‘Mightier than the Sword’:

The Life and Times of Sir John Waters Kirwan (1866-1949)

By

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This thesis is presented for the degree of Doctor of Philosophy of Murdoch University 2011
I declare that this thesis is my own account of my research and contains as its main content work which has not been previously submitted for a degree at any tertiary education institution.

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Anne Partlon
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Abstract

John Waters Kirwan (1866-1949) played a pivotal role in the Australian Federal movement. At a time when the Premier of Western Australia Sir John Forrest had begun to doubt the wisdom of his resource rich but under-developed colony joining the emerging Commonwealth, Kirwan conspired with Perth Federalists, Walter James and George Leake, to force Forrest’s hand. Editor and part-owner of the influential Kalgoorlie Miner, the ‘pocket-handkerchief’ newspaper he had transformed into one of the most powerful journals in the colony, he waged a virulent press campaign against the besieged Premier, mocking and belittling him at every turn and encouraging his east coast colleagues to follow suit. A founding member of the Eastern Goldfields Reform League, which convened to bring Western Australia into the national union, he spearheaded the ‘Separation for Federation’ agitation, arguing in the Miner that, if the colony did not federate, the Goldfields should go it alone. Of itself, this was nothing more than an audacious bluff designed to humble Forrest and his supporters, but exploited by key players such as James, Leake, Alfred Deakin, Charles Cameron Kingston, Patrick McMahon Glynn and Josiah Symon, even Colonial Secretary Joseph Chamberlain, it proved an effective weapon. Chamberlain, in his controversial 27 April 1900 cable to Acting Governor Onslow, alluded to the ‘agitation of the Federalist party…in goldfields’ before urging Forrest to ‘bring the Colony into Federation at once’. Friends since his days as editor of the Port Augusta Dispatch (1893-95), Kirwan enlisted South Australian lawyers and parliamentarians Kingston, Glynn and Symon to redraft his petition to the Queen and advise the Separatists. This thesis, the first full-length biography of John Waters Kirwan, is also the first to examine in detail his service to what Kingston called ‘the sacred cause’ of national unity. From his arrival in Queensland in 1889 to his Presidency of the Western Australian Legislative Council nearly 40 years later, it gives new weight to his contribution while pondering why, after such a spectacular debut, he failed to make the most of his short-lived Federal parliamentary career.
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Introduction

A Most Unsuitable Candidate

On Saturday 8 April 1933, the people of Western Australia voted by a 68% majority to secede from the Commonwealth. The referendum added a bitterly ironic postscript to the stalled political ambitions of John Waters Kirwan, who in 1931, with the House evenly divided on the subject, had used his casting vote as President of the Legislative Council to save the Secession Bill from defeat.¹ For Kirwan was no Secessionist. He was on the contrary a staunch Federalist who, thirty-three years previously while crusading editor of the influential Goldfields daily the Kalgoorlie Miner, led a popular local agitation aimed at bringing Western Australia into the Commonwealth as an original state.

The 1899-1900 Separation for Federation campaign turned the tide of the constitutional movement in the west by threatening to excise the Goldfields from the rest of the colony, if it did not Federate. Since it was doubtful that the Imperial authorities would have acceded to such a request, the ploy was little more than an audacious bluff designed to coerce a reluctant Premier Sir John Forrest into holding a referendum on the subject, but with the connivance of leading Federalists and Colonial Secretary Joseph Chamberlain himself it proved an effective lever by which to manipulate Forrest. It was also the making of John Kirwan, who capitalised on his growing celebrity to launch his parliamentary career; and yet as swiftly as he rose, he fell, losing his Federal seat after one short term and retreating to Kalgoorlie to lick his wounds. Such reversals are not uncommon in the world of politics. Churchill, for example, overcame several setbacks on the road to Prime Ministerial office. Kirwan did not. Although he subsequently ran for State Parliament, retaining for nearly forty years his seat in the Legislative Council and eventually securing the Presidency of the chamber, he never recovered his former stature, and the name which was once a ‘household word’² faded from civic memory.

Historical neglect and exiguous sources have completed the process. Ironically, while Kirwan himself was a prolific author of letters, pamphlets, verse, newspaper and journal articles and books, little has been written about him and what there is tends to be ephemeral, uncritical and inaccurate. The earliest contemporary portraits of him consist of testimonials,

² ‘Motion – Condolence’, Western Australian Parliamentary Debates [WAPD], Vol.125, 20 September 1949, p.2203.
political sketches and social glossaries of the type penned by ‘Truthful Thomas’\(^3\) and Mrs Leonard W. Matters, who wrote under the pseudonym, ‘Egeria’.\(^4\) These depict a man ‘slightly above middle height’ and, in contrast to his famously swarthy ancestors, of fair complexion, with ‘darkish hair and a mousey-brown moustache’.\(^5\) Kirwan himself claimed in a rare interview to be 5’10’,\(^6\) although youthful photographs show a slighter figure, and Jack Drayton, venomous editor of the *Kalgoorlie Sun* and a bitter enemy of ‘Curwan’, denominated him a ‘small, pale man’, from which came the contemptuous sobriquet, suggestive of a sickly, snarling mongrel.\(^7\) In fact, Kirwan does not appear to have had a robust constitution and, prone to colds and respiratory illnesses, often complained publicly of feeling unwell.\(^8\) Friends in Port Augusta, fearing that his delicate features betokened an underlying frailty, did their best to dissuade him from going to Kalgoorlie, ‘where men were dying like flies’,\(^9\) and Kirwan himself was always sensitive about his health, to the point of exhibiting mild hypochondria. His mother died of phthisis when he was six and that loss, coupled with the deaths of two infant brothers the year before his birth,\(^10\) may have fostered his anxieties. He was accordingly an abstemious man, and neither smoked nor drank nor, apart from a youthful jaunt to the casinos at Monte Carlo and an occasional flutter on the horses, gambled.\(^11\) A dedicated tourist, especially in his later years, he believed in the curative powers of travel and once recommended it to his friend, Hugh Mahon, as a sop to the strains of Ministerial office.\(^12\) He was also notoriously reticent about his private life and, while outwardly charming, gave few insights into his deepest thoughts and feelings. His favourite flower was the rose, he admired actors George Arliss and Charlie Chaplin, he thought Ned Kelly the most memorable figure in Australian history, and he preferred


\(^{5}\) ‘Truthful Thomas’, *Through the Spyglass*, p.16.


\(^{9}\) Denis Agar Richard Kirwan and John Waters Kirwan, *Pedigree of the Kirwan Family*, 1939, unpublished archive material, Galway Family History Society West, Liosbaun [Lisbawn] Estate, Tuam Road, Galway.


\(^{11}\) John Waters Kirwan to Hugh Mahon, 29 April 1904, Mahon Papers, MS 937: 162-65, No.398, National Library of Australia, Canberra [NLA].
biographies to novels. In a rare effusion which did not bode well for his troubled marriage he later listed ‘books, reading and friendship’ as the three great pleasures of life.

Character references and newspaper reports, while affording further glimpses into Kirwan’s psyche, have only contributed to the enigma. Former employers, verifying his intelligence and his practical skills as a stenographer and ‘ready paragraphist’, also extolled his integrity, but Australian journalists were not always as complimentary or as consistent, depicting him in contradictory terms as courteous, scholarly, fair-minded, serious, witty, humourless, genial, ponderous, dignified, stubborn and diffident. Reflecting the views of the town after which it was named, the Port Augusta Dispatch praised its retiring editor on the eve of his departure for Kalgoorlie as efficient, independent, impartial, conscientious, enthusiastic, learned and ‘a pleasure to know’. The Bendigo Independent, reporting in 1902 when he was a Member of the House of Representatives concurred, finding him ‘temperate and logical in debate’, ‘quick at repartee’, and endowed with an ‘agreeable personality and courteous bearing’; but the Sun, lamenting his lack of humour and mental stolidity, thought him ‘too soberly serious, too deadly solemn’ for his own good. Another plainly bored correspondent noted a fluent but dull speaker whose ‘slow utterances [were] apt to become…wearisome to impatient men who think and act rapidly’; yet Henry Hunt, Kirwan’s old boss at the Dublin desk of the London Central News, attested to his ‘quickness of perception…and clearness of thought’ and E. M. Heenan, who knew him in later life, remarked upon his ‘great sense of humour’. W. A. Truth admired his persistence and ‘cheerful candour’ but the Mirror, mimicking his Irish brogue, described him as ‘nervous…diffident [and] dogmatic at times’ before declaring ‘J. W. Kirwan of the “Kal-goo-er-lie Moin-er”… a good democrat of the sensible sort’.

16 ‘Farewell to Mr J. W. Kirwan’, Port Augusta and Quorn Dispatch, Newcastle and Flinders Chronicle, 29 November 1895, p.2.  
17 9 January 1902, Kirwan papers, MN591 PR520 O/S C17, BL.  
18 Kalgoorlie Sun, 20 November 1910, p.15.  
19 Newspaper article, Kirwan Papers, MN591: PR520 O/S C17, BL.  
20 Testimonials of Mr J. W. Kirwan, Member of the Australasian Institute of Journalists: Henry Hunt B.L., Dublin Representative of London Central News, May 1889, Kirwan Papers, MN591 PR 520 O/S C17, BL.  
22 4 April 1903.  
23 Mirror, n.d., Kirwan Papers, MN591 PR520 O/S C17, BL.
In the absence of more comprehensive studies, these fragments must serve to illuminate the man, at least as he was in youth. Later acquaintances describe a mellower, more urbane individual while indices like J. S. Battye’s famous *Cyclopedia* (1912-13)\(^{24}\) and the *Australian Dictionary of Biography*\(^{25}\) offer the most reliable resumés of his public achievements. Neither summary does much more than scratch the surface, however. Battye’s abstract, couched in the polite terminology of the day, covers only the first decade or so of his career. Pat Simpson’s longer entry, while an efficient recital of facts, is constrained by space or tact, or both, from an analysis of his character, his relationships and his professional conduct. The only books to attempt a closer inspection – Jules Raeside’s memoir, *Golden Days* (1929),\(^{26}\) and Norma King’s corporate history, *The Voice of the Goldfields: 100 Years of the Kalgoorlie Miner* (1995)\(^{27}\) – cannot be said to be entirely disinterested. King’s volume, commissioned by Kirwan’s old firm, Hocking and Company, is essentially a commemorative history of the newspaper. Raeside’s memoir, while lauding Kirwan as the ‘doughty champion of goldfields’ grievances’ and presiding genius of the Separation campaign,\(^{28}\) appears to have been a collaborative effort between the two of them and is too hagiographical to be entirely credible. As well as assigning large tracts of the narrative to Kirwan, who contributed articles, verse, and the preface, Raeside, the pseudonym of Goldfields identity W. J. Reside, is also the brother of John Reside, the first Member for Hannan’s (later Kalgoorlie) in the State Parliament and one of Kirwan’s Reform League cronies.\(^{29}\)

Kirwan’s 1936 autobiography, *My Life’s Adventure*, is hardly more instructive. Written in episodic style, its most remarkable features are its lack of introspection and its unconventional habit of substituting for the author’s personal history a series of anecdotes about the many rich, famous and usually titled figures he encountered in his almost pathological wanderings. On the subject of his childhood, his troubled marriage to the mentally fragile Teresa Gertrude, daughter of Speaker T. F. Quinlan, and his four sons, two


of whom predeceased him, he has nothing to say. Partly his reticence may be attributed to the
pieties of a more reserved generation who would have thought it bad form to air their dirty
laundry in public. But another part of it has its roots in the ‘West Britonism’ which pervades
his writing. Like many Irish Catholic élites, Kirwan was a closet Anglophile, aping English
aristocratic manners and ingratiating himself at every opportunity with British grandees,
from whom he was, however, alienated by race and religion. Correspondence from the
1920s and 30s when he was frequently in London reveal him to have been of a sociable cast,
much given to lunching, dining and clubbing with his high-ranking patrons; and, when not
thus engaged, he often busied himself writing panegyrics to Imperial statesmen and
performing helpful little services on their behalf, as he did for John Jacob Astor, the wealthy
and influential owner of The Times and future Baron Hever, to whom he sent flattering press
cuttings of his 1925 Melbourne visit. He was a founding member of the Empire Press
Union and its affiliate, the Empire Parliamentary Association, formed to promote cultural
exchanges between Britain and its dominions, and belonged to various gentlemen’s clubs:
Hannans, Kalgoorlie, the Weld, Perth, Kildare St, Dublin, and that bastion of British
conservatism, the Carlton.

The best that can be said of this unattractive toadyism is that he was, as some early
observers intuited, naturally diffident, the worst that he suffered an inferiority complex
amounting to a ferocious cultural cringe. Certainly there was an element of modest
self-effacement about a man who, for all his bluff and bluster as a radical editor and
maverick politician, once gave as his recipe for happiness ‘good health [and] thinking as
little as possible about yourself’. Family members recall a reserved individual, who took
time to get to know people. But was it false modesty? Whether from genuine humility or
the belief that true greatness is conferred, not cultivated, he baulked at blowing his own horn
and recruited others – the compliant Raeside, for example – to supply the deficiency. Nor

30 Sir Harry Brittain to Kirwan, 2 March 1921, Kirwan Papers, MS277: 1/170, NLA, thanking Kirwan
for a copy of Two Imperial Press Conferences; Ronald Munro-Ferguson, Viscount Novar, to Kirwan,
15 April 1921, MS277:1/171, NLA; John Jacob Astor to Kirwan, 27 December 1925 and 17 February
1927, MS277:1/179, NLA.
31 David Black and Geoffrey Bolton, Biographical Register of Members of the Parliament of Western
Sherwood, Secretary of the Weld Club, 2 Barrack St., Perth, in a letter to the author dated 18 March
2008 confirms Kirwan’s membership from 1909 to his death in 1949.
32 Carlton Club Secretary Mary Sharp and Archivist Alistair Cooke in emails to the author on 14 and 16
August, 2, 6 and 14 September 2010 advise that Kirwan’s name appears in pencil on a 1932 list of
members, from which it is deduced that he was an ‘honorary’ member. This is corroborated by a later
annotated list from 1 February 1934, which bears the legend ‘honorary member’ next to his name. His
son, John Daniel, became an ordinary member in 1935.
was Raeside the only proxy to be thus pressed into service. Novelist Katharine Susannah
Prichard, historian J. S. Battye, and fellow Reform Leaguer Hugh Mahon, who in 1913
excited Kirwan's expectations by announcing his intention of writing a memoir (it never
materialised), were also approached.

Like his older contemporary, John Winthrop Hackett, Kirwan hailed from the Irish
gentry, albeit from the opposite side of their country’s great religious and political divide.
Hackett, the son of a Church of Ireland clergyman, traced his lineage to an Anglo-Norman
follower who accompanied the Conqueror to England.\(^{35}\) Kirwan, son of an impoverished
Catholic Irish gentleman farmer, came of a once proud clan of native (Gaelic) merchant
princes and landowners. This cultural schism informed their competing visions of Irish
nationhood. Hackett, the Ascendancy representative, vehemently opposed Irish devolution,
and as owner-editor of the *West Australian* single-handedly mounted a pogrom against state
aid for Catholic schools. Kirwan, the Catholic nationalist, was an ardent Home Ruler and
Parnellite but, since he was also a monarchist, did not approve of the republicans who fought
to end British rule, and it was many years before he could think of men like Collins and De
Valera as ‘idealists [and] patriots’.\(^{36}\) The destruction of the Big Houses and their ‘beautiful
desmesnes’ was an especial cause for regret.\(^{37}\) Born in 1866, the year after the poet, he was
of Yeats’ generation and mourned with him the loss of ‘many ingenious lovely things’
wantonly destroyed by ‘the rage-driven, rage-tormented, and rage-hungry troop’.\(^{38}\)

Despite their initial hostility to one another, Kirwan and Hackett were eventually to
become friends and, indeed, had much in common. Both were shrewd businessmen who
headed major newspapers and went on to parliamentary service. Kirwan, at the *Kalgoorlie
Miner*, articulated the opinions of the young, progressive and politically conscious
Goldfields community. Hackett, at the *West Australian*, spoke for the conservative majority
in the older, coastal and south-west agricultural districts. As friction between the two groups
escalated in 1899 over whether or not Western Australia should join the Commonwealth,
Kirwan and Hackett found themselves at loggerheads, with Kirwan, the Federalist,
preaching national union and Hackett, the ‘disunionist’, urging caution. Once Federation
became an accomplished fact in 1901, however, the rivalry between them lost much of its

\(^{35}\) Jarlath Ronayne, ‘Sir John Winthrop Hackett’, *The Irish in Australia: Rogues and Reformers, First

\(^{36}\) Hon. Sir John Kirwan, *An Empty Land: Pioneers and Pioneering in Australia*, London: Eyre and

1927, p.10.

\(^{38}\) W. B. Yeats, ‘Nineteen Hundred and Nineteen’ and ‘Meditations in Time of Civil War’, *The Collected Poems of
heat, leaving them open to the possibility of rapprochement. In some respects, they complemented each other. Hackett, the conservative, was ‘liberal’ on such matters as education, female suffrage and mental health. Kirwan, the radical, was morally conservative and resisted attempts to relax the divorce laws. As ‘loyal’ Irishmen, they believed that the continent should be preserved for the British race, subscribed to the White Australia policy and supported the construction of railways and similar state-backed initiatives. They were both members of the Empire Press Union and Perth’s exclusive Weld Club and, by 1912, had become so cosy that Hackett invited Kirwan to join him on the Senate of the University of Western Australia.

There were, however, fundamental areas of disagreement. Hackett, the press baron, was the archetypal capitalist. Kirwan entered State Parliament as a nominee of the Newton Moore Ministerialist government, precursors of the Liberal Party, but exhibited left-wing sympathies. He stood for small business as well as the working man: the former made him a Free Trader while the latter inclined him towards the trade union movement. He was present at the birth of the Labor Party in April 1899, when he addressed its inaugural Congress in Coolgardie to rousing applause, and later proved a stalwart ally of Labor Premier John ‘Happy Jack’ Scaddan’s ‘goldfields government’. From such auspices as these, he might have been expected to throw in his lot with Labor and, but for the party oath which would have obliged him to vote with caucus in preference to his conscience, may well have done so. He was an old-fashioned radical liberal in the mould of Edmund Burke (1729-97), the Anglo-Irish philosopher, statesman and political theorist whose belief in a free market economy, a property-based social hierarchy, and the right of elected officials to vote as their judgement decreed, and not necessarily as their constituents wished, he shared. Many of his rulings while President of the Legislative Council – those aimed at shoring up the prerogatives of the propertied classes, for example – can be attributed to his Burkeian sensibilities. Similarly, his decision to vote for the Secession Bill in 1931 in spite of his Federalist principles may be seen as striking a blow for liberty and the democratic process.

But his independence came at a price. As was to become apparent after 1911, when Labor’s growing dominance forced the conservative representatives to band together for their own survival, Kirwan’s determination to remain a ‘non-party’ man in an increasingly partisan chamber deprived him of political power and ultimately consigned him to oblivion. To some extent, he was a victim of circumstance. Ironically, given his Liberal origins, the

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closest he came to influencing government policy was through his alliance with the Scaddan Labor government, but after the split of 1916 he could no longer count on his old comrades and, while keeping his distance from the new party political combinations, found himself temporarily on the outer.

The problem for Kirwan’s biographer is how to sustain interest in a long, distinguished but unspectacular career which peaked early and never recovered its former altitude. His main claim to fame, and one he flagged himself, rather awkwardly adumbrating it ‘a movement of far-reaching importance with which I was directly associated’, was as leader of the Eastern Goldfields Reform League and chief apologist for the Federal cause in Western Australia. It is also the only time in his autobiography that he turned the spotlight on himself, declaring that it was he who ‘advocated in the Press the separation of the Eastern Goldfields from the colony of Western Australia for the purpose of forming a new state and joining the Commonwealth’.

For the rest of his life Kirwan insisted that the Separationists had played a seminal role in uniting the nation. ‘Were it not for the fear of losing the Eastern Goldfields’, he maintained, ‘Parliament would not have given the electors the right to vote for or against Federation, and thus the colony could not possibly have joined as an original State’. It was a theme he continued to pursue in the *Kalgoorlie Miner* and in the State and Federal Parliaments where he never lost an opportunity to pummel Forrest and the ‘Swan Settlement parochialists’ who had stood fast against the cause until compelled by the Imperial government to hold a referendum.

On this subject, however, historical opinion is sharply divided. J. S. Battye, in language which echoes Kirwan’s own, agrees with him in seeing the Separation campaign as ‘the most important factor which led to the ultimate unconditional submission of the [Constitution] Bill to the electors’. This view is endorsed by pseudonymous Goldfields poet Jules Raeside, as well as by Perth Federal leaders Walter James and George Leake, with whom Kirwan liaised throughout the agitation. Leake, writing to thank him for his ‘able advocacy’ at the conclusion of the campaign, went as far as averring that without him ‘we should have had but a poor chance’.

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40 Kirwan, *MLA*, p.144.
41 Ibid., p.146.
45 George Leake to John Kirwan, 15 June 1900, Kirwan Papers, MN591, 383A/1, BL.
Other commentators were less convinced, however. Hal Colebatch, while conceding that ‘Sir John Kirwan was on sound grounds in arguing that the goldfields separation agitation played a major part in securing the immediate entry of Western Australia into the Federation’, regretted the haste with which it had been accomplished. Jack Drayton, Kirwan’s bête noire, was predictably irreverent, mocking ‘the apostle of Separation, the missionary of Federation’ and accusing him of delusions of grandeur. ‘You were to be Premier (or was it king?) of Auralia’, he crowed, alluding to the new state proposed by the agitators. ‘Imagine you being …king of anything more important than a camp of emigrants’.

Amongst a later generation of historians, only David Mossenson affirms the importance of the Eastern Goldfields Reform League, calling it ‘an effective weapon with which to bludgeon a reluctant parliament into submitting the Commonwealth Bill to the people’. The opposing camp is represented by John Bastin who disputes that the Separationists were ever taken seriously by Colonial Secretary Joseph Chamberlain. His view is echoed by Frank Crowley and Brian de Garis who dismiss the movement as a damp squib. Crowley accuses Battye of relying too heavily on Kirwan’s version of events. However, the same charge can be levelled against Bastin, Crowley and De Garis who appear to have taken their cues from Colebatch. As for Colebatch himself, his argument that Western Australia might have acquired better conditions if it had waited flies in the face of the available evidence.

The other question mark concerns Kirwan’s peculiar career trajectory. In the ten years between his arrival in Australia as a penniless journalist and his election to the inaugural Commonwealth Parliament in May 1901, his progress had been nothing short of meteoric. From editor and co-proprietor of the Kalgoorlie Miner, the small daily newspaper he transformed into one of the most influential journals in the colony, he successfully

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51 Frank Crowley, Big John Forrest 1847-1918: A Founding Father of the Commonwealth of Australia, Nedlands: University of Western Australia Press, 2000, p.252.
reinvented himself as the tribune of the people, embracing popular causes and consolidating his authority by winning the Federal seat of Kalgoorlie. The rest of the story should have been equally uplifting and, for one brief shining moment, it promised to follow the usual pattern. In Melbourne he came to the notice of Sir Frederick Holder, Speaker in the House of Representatives, who appointed him one of his deputies. He served on two parliamentary committees and a Royal Commission, discussed books and politics with Alfred Deakin in the grounds of Parliament House and, though seated on the opposite side of the chamber, enjoyed the somewhat erratic patronage of Charles Cameron Kingston, the former South Australian Premier and Reform League advisor whom he had befriended while editor of the Port Augusta Dispatch.

But in the summer of 1903 Kirwan’s Federal ambitions ground to a sudden halt when he lost his seat to Labor candidate Charles Fraser in the December elections. Exhausted and humiliated, he retreated to his office at the Kalgoorlie Miner, where he resumed his editorial duties before suffering what appears to have been a physical and nervous collapse. A long convalescence followed, during which he embarked on a personal odyssey, touring Britain and Europe and pondering his future; at one stage he contemplated moving permanently to Ireland. It was five years before he could bring himself to consider a return to politics, and then it was in an arena as far removed from the epicentre of Federal power as possible: the ‘gentleman’s club’ of the Western Australian Legislative Council, there to see out his days in quiet deliberation.

It is tempting to speculate about what might have been, had he retained his Federal seat or recontested it at the next election. Whether he might not in time have obtained a Cabinet position or the Prime Ministership is one of life’s glorious imponderables but certainly he had in the years prior to 1903 demonstrated the energy, drive and ability necessary to get him there. Had he joined the Labor Party his future may well have taken a different course and the name of Kirwan entered into the annals alongside those of Fisher and Hughes. Alternatively, a diplomatic sinecure might have been found for him. From his frequent jaunts to London in the 1920s and 30s, his desperate courtship of British officials, one suspects he coveted such a role, seeing himself in imagination as Agent-General Kirwan or High Commissioner.

So what went wrong? How did a young, talented, ambitious man squander his best, his only, chance at immortality? One explanation is that Kirwan had the sheer bad luck to

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re-contest his Federal seat at a time when the Labor Party was emerging as a new political force. But another and perhaps more telling reason lies in Kirwan’s volatile temperament. As hot-headed as his famous duelling ancestors, Kirwan often breached etiquette in this politest of Parliaments, losing his temper in debates and hectoring his colleagues, for which he was as regularly admonished, sometimes by the deputy leader of his own party, Sir William McMillan. Later renowned for his parliamentary courtesy, he was in 1903 a peculiar mix of nerves and bombast, a young man eager to be heard in an environment dominated by many of the most brilliant intellects of their age. To an already passionate nature was added an obsessive streak so that while he was capable of terrier-like devotion to a cause he was equally prone to bear malice, as his lifelong feud with Sir John Forrest attested. A stalwart ally – he counted mining fraudster Claude de Bernales among his friends – he could be an implacable enemy.

It is probable that an element of snobbery inflamed his animosity towards Forrest, whose humbler origins as the son of indentured servants did not impede his progress or prevent him out-performing the gently brought up young rival. Whatever the cause, and while his verbal jousts with the former Premier might have impressed his constituents, it is equally likely that they won him few friends in Melbourne. Jack Drayton gloated that the attacks had backfired by stimulating a reaction in Forrest’s favour, and although not the most disinterested witness where Kirwan was concerned, he appears on this occasion to have been reliably informed. Even Kingston, who was no fan of Forrest’s, pronounced himself ‘fed up’ with hearing about ‘the pioneers of the back-blocks’ and their epic battle for nationhood, prompting further outbursts from Kirwan. The upshot is that while he proved a keen, conscientious and diligent Federal Representative he was also ineffectual and, increasingly frustrated by the slow pace of parliamentary procedure, the long hours, interminable tariff debates, above all, the chastening experience of being continually on the losing side as a member of a minority party in a hung Parliament, may have decided that the effort outweighed the honour. Seasoned veterans of the calibre of Kingston and Sir George Reid, leader of the Free Trade Opposition, eventually buckled under the pressure, so it is not to be wondered at if a mere neophyte like Kirwan were to feel the strain. In the words applied by a future Prime Minister to another failed contender, perhaps he simply didn’t have the ticker for it.

If history is written by the victors, Kirwan must appear a most unsuitable candidate for a biography. For his is not a success story, a steady ascent in which one triumph follows another, but a case of diminishing returns after a dazzling pyrotechnical debut. Politically, he achieved very little in his long span; his legacy was slight, his much vaunted claim to have secured the Commonwealth, contentious; his name forgotten – the natural fate perhaps of the maverick whose independence deprives him of a party faithful. When in addition to his abortive career trajectory one takes into account his defects of character – his explosive, hair-trigger temper, resentful nature, neuroses, snobbery, pomposity, his faults as a husband and father – it is hard at times to feel much liking or sympathy for him; harder still to escape the conclusion that he ended his days a disappointed man, sad, lonely and uneasily conscious that he had traded the promise of his youth for a handful of honours which had long since lost their lustre.

Kirwan, then, does not fit the typical profile of the biographical protagonist. He was not one of history’s colossi but a complex and fallible human being whose aspirations did not meet with the right admixture of ability, energy and luck conducive to greatness. But history, if it tends to reify its heroes, is not concerned only with those who wear the laurels. Not everyone is born to be a Caesar or a Napoleon, and even divine Caesar knew loss and disappointment ere he too crumbled into dust. It was Kirwan’s misfortune to live always in the shadow of greater men than himself, but that does not invalidate his story. On the contrary, it is possible to learn as much from those who fail to make the grade as it is from their more successful contemporaries. An astute observer of the times, Kirwan knew – one could say he made it his business to know – many of the social and political leaders of his day, men whose own characters acquire sharper contours when viewed through his lens. From the 1893 property market crash in the eastern colonies to the West Australian goldrushes, the Federation movement and the birth of the nation, he was serendipitously on the spot at critical episodes in the country’s evolution and uniquely placed to open a window onto a tumultuous and formative epoch. At the same time, he was of the era and must face scrutiny in his turn.

This is the first full length biographical account of the life and times of Sir John Waters Kirwan and charts his progress from his birth in Liverpool, England, to his death 83 years later in Subiaco, Western Australia. On this subject, however, a few qualifications are necessary. Despite exhaustive enquiries, it has not been possible to uncover any salient facts about his childhood, his education or, indeed, his later relationships with the opposite sex. Romantic by nature, yet marrying at the venerable age of 45, he must have enjoyed earlier
love affairs but, if so, no least hint of a rumour remains to tease the imagination. As illustrated by his strangely unreflexive autobiography, his private life was a closed book. The same shroud of silence surrounds another character in the story: Kalgoorlie. Remarkably, when one considers the impact of the 1890s mineral boom, there are no social histories of the Goldfields. Golden Destiny, Martyn and Audrey Webbs’ epic two volume set, is primarily a geological study of the mining industry.54

Notwithstanding these constraints, in Chapter One the thesis uses what little documentary evidence exists to explore his family background. Chapter Two focuses on his editorship of the Port Augusta Dispatch and his relations with the three South Australian lawyers, Premier Charles Cameron Kingston, rival newspaper editor Patrick McMahon Glynn and Josiah Symon, whose advice and support during the Separation campaign would prove invaluable. In Chapter Three the scene shifts to the Coolgardie Goldfields, where Kirwan’s crusading zeal as radical editor of the Kalgoorlie Miner and champion of popular causes such as the 1898 Alluvial Rights dispute and later Federation movement puts him on a collision course with Premier Sir John Forrest. Chapters Four and Five follow him to Melbourne where he takes his seat in the first Federal Parliament opposite a glowering Forrest while Chapters Six to Eight trace his State parliamentary career, from his election as an Independent to his appointment as President of the Legislative Council. Spanning two decades from 1927 to his death in 1949, the Epilogue covers his later journalism, his Presidency, his compulsive wanderings and his growing reputation as an apologist for British Imperialism. Here, a further caveat is necessary. It will be readily understood that a single volume cannot dwell with equal emphasis on all aspects of the subject’s life, especially one as long and varied as Kirwan’s. The extraordinary duration of his state parliamentary service alone – 38 years as Member, 20 as President – precludes more than an overview of his speeches, although every effort has been made to be as thorough as possible. Similarly, it has not been found feasible to do other than look at the highlights of his Presidency. The peculiar arc of his career demands that the stresses fall on Chapters Three to Five, when basking in the applause of his Goldfields constituents he stood poised on the cusp of the brilliant career which never eventuated.

Chapter 1

The Kirwans of Woodfield.

As a boy growing up in wintry Galway, John Waters Kirwan dreamed of Australia. Neither he nor his elder brother Edmund, who shared his youthful fantasies, knew much about that ‘remote land’; still less did they know that they would make it their home or that John, the youngest, would play a pivotal role in its political evolution. ‘What I had heard and read about it’, John Kirwan later recalled, ‘was confined to gold digging experiences, fights with bushrangers and deeds of exploration’. He imagined a place of ‘sunshine, sport and adventure’ and hoped to go there one day.

Born on 2 December 1866 in Liverpool, England, John Waters Kirwan was the youngest son of Nicholas John Kirwan, gentleman, of Sandymount House, Oughterard, Galway and his wife Mary Ellen, née Waters. The couple had six children, of whom two died in infancy. When they wed on 8 February 1858, they were continuing a family tradition. Mary Ellen’s two sisters, Lydia and Dorinda, were married to Nicholas’ brothers, Edmund and Richard. A fourth Waters girl, Caroline, married the celebrated Irish scholar and Trinity College graduate, Dr P. W. Joyce.

Mary Ellen and her sisters came of rebel stock: their maternal grandfather was none other than Garrett Byrne, one of the leaders of the 1798 United Irishmen uprising in Co. Wicklow. Their father, John Waters of Parkmore Lodge, Baltinglass, and Waterstown, Co. Wicklow, was a lieutenant in the 21st Royal Fusiliers and the descendant of the two Paris bankers – a father and son named Waters – who lent the Young Pretender, Charles Edward Stuart, the sum of 180,000 livres (about £90,000) to finance his abortive 1745 bid for the Crown.

Nicholas Kirwan, formerly of Woodfield, belonged to the Catholic branch of a very old, gentrified and once prosperous landowning dynasty with estates throughout the West of Ireland. If his son, John, is to be believed, the family was as ancient as the country it inhabited, and traced its lineage from Heremon, the second son of Milesius, the Spanish soldier of fortune whose progeny are said to have supplanted earlier inhabitants of the

1 Kirwan, MLA p.1.
2 Denis Agar Richard Kirwan and John Waters Kirwan, Pedigree of the Kirwan Family, 1939.
4 ‘A Noted Galway Family: The Kirwans of Woodfield’, Tuam Herald, 3 July 1915, c.22 and 29 November 1919 and 6 December 1919. A note in the Tuam Herald says that John Waters Kirwan contributed articles and notes to the newspaper, that is, he co-wrote them.
island. Like the O’Connors and other great clans, they also claimed descent from Roderick, reputedly the first king of all Ireland, but this may have been gilding the lily. Their real strength came from their commercial interests: they were one of the fourteen Tribes of Galway, an élite group of merchant princes who controlled the social and economic life of the city. At the height of their power in the sixteenth and seventeenth centuries, they owned most of the barony of Dunmore as well as large tracts throughout Galway and the neighbouring county of Mayo. The family eventually settled at Cregg but, as it expanded, branches sprang up at Knock, Blindwell and Gardenfield, Dalgin, CastleHackett, Hillsbrook and Woodfield. There was even an offshoot in Bordeaux, France, where a Mark Kirwan established himself as a wine merchant in the early 18th century.

The Kirwans were a warlike breed and many of their name died violently in battle or with swords and pistols drawn. A Galway proverb, ‘as proud as a Kirwan’, gives some idea of the mettle of the clan while a Kirwan banshee was kept busy, warning of impending disaster. The family motto – My God, My King, My Country – has been vigorously defended by Kirwans in most Irish and European conflicts, although the combatants’ religious and political affiliations have changed over time. Yellow Richard of the Sword (in Gaelic, Richard Buí a Clava), the founder of the Woodfield line, fought for the Stuart cause at Fontenoy. One of his brothers was at the same battle – on the English side. When the French landed at Killala in 1798, Richard’s eldest son and heir, Martin Kirwan, joined the British Yeomanry. His younger brother, their father’s namesake, marched with General Humbert. Famous Kirwans include Stephen Kirwan, Bishop of Clonfert in 1582; Francis Kirwan, Bishop of Killala in 1646; and Sir John Kirwan of CastleHackett, Mayor of

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5 Denis Agar Richard Kirwan and John Waters Kirwan, Pedigree of the Kirwan Family, 1939.
10 ‘A Noted Galway Family: The Kirwans of Woodfield’, Tuam Herald, 3 July 1915, c.22 and 29 November 1919 and 6 December 1919. Copies of some of the articles can be viewed in the Kirwan Papers, MN591:PR520 O/SC17, BL.
Galway in 1686, who is credited with introducing glass windows to the town.\textsuperscript{14} Perhaps the most renowned of their number was the eminent 18\textsuperscript{th} century scientist and chemist, Richard Kirwan of Cregg (1733-1812), nephew and namesake of Yellow Richard.

Although by the time of the Tudors the family was firmly entrenched in the West of Ireland, it actually originated in Ulster where, in the eleventh century, its members were hereditary lords of a fiefdom near Derry.\textsuperscript{15} Around 1217, the Kirwans were routed by the Norman John de Coursey and his followers.\textsuperscript{16} They fled to Connaught, settling near Dunmore where they erected a strong castle at Doonagh na Ballinmore or Dunbally. The family appears to have flourished in the region until the 15\textsuperscript{th} century. It is said that a William O Ciorovane (in Gaelic, Ó Ciardhubháin, from ciar dubh, meaning ‘jet black’\textsuperscript{17}) was sovereign of Galway in 1280,\textsuperscript{18} but two hundred years later his namesake, William O’Kirovane, was forced to surrender his lands to the de Berminghams, following a quarrel with several Irish and Anglo-Norman families. The setback proved of short duration, however. Legend has it that he was reinstated at Dunbally as a result of a marriage between Unagh Ni Ciorovane and Thomas Oge McJarvis, the younger son of his enemy, Thomas de Bermingham, 9\textsuperscript{th} Lord of Athenry.

It was as one of the fourteen Tribes of Galway that the family rose to prominence, an appointment which occurred after William O’Kirovane moved his household into the city in March 1488.\textsuperscript{19} The ‘Tribes of Galway’ were a predominantly Catholic oligarchy, consisting of the principal families of the region, of which only two – the Kirwans and the D’Arcys – were of native Gaelic Irish stock.\textsuperscript{20} The rest were chiefly of Norman or Norman-Welsh ancestry,\textsuperscript{21} although an obscure chronicler contends that ‘the Tribes [were] of pure Spanish

\begin{thebibliography}{9}
\bibitem{15} ‘A Noted Galway Family: The Kirwans of Woodfield’, \textit{Tuam Herald}, 3 July 1915, c.22 and 29 November 1919 and 6 December 1919.
\bibitem{17} Edward MacLysaght, \textit{The Surnames of Ireland}, sixth edition, Dublin: Irish Academic Press, 1989, p.185. The spelling of the name varies over time and includes the forms Ciorobane, Kirivin, O’Kirwane, O’Kirivane, O’Kirowane etc.
\bibitem{18} Martyn, \textit{The Tribes of Galway}, p.30.
\end{thebibliography}
Blood and Descent’. Perhaps there was some truth to that Milesian legend, after all. Certainly, intermarriage between the various houses took place on a regular basis: it was not uncommon for cousins to wed so that, after several generations, the ‘Tribes’ were linked as much by blood as by commerce and religion.

For six hundred years, from the thirteenth to the early twentieth centuries, the Tribes held sway, surviving wars and famines, and pledging loyalty to a succession of Protestant English monarchs while practising the ‘Old Faith’. In the sixteenth and seventeenth centuries, they strengthened their position by investing in land, but they also had business interests on the Continent and in the West Indies. Ordinary townsfolk could not ‘voatt’ at Tribe elections and were effectively barred from public office. In some respects, it was a strange alliance for the Kirwans to make as the native Irish clans and Old English families were largely united against the Tribes, whom they considered interlopers and thieves. ‘There is no doubt’, writes the unknown annalist, ‘that the Tribes Robed the Irish out of [their] Estates by Dueling and Bloodshed’. He goes on to say that ‘Oliver Crunwalt [Oliver Cromwell] whin he came to Galway saide he nivir meett so Clunnish [Clannish] so Bloodtrusty [Bloodthirsty] a sit of min in his hole life as the Tribes-of-Galway’.

The Tribes were certainly a quarrelsome crew, much given to duels of honour and feuds which could last generations, but they never fought amongst themselves – possibly for fear of injuring a relative. Strangers were another matter. ‘The Tribes Hate and Dislike Strangers to live or settle amoungst them’, observed the anonymous scribe. Sad to relate, the Kirwans appear to have enthusiastically embraced the customs of the county. ‘The Kirwans of Woodfield’, continued the scribe, ‘were Disparate [Desperate] Duellists’. In 1860, Edmund Kirwan of Woodfield compelled his son, Martin Waters Kirwan, then 19, to send ‘a hostile message’ to a Mr Smith, challenging him to a ‘Duile’.

One of the most famous of the duelling Kirwans of Woodfield was their progenitor, Richard Moy Kirwan, also known as Richard Bui, meaning Yellow, because of his swarthy

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22 ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, National Library of Ireland [NLI].
23 Martyn, The Tribes of Galway, p.2.
25 ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, NLI.
26 Ibid.
27 Ibid.
28 Ibid.
29 Ibid.
30 Ibid.
31 Ibid.
complexion. Yellow Richard was a direct descendant of William O’Kirovane of Dunbally and the great-grandson of Patrick who built Cregg Castle in 1648, from which date the senior representatives of the line began styling themselves the Kirwans of Cregg. Physically, he was said to be ‘a man of fierce aspect and colossal build…with the limbs of a Hercules…and black grizzly locks like the head of a gorgon’, although if family mythology is to be believed, his looks belied his character. He is described as a charming, modest and pacific personality who never boasted of his prowess or exploited it. Despite his unassuming manners, he had a great propensity for swordfighting, from which he earned the sobriquets, ‘Dick of the Sword’ or ‘Nineteen Duel Dick’. He was regarded as ‘the great duellist of his age’. A local squireen of the name of French urged his sons on his death-bed to seek satisfaction of any man who insulted them, but to stay away from Richard Kirwan of Woodfield ‘for no mortal man is his equal [sic]’.

As a younger son, Richard led the life of an adventurer. For many years, he served in the army of Holy Roman Empress Maria Theresa of Austria, where he attained the rank of captain before being expelled for duelling. Subsequently, he joined the Irish Brigade as a commissioned officer; he fought with Dillon’s Regiment at Fontenoy in 1745 and distinguished himself by singlehandedly dispatching seven of the Duke of Cumberland’s men. His gallantry has inspired several legends, one of which concerns a narrow escape in London. The story goes that, after Fontenoy, Yellow Richard returned home, intending to settle down, when he learned that his elder brother, Martin, had received a challenge from an English officer. Fearing Martin would meet the same fate as his three brothers, who had all been killed in duels, Yellow Richard hastened to England to take his place in the dispute. The Englishman was quickly dispatched, but his friends swore vengeance and called upon the best swordsman in England to defeat the upstart. A furious public contest, closely watched by scores of avid spectators, then ensued, but against this new expert, Yellow

37 ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, NLI.
Richard could make no headway; he didn’t know that his adversary was wearing steel armour under his clothes. Bleeding from his wounds, his strength failing, he was on the point of giving up when an Irish servant-girl, watching from the windows of an inn, called out in Gaelic: ‘Irishman, Irishman, how do they kill the sheep in Ireland’? At her voice, Yellow Richard rallied and, lunging at his opponent, thrust his rapier into the man’s bare throat, killing him instantly. It is said that the sight of his bloodied sword arm, dripping with the gore of his slain foe, sickened Yellow Richard to such an extent that he could never afterwards take snuff with his right hand.

The Kirwans had remained Catholic until the time of James II,\(^{40}\) whereupon several representatives converted to preserve their estates. Patrick, the founder of the Cregg line, had been in 1646 a member of the Supreme Council of the Catholic Confederation which led the Galway resistance against the Parliamentarians in the Civil War. He was later commended by General Ireton, Cromwell’s son-in-law, for the protection he had extended to Protestants during the nine-month siege of the city.\(^{41}\)

It was Yellow Richard’s brother, Martin of Cregg, who converted the main branch of the family to Protestantism\(^{42}\) – and Yellow Richard himself who ensured that his own descendants would be Catholic. Before going to France, Richard had become engaged to Christina Maria Bermingham, daughter of Nicholas of Barbesford, Tuam,\(^{43}\) and a descendant of that Lord Athenry with whom William O’Kirovane quarrelled. Christina, a local beauty, was a devout Catholic and, when taking leave of her beloved, gave him a single decade of the rosary, fashioned in amber and silver, and blessed by the Pope. Christina implored Yellow Richard to keep it with him at all times. He promised to do so, adding laughingly that if he received any proof of its protective powers, he would become a Catholic. Legend has it that, during the battle of Fontenoy, Yellow Richard was struck in the breast by a bullet which spent itself harmlessly on the beads he had concealed in an inner pocket.\(^{44}\)

When at length he returned to Ireland, he might have reflected that his safety had been purchased at a terrible price for, in his absence, Christina had been afflicted with smallpox. Although she survived, she had been so ravaged by the disfiguring disease that she felt

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\(^{40}\) ‘A Noted Galway Family: The Kirwans of Woodfield’, *Tuam Herald*, 3 July 1915, c.22 and 29 November 1919 and 6 December 1919.


\(^{42}\) ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, NLI.

\(^{43}\) Denis Agar Richard Kirwan and John Waters Kirwan, *Pedigree of the Kirwan Family*.

\(^{44}\) ‘A Noted Galway Family’, *Tuam Herald*, 3 July 1915.
compelled to release her sweetheart from their engagement. Yellow Richard remained true, however. He married his Christina, whom he declared he loved as much as ever, and converted to Catholicism. A folksong commemorating their romance was popular in the West of Ireland for many years afterwards.\(^{45}\)

The couple settled at Woodfield, outside Dunmore. At the time of the Griffith’s Valuations in 1855, the estate consisted of 1189 acres, 1 rood and 24 perches with a total valuation of 309 pounds, 5 shillings;\(^{46}\) but by then it was no longer in the Kirwans’ possession. There are two townlands of the name in Galway, the one inhabited by Yellow Richard located in the barony of Ballymoe.\(^{47}\) Edmund Kirwan, Yellow Richard’s grandson and the uncle of John Waters Kirwan, describes his birthplace as ‘Woodfield in the parish of Beuanagh [Boyounagh], two miles from the parish ‘chapple’ of Gauamada [Glenamaddy] and two miles North of Dunmore and two miles from Labary [?] Castle in the County of Roscommon’.\(^{48}\)

The marriage of Edmund’s grandparents was reportedly a happy one, although marred by the death of their fourteen year old daughter, named after Richard’s beloved mother, Mary Martyn. The death of this child, her father’s favourite, devastated Yellow Richard who was never seen to smile afterwards. For ten days, as she lay dying, he refused to leave her bedside. Shortly before she died, she told him that she was going away and asked him to come with her, to which Yellow Richard replied that he would ‘as the World is now no comfort to me’. It was another promise kept. A year later, in 1779, he followed her to the grave.\(^{49}\)

The Kirwans did not remain long at Woodfield after the death of Yellow Richard. Within a generation, the estates were lost while another war once more divided brother against brother, at least temporarily. On this occasion, it was the United Irishmen rising of 1798. As they had done at Fontenoy, the Kirwans hedged their bets by having a representative in both camps. Martin Kirwan, Yellow Richard’s eldest son and heir, joined the Yeomanry while his younger brother, Richard, marched off at the head of a group of

\(^{45}\) Ibid.

\(^{46}\) Griffith’s Valuation Galway 1855: Microfiche reference 6.F.12, p.42 and Tithe Applotment Book: Tuam, 11/23, Galway Film 38, NLI.

\(^{47}\) Census of Ireland, General Alphabetical Index to the Townlands and Towns, Parishes and Baronies of Ireland [Townland Index], Dublin: Alexander Thom, 1861, p.901.


\(^{49}\) ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, NLI.
tenants to join General Humbert. The honours went to Martin who, after the relaxing of the Penal Laws, became one of the first Catholic magistrates in Ireland.

If the family archivist is to be believed, the Kirwans were good landlords. Yellow Richard is celebrated in song and story as ‘the poor man’s friend, the protector of the oppressed and the Father of the Orphant’:

His house was the house of the poor reduced Gentleman he fed the poor and clothed the Naked his memory will for ever Live in the minds of [the] Hole Country where he livid.

There is a grisly story about his disinterment during the construction of a new tomb. As the body was unearthed, it was greeted by a spontaneous outpouring of sorrow from the mourners, led by his widow, Christina, who promptly fainted. When she recovered, she insisted on nursing her late husband’s head in her lap. Her son, Martin, added to the spectacle by kissing the relic several times during the day ‘and never staped crying untill it was intered’. As news of the event spread, ‘the hole Country young and old min and wimin came to See his Head and all cryed as if he was there Father’.

Richard’s son, Martin Buí – the Kirwan heir was always known by the epithet, ‘Yellow’ – continued his father’s good works. According to the unknown chronicler, he was ‘so adored in the County of Galway that all his turf was always cut for him’. He gave an acre of land rent free to each of twelve old tenants who had lived on the estate for generations, and was said to be more considerate to reduced gentlemen than to men of property. Several of these ‘reduced gentlemen’ lived in the Kirwan household. He never charged a widow rent and his house ‘was a hame for the Distressid’. In 1816, he gave one third of his rent in abatement. However, he appears to have taken his judicial duties seriously. On one occasion, he apprehended a female pickpocket at the ‘Fare of Dunmore’. His wife, the former Bridget McCann, sister of the poet and academic who wrote ‘O’Donnell Abu’, felt sorry for the woman and pleaded with her husband to release the culprit. When he refused,
she disguised the prisoner as one of her children’s nurses and smuggled her out of the
Woodfield kitchen which served as the local courtroom.\textsuperscript{56}

Martin’s kindness to his tenants served him well when the Ribbonmen came calling.\textsuperscript{57} The Ribbonmen, forerunners of the Fenians, were the latest and most effective species of secret societies formed in the late eighteenth and early nineteenth centuries to exact rough justice from oppressive landlords.\textsuperscript{58} Their purpose in visiting the Kirwans, however, was not to terrorise, but to reassure them. As they rode up to the house, a hundred men or more, they were heard to call out to the occupants not to take fright. Martin, another of those ‘quiet men’ the Kirwans were fond of claiming, went out to meet them. In what appears to have been an extremely civil exchange, the night-riders doffed their caps before addressing the ‘Master’. They told him that he had nothing to ‘feare’ from them, adding that they would set a guard every night to ‘pratict his House’. Martin replied, ‘Boys, go home’. He thanked them for their courtesy and expressed his sympathies with their cause, but advised them against pursuing their present illegal activities. The Ribbonmen then gave three ‘chers [cheers]’ each for the Master, the Mistress, Master Edmund and the rest of the family before riding off in the direction of Dunmore.

The sudden death of Martin in 1823 spelled the end of the Kirwans’ reign at Woodfield. Richard, the brother who had marched with General Humbert, had been visiting the family from his home at nearby Clover Hill when he came down with the ‘favour [fever]’\textsuperscript{59} which carried him off. It must have been quite an epidemic because all the children of Woodfield sickened and several tenants died. Martin, returning from a visit to Dublin, also succumbed, leaving fatherless his ten children, the eldest reportedly fifteen, although Edmund, the heir, born 1803, must have been at least 20. As a mark of respect, ‘the hole Country young and old’ banned ‘danus [dances]’ for a year after the deaths. However, as devastating as was the loss of their paterfamilias, there was worse to come. The Kirwans now found themselves in financial straits. Before his illness, Martin had stood guarantor for his brother-in-law, Michael Morris of Tuam, the banker for the firm of Lord French and Company. The Woodfield estates had been put up as security and had to be sold when French and Company

\textsuperscript{56} ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, NLI.
\textsuperscript{57} Ibid.
\textsuperscript{59} ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, NLI.
went bankrupt;\(^60\) they passed to the Handcock family whose name became associated with a notorious inheritance trial involving the Clanricarde dynasty.\(^61\)

The next generation of Kirwans endured a series of breathtaking reversals as fortunes were lost, regained and lost again. Edmund Kirwan, head of the family at twenty, would not inherit Woodfield but, by a strange quirk of fate, he was restored to wealth by the decease of his uncle, Michael Morris, who had been the unwitting cause of his disposssession.\(^62\)

Following the untimely death in August 1834 of Morris’s last surviving son, Young Michael, Edmund ‘fell in’ for a large but scattered estate consisting of houses and lands in Tuam, as well as Castle Burke in Co. Mayo, and returning a combined annual income of £2000. But Edmund, whose schooling had been disrupted by his family’s changed circumstances, had little education and appears to have squandered his chances before unexpectedly making good.\(^63\) His early life reads like a catalogue of debts and quarrels, although in his own eyes he was ‘one of the quietest and most unoffensive [sic] men that ever lived’.\(^64\) Numerous anecdotes attest otherwise: he once horsewhipped the family lawyer for failing to offer his wife and sister a chair\(^65\) while his own uncle, Michael Morris, detested him as ‘the wickedest and crossessed man…of the hole of Galway’.\(^66\) Councillor Cole, a police magistrate, before whom he appeared on yet another assault charge – one of many – called him ‘the dread and terror of the City of Dublin’.\(^67\) He subsequently sentenced him to

\(^60\) Ibid.
\(^61\) The Handcock v Delacour inheritance trial in the Court of Chancery. This arose when John Handcock contested the will of his brother’s widow who had left her property to her ‘adopted’ son, John Delacour, allegedly the illegitimate offspring of Mrs William Handcock and Lord Clanricarde. Clanricarde’s younger son, Hubert de Burgh Canning, the second Marquess, was the infamous absentee landlord whose tyrannical behaviour towards his tenants provoked one of the great conflicts of the Land War. See Desmond Roche, ‘The Later Clanricardes’, in Thomas Gorman et al [eds], Clanricarde Country and the Land Campaign, Galway: Woodford Heritage Group, 1987, pp.16-29 and Thomas Peter Feeney, The Woodford Evictions, University College Galway, M.Ed thesis, 1976.
\(^62\) Edmund Kirwan, ‘A Short and Abridged Account of the Life of Edmund Kirwan’, Blackall Collection, Neg.1028, Pos.1109, NLI.
\(^63\) According to Melvin, Edmund’s schooling had been interrupted due to the family’s fluctuating fortunes.
\(^64\) Edmund Kirwan, ‘A Short and Abridged Account of the Life of Edmund Kirwan’, Blackall Collection, Neg.1028, Pos.1109, NLI.
\(^65\) ‘Galway the City of the Tribes’, F.S. Bourke Collection, MS9854-56, NLI.
\(^66\) Edmund Kirwan, Letters to Edmond J.[sic] Kirwan of Dublin and Galway 1834-70, MS 2115, Vol.97, NLI.
\(^67\) Edmund Kirwan, ‘A Short and Abridged Account of the Life of Edmund Kirwan’, Blackall Collection, Neg.1028, Pos.1109, NLI. As Edmund has a habit of conflating events, I have had to make a few logical deductions in the interest of consistency. On one occasion, he states that he served two years in Richmond Bridewell for a debt of £3000, on another, that he spent the same length of time at the Sheriff’s Prison, Green Street. Bridewell was not commonly a debtor’s prison, however, and it is more likely that he was there on one of several assault charges. His own uncle, Michael Morris who detested Edmund as ‘the wickedest and crossessed man I ever knew’ once boasted that he had ‘got him arrested and sent to the Magistrate’.
two months at Richmond Bridewell. Two days after his release he was arrested for a debt of £3000 and detained at the Sheriff’s Prison, Green Street, for two years. Letters from family members during his internment attempt to drive home the moral lesson.\(^6^8\) One from his younger brother, Richard, urges him ‘to give up Duelling or you will be Shunned by all men’. Another from a Kirwan relative informs him that Surgeon Wilde, father of the playwright, is ‘at present on the Continent but…expected home shortly’, and assures him that Wilde will ‘not spare his own trouble’ in the matter. The situation had become so dire that at one point he was reduced to writing to Joseph Mayer, the famous Liverpudlian antiquary,\(^6^9\) in a vain attempt to sell his memoirs and any family archives that might be of interest. ‘I can [put] thousands of pounds in your way’, wrote Edmund desperately:

> I will get all the Manuscripts and papers with as little expense as I can I will in fact surprise you with all the valuable papers I will send you – in fact you would think it Flattery if I was to express my feeling toward you. Let me get the Chaunce [Chance] and I will prove to you that I am a true and faithfull man to you.\(^7^0\)

Whether it was the subject matter or Edmund’s atrocious spelling that put him off, Mayer does not appear to have replied other than to forward a publishing estimate, thereby earning a rebuke from the frustrated author. Edmund Kirwan died in 1887 in Paris, the traditional last resting place for impoverished Irish exiles.

Nicholas, the father of John Waters Kirwan, shared his brother’s chequered career. Family papers show that he owned land near the village of Milltown, Quinaltagh,\(^7^1\) although how and when he acquired it is unclear. It may have been one of the lots purchased in 1857 when Nicholas and Edmund, then two of ‘the wealthiest and most important merchants in Liverpