²⁶ Needham himself said that he had begun to fear a split in the party,²⁷ but a more likely explanation is that his candidature was a tactical move intended to inhibit opposition to Mahon. Whatever the reason, the incident was capable of so many sinister interpretations that it undoubtedly did some harm to Mahon's cause. In the words of the Sun, 'the whole thing smells'.²⁸ The State Executive decided to ignore Needham's first preference votes and Mahon, as was expected, secured an absolute majority over his two opponents.²⁹

A special caucus meeting had decided to send as many members as possible to support Mahon in Kalgoorlie,³⁰ and since the Nationalists also decided to back Foley to the hilt, the ensuing campaign might well be described as an all star performance, although the Mahon constellation was somewhat brighter. By 19 December Catts, Considine, Anstey, Cunningham and Yates were in Kalgoorlie working for Mahon,³¹

²⁶ E.g., Sun (Kalgoorlie), 5 December 1920.

²⁷ Kalgoorlie Miner, 3 December 1920.

²⁸ Sun, 5 December 1920, op.cit.

²⁹ Kalgoorlie Miner, 3 December 1920.

³⁰ Caucus minutes, 23 November 1920.

³¹ Kalgoorlie Miner, 13 December 1920.

while T.J. Ryan, the deputy leader of the party, arrived on the 16th.³² Besides these planets he was supported by Collier, Green, O'Loughlen and Munsie from the State party, by Hogan of Victoria and by Needham.³³ Beside this scintillating galaxy, Foley's support by Senators Pearce and Henderson, R.W. Burchell, M.H.R., and J.H. Prowse, M.L.A., appeared somewhat meagre.

Pearce delivered the best speech in support of Foley on 9 December. The affidavits, he said, were not the only evidence available since the government held the original notes. Mahon's contention that the speech had been distorted was irrelevant, since the charge depended not on what was omitted but what he was reported to have said. Nobody had denied that he had used the words reported and Mahon had made no attempt to sue the papers concerned, which would have been the obvious course for an innocent man. He went on to criticise the conduct of the selection ballot and concluded by claiming that the Republican motion, if carried, would have left Australia wide open to the teeming hordes of Asia.³⁴

On the same evening, Anstey asserted that trial by parliament was both illegal and immoral and rejected the

³² Ibid., 17 December 1920.

³³ Kalgoorlie Miner, 13 December 1920.

³⁴ Ibid., 9 December 1920.

claim that the Labor Party was under German and Roman Catholic influence. Characteristically, however, he made no secret of his conviction that Australia had no right to interfere with the government of any other country.³⁵

Mahon himself spoke little, but concentrated on the production of a Labor Vanguard of the type which had served him so well in the past.³⁶ In the Kalgoorlie Town Hall on 11 December, he denied that he had been guilty of sedition since he had not even mentioned the King, and affirmed that he had left the meeting before the Republican resolution was moved.³⁷ In his final speech on 17 December, he was more defiant. He was prepared, he said, to justify every word of the speech which was no stronger than others delivered in England. He had refused to explain because he knew that the case was already decided. The speech, which had occupied half an hour, had been compressed into something which could be read in two minutes, and the charge against him had only been laid because Hughes wanted the seat.³⁸

Pearce, in his last speech on 14 December, analysed Mahon's unsatisfactory record in the session of 1920 in terms of divisions in which he had voted. 'Did that list show', he asked, 'how Mr Mahon had represented Labor's interests?'

³⁵ Ibid., 10 December 1920.

³⁶ Copies, 937/658.

³⁷ Kalgoorlie Miner, 13 December 1920.

³⁸ Argus, undated cutting, 937/658.

Mahon had not even voted on an industrial peace bill supported by his leader, Tudor.³⁹ The Kalgoorlie Miner concluded its campaign by asserting that Mahon's every utterance in the Richmond speech had been evasive and he had never repudiated the alleged sentiments.⁴⁰

Kalgoorlie had once been a safe Labor seat but with the decline of the mines, the extension of the pastoral industry to the east, the development of agriculture in the south and the completion of the transcontinental railway works, its character had begun to change. Although Mahon had secured a satisfactory majority in 1919, it was obvious from the beginning of the count that the pendulum had swung again. From start to finish, he was never in front and was finally defeated by 443 votes.⁴¹ The majority of only 443 in 16,000 votes polled together with the fact that Mahon had won more subdivisions than in 1919, however, suggests that the attempt by the government to confine the issue to loyalty versus disloyalty was not as successful as might have been expected. On the other hand, Mahon had lost some support in all the subdivisions which he had won in 1919, including over 300 votes in Yilgarn.

³⁹ Kalgoorlie Miner, 15 December 1920.

⁴⁰ Ibid., 15, 17 December 1920.

⁴¹ Kalgoorlie Miner, 20 December, et seq.

The West Australian Record claimed that the contest had given superb publicity for the Irish/cause⁴² while the Labor Call observed satirically, that Hughes had now succeeded in unearthing another 8,000 rebels. The selection ballot, it added, was a blunder since it had sent Mahon into the fight 'with a tin can of no confidence tied to his tail'.⁴³ Mahon himself admitted in an interview that he had not expected to win but, although he had not recanted in any way, almost half the electorate had agreed with him.⁴⁴

This interview was Mahon's last public word on Australian politics; from then on, he was a company director with a private interest in an orchard. In December 1921 he went to Europe⁴⁵ to attend an Irish political conference in Paris but at the last moment the old enemy in his lungs struck again and he spent three months desperately ill in the south of France.⁴⁶ On recovering, he visited Rome for an audience with the Pope,⁴⁷ then went to Ireland on a sentimental pilgrimage. He was back in Australia by June 1922 with an Irish niece and was offered appointment as Irish consul

⁴² West Australian Record, 25 December 1920.

⁴³ Labor Call, 27 December 1920, 937/658.

⁴⁴ Tribune, 30 December 1920, 937/658.

⁴⁵ Passport, 937/108.

⁴⁶ Cleary to Mahon, 8 February 1922, 937/1025.

⁴⁷ Certificate of audience held by Mrs Sharland.

general in Australia⁴⁸ but the position dissolved during the Irish civil war.

In his old age he kept in touch with such old friends as Murray, J.H. Catts, A.E. Green and Costello of the Kalgoorlie Australian Workers Union. He borrowed books from the parliamentary library and occasionally attended Irish meetings but otherwise concentrated on his business interests. He probably smiled grimly when nemesis overtook Hughes in 1923, but such belated consolations are seldom recorded.

From time to time, sectarian fanatics revived the old story,⁴⁹ and it was not forgotten at his death. Late in August 1931 he visited Sydney for a board meeting of the Catholic Church Property Insurance Company and became ill. He returned to Melbourne, but could no longer fight off the old enemy and died on 30 August. When Prime Minister Scullin announced his death to the House on 16 September, most of those present forgot the past and delivered conventional eulogies. One young member, Green, however, refused to conform and stiffly announced that he wished to be dissociated

⁴⁸ Memorandum by E. Riordan, 15 July 1922, 937/312.

⁴⁹ 'Sandy McTavish', Rafferty King of Australia. Australian Protestant Truth Centre (Melbourne, n.d.), p.11, 937/1315; Handbill, 'Rome's domination of the A.L.P.', W.F. Corrigan papers, N.L.A., 1887/267.

from any expressions of regret. He was overruled,⁵⁰ and Mahon's widow duly received the customary extract from the debates - handsomely bound.

The career of Hugh Mahon can best be described as a tragedy of his times. Because of the traumatic experiences which he suffered in youth, his considerable natural abilities were turned into strange paths, and his genuine passion for the welfare of the human race was soured by suspicions and hatreds which were often completely unnecessary. With his rigid adherence to principle and his lucid common sense, combined with his invariable clarity in writing and speaking, he might have done great things, but once he became involved in controversy all the old bitternesses of his race and religion came to the surface and the image was spoilt.

⁵⁰ C.P.D., vol.132, p.4. Proof copies 16-17
September 1931, 937/1313.

APPENDIX A

Mahon's Health

Since Mahon's health was an important factor in determining his reaction to political events throughout his life, an effort was made to secure authoritative opinion about it. The available evidence was collected and submitted independently to three medical men, one a thoracic specialist, with a request that they offer a speculative diagnosis.

Doctor A considered Mahon to be a classic textbook case of a healed tuberculosis leaving fibrosis of the lung tissue. This would inevitably cause continual irritation, resulting in constant bronchial trouble. Inadequate oxygen supply to the blood stream would lead to malfunctioning of other organs. He would probably be rarely more than 80% efficient.

Doctor B said: "Although the facts seem to indicate a history of T.B., it is difficult to explain why, if the early diagnosis of Dr Kenny was correct, Mahon should not have shown an increasing deterioration in physical and mental health after about 1910. Nor can the fact be accounted for that Mahon lived to 73 if he was indeed suffering from T.B. His short sojourns in hospital, e.g. two weeks, do not seem to be consistent with treatment for T.B."

Doctor C (the Specialist) rejected any suggestion of Tuberculosis at any time because he would undoubtedly have died earlier. He suggested that the trouble was more likely to be some form of chronic bronchitis which would lead to general inefficiency through oxygen starvation. He considered that there was not sufficient evidence to say more.

APPENDIX B

The Case against Mahon

Report of Richmond speech in The Argus,
8 November 1920

More than 3,000 people attended an Irish demonstration held yesterday afternoon on the Richmond City Reserve, under the auspices of the Irish Ireland League. The president of the league (Mr. Mahon, M.H.R.) presided. Irish favours were largely worn. At intervals selections were played by St. Augustine's Boys' Band.

The Roman Catholic Bishop of Sale (Dr. Phelan), who was unable to be present, wrote:-

Any protest against the reign of terror now ruling in the name of law in Ireland has my fullest approval. We would be unworthy of the measure of liberty we enjoy if we failed to denounce the Government which is endeavouring to crush the spirit of liberty in the most venerable of the European nations.

The chairman said that the outrage committed upon Archbishop Mannix in England would never be forgotten by the Irish people of Australia. Never in Russia under the worst ruler of the Czars had there been such an infamous murder as that of the late Alderman McSwiney. They were told in the papers that Alderman McSwiney's poor widow sobbed over his coffin. If there was a just God in heaven that sob would reach round the world, and one day would shake the foundations

of this bloody and accursed Empire. (Loud applause) The other day he was reproached by a vinegar-faced 'wowsers' who said that the police in Ireland were being shot in the back. If they were shot in the back it must be because they were running away. But there were no police in Ireland. They were spies, informers, and bloody cut-throats. (Applause.) He read with delight that some of those murdering thugs had been sent to their account, and he trusted that Ireland would not be profaned by their carcasses. (Applause.) Their souls were probably in hell, and their bodies should be sent to England. (Applause.) He would not have the sweet pastures of Ireland poisoned by their carrion clay. (Applause.)

Other speakers included Messrs. Tudor, Parker Moloney, F. Brennan, Considine, Cunningham, M.H.R.'s, Mr. Prendergast, M.L.A., Messrs J.F. Hannan, J.J. Collins, J.J. Clancy, and Peter Larkin.

The following motions were agreed to:-

That this meeting expresses and extends its profound sympathy to the relatives of the late Lord Mayor of Cork, who was brutally done to death by the Lloyd George Government, and assures them that his prolonged martyrdom which has kindled the indignation of the whole civilised world will assuredly hasten recognition by the nations of the Irish republic, to which Alderman McSwiney devoted his noble life.

That this meeting earnestly invites the attention of free Australia to the complete destruction of civic liberty in Ireland by the action of the English government; it denies the

right of England to impose her will on the Irish people in view of the fact that Ireland by an overwhelming majority approved of the establishment of an Irish republic; and it condemned the saturnalia of murder, arson, plunder, and destruction indulged in by the foreign army of occupation, with the clear connivance and approval of the English Government.

That this mass meeting of Australian citizens in view of the policy of oppression and tyranny pursued by the English Government in Ireland, and which has brought eternal disgrace upon the whole British Empire, of which Australia forms a part, pledge its support to any movement for the establishment of an Australian republic.

It was resolved to forward copies of the resolutions to Mrs McSwiney, Eamonn de Valera, Mr Arthur Griffith, and to the Australian, Irish and American press.

The members of Parliament who addressed the gathering had all left before the motion with regard to an Australian republic was submitted.

Report of Richmond speech in Tribune,
11 November 1920

(Mahon's speech only)

Stirring Speech by Mr. Mahon

The chairman in his opening address said: There is one whose absence from this meeting will be greatly missed, and that is his Grace the noble Archbishop of Melbourne. (Cheers.) I take it that the outrage upon that eminent cleric will never be forgotten by the Irish people of Australia. (Hear,

hear.) The action taken against him by the British Government was one of the most damnable outrages ever committed upon a free man in an alleged free country. (Hear, hear.) The very hypocrites who pleaded with us to fight for the liberty of small nations are virtually gaoling the Archbishop of Melbourne, refusing him the right to visit his native land and his venerable mother. I ask you: Was there ever such black-hearted hypocrisy as this? (Cries of "No.") Whatever the Germans did in Belgium and Poland, remember that they were at war; but this gang of vile hypocrites, led by George, has in time of peace committed an infinitely greater outrage upon Archbishop Mannix than was ever offered by Germany to the Cardinal Archbishop of Malines. (Hear, hear.) And these people have the audacity to rail at and reproach young Australians for not sacrificing themselves to uphold a rule of this kind. I consider it a sacred duty to hand down to your children the memory of the unparalleled indignity on our Archbishop of which this infamous gang has been guilty.

An Infamous Despotism

We have met here to-day to express sympathy with the widow and family of the late Lord Mayor of Cork - a man irreproachable in domestic and private life, trusted and beloved by his fellow-citizens, and the chief magistrate of

an ancient and important city. What sort of government is it that has only a felon's cell for a man of his attainments and intellectual gifts, his self-sacrifice, and his patriotism? Why there never was in Russian history during the time of the most bloody and cruel Czars a government of a more infamous character - to subject to a lingering and a painful death a man of the type of Terence McSwiney. When we read in the papers that his poor widow sobbed over his coffin, I said: "If there is a just God in heaven, those sobs will reach Him, and will one day swell into a volume that will shake the foundations of this bloody and infamous despotism."

The Black and Tans

I was reproached the other day that the police were being shot in the back - if they are being shot in the back they must be running away. But, anyway, there are no police in Ireland: they are spies, informers, and bloody cut-throats. It is a satisfaction to know that the rotten Irish Government cannot get its uniformed soldiers to do its dirty work, and is forced to import into Ireland the off-scourings of English gaols, now known as the "Black and Tans." (Groans.) Some of these thugs, the murderers of innocent men, women and children, have been sent to their account. Their souls, if they had souls, are probably in hell, so it is fitting

that their carcasses should "go whence they came." I would not have the sweet pastures of holy Ireland poisoned by their carrion clay. (Applause.)

The Presidential Election

) We have a splendid signal from America which is a severe blow to Ireland's enemies. The treacherous and cowardly Democratic Party has gone to the wall and, thank God, the Irish in America rallied to the support of even an indifferent person in the Republican candidate rather than return the Democrats. (Cheers.) The late democratic President proclaimed self-determination, the rights of small nations and all this sort of cant at the Paris Conference, but turned a deaf ear to the representatives of Ireland; and this man, who assumed to speak on behalf of the democracy of the world, is now out; and so, thank God, is his bastard League of Nations, which has come to an end with him - (Cheers.) - a spurious international body which took no account of the wrongs of one of the most ancient and honorable countries in the world. Really, when you come to think of it, we have a right to thank God that this rotten gang in America has gone to the wall, and that no more is to be heard of the League of Nations with the hypocritical English politicians sitting in the chief positions.

The Vile Tactics of Hughes

The other day I moved a motion in the House of Representatives - (Hear, hear.) - a harmless one, to call attention to the infamous murder of the Lord Mayor of Cork, but the renegade rats of the Labor movement and the vinegary-visaged wowsers backing up Hughes put on the gag. They were afraid to hear the truth about Ireland. One impudent and ignorant person said: What is this to do with Australia? My rejoinder is: What the hell did the war have to do with Australia? (Cheers.) If these are not proper subjects to debate in a national Parliament, in the name of Heaven, what is? Have we no soul? But we have a direct and very deep interest in what is going on in Ireland. (Hear, hear.) Even these imperialistic bullies, if they had any sense, would know what a danger to the Empire it is to have Ireland in such a state. A discontented Ireland is always a danger, but a free and contented Ireland would try and forget the accumulated wrongs of eight hundred years and not be a menace to England. Thus, those jingoes who pretend to be the best friends of the Empire are really its most damnable enemies. (Hear, hear.) The nation which survived Cromwell - a decent man compared with Lloyd George - which outlived the infamies of 1798, is not the one to go down before this gang of false-hearted hypocrites, who only occupy the Treasury benches of the House of Commons by conspiracy and fraud.

(Cheers.)

APPENDIX C

Mahon as a writer

The following publications by Mahon have been identified. There are obviously many which cannot be identified.

Books

The Land League: a narrative of four years of Irish Agitation with sketches and portraits of the principal Irishmen of the day (Sydney, J.G. O'Connor, 1883).

Articles (under his own name)

Native races under the new constitution.
Austral Light, March 1902.

The latest essay in Irish land legislation.
Austral Light, July 1903.

The Western Australian Black. Austral Light,
April 1905.

Conferences and the Imperial Conference.
Austral Light, July 1907.

The latest offer to Ireland. Austral Light,
June 1907.

The Australian Aborigine. Austral Light,
October 1913.

Church insurance from within. Results in Ireland
and Australia. Austral Light, September 1913.

Joseph Devlin, M.P., A Sketch. Catholic Press,
April 1906.

A survivor of famous '48. Era of the Nation, her
poetry and patriotism. Catholic Press, 2 December 1907.

Fourteen weekly columns on federal politics and some later irregular articles. Westralian Worker, 5 March - 19 June 1914.

The Labor Caucus. What it is and what it is not. Barrier Truth, 25 May 1906.

Conscription or voluntary service. The question of the hour. Westralian Worker, 17 December 1915.

Imprisonment of Catholic priests in Australia. The case of the oblate fathers. Advocate, 21 February 1920.

Articles (published under pseudonyms but thought to be by Mahon.)

Catholics under the Commonwealth, by a Federal member. Austral Light, July 1901, p.476.

The Labor forces in the Federal Parliament, by M.H.R. Austral Light, June 1904. Supplement.

The elections and after? by A Catholic layman. Austral Light, February 1907, p.126.

The Coronation oath, An Australian protest, by M.H.R. Austral Light, August 1910, p.686.

Nine articles on federal politics sometimes unsigned, sometimes signed as "our lobby representative" and sometimes as "our Special parliamentary representative" Catholic Press, February - October 1907.

Life in the Federal Parliament. Our friends and foes. What will happen to the Home Rule resolution, by Insider. Catholic Press, October 1905.

The Truth about the Cable Ring. A new despotism. Catholic Press, April 1907.

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- No. 34 of 1901. Further correspondence respecting communication made to the press by...
- No. 36 of 1906. Report from the Royal Commission on Ocean Shipping Service...
- No. 54 of 1913. Progress report of Royal Commission on the Pearl Shelling industry (Mahon had left the Commission before its final report).
- No. 86 of 1914-1915. Panama Pacific Exposition. Royal Commission. Correspondence between the Minister for External Affairs and the president of the Commission.
- No. 221 of 1914-1915. Panama Pacific Exposition, San Francisco. Correspondence between the Minister for Public Works, Victoria (Hon. F. Hagelthorn), M.L.C., and the Minister of State for External Affairs (Hon. H. Mahon, M.P.) in connection with Australian representation at...
- No. 229 of 1914-1915. Correspondence respecting extension of term of appointment of the Right Honorable Sir George Reid, P.C., G.C.M.G., as High Commissioner for the Commonwealth of Australia in London.

No. 85 of 1914-1915. Food supplies and Trade and Industry during the War. Correspondence between the Royal Commission and the Minister for External Affairs.

No. 108 of 1917-1918. Irish Republican Brotherhood internees. Report on cases by Mr Justice Harvey.

Western Australia

Parliamentary Debates 1900-1901.

Papers.

A10 of 1900. Report of the Select Committee ... into the frauds of the Perth Ice Co. upon the Railway Department.

A21 of 1898. Report of the Joint Select Committee ... into the administration of the Bankruptcy Act 1892 by the Senior Official Receiver and the administration of the affairs of companies of which Mr Wainscot is the official liquidator.

New South Wales

1890 (2nd Session), vol. 2. Royal Commission on the introduction of infectious diseases in rabbits.

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National Library of Australia

Mahon Papers	937
Deakin Papers	1540
Higgins Papers	1057
O'Malley Papers	460
Atlee Hunt Papers	52
J.H.P. Murray Papers	1709
J.H. Catts Papers	658
C.E. Frazer Papers	981
Pearce Papers	213
Jebb Papers	339

Australian War Memorial

Pearce Papers

Final report re Federal Elections 1917.
Overseas forces. (Typescript).

Battye Library (Perth)

Forrest Papers 766a

Kirwan Papers 383a

Minutes of the State Executive of the Australian
Labor Party with minutes and correspondence
of the 1919 Electoral Campaign Committee
1319a.

Records of the Electoral Office 483. File 11/3382.
Registers of the Colonial Secretary 1899-1901.

Other Sources

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1901-1922. In the custody of Hon. A.A. Calwell.

Selected files from the records of the West Australian
Companies office.

Newspaper Registration Book No.1 from the records of
the Supreme Court of Western Australia.

Single documents from the archives of St Mary's
Cathedral, Sydney

One document from Catholic Diocesan archives,
Western Australia.

Selected files of Colonial Secretary's Department
in Archives Office of New South Wales.

C. Newspapers and Journals

No copies have survived of either the Southern Free Press
(Goulburn) or the Gosford Times from the period when Mahon
was editor. The dates cited represent the period for which
the paper was examined, not its life span.

New South Wales

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Bulletin (Sydney), 1901, 1920.

Catholic Press (Sydney), 1901-1906.

Daily Telegraph (Sydney), 1886-1890.

Freeman's Journal (Sydney), 1882-1890.

New South Wales (cont'd)Goulburn Evening Penny Post, 1884-1885.Southern Argus (Goulburn), 1884-1885.

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Sydney Mail, 1883.Worker (Sydney), 1911-1916.VictoriaAdvocate (Melbourne), 1882-1884, 1901, 1906, 1910,
1916, 1919-1920.Argus (Melbourne), 1915-1916, 1920.Austral Light (Melbourne), 1901-1913.Labor Call (Melbourne), 1911-1916.Western AustraliaCoolgardie Miner, 1896, 1901.Cygnets (Perth), 1913.Kalgoorlie Miner, 1901, 1903, 1906, 1909, 1913,
1917, 1920.Menzies Miner, 1896-1898.Miner's Daily News (Menzies), 1896-1898.Morning Herald (Perth), 1901, 1903, 1906.North Coolgardie Herald (Menzies), 1896-1898.Southern Cross Times, 1901, 1903, 1906, 1909, 1913,
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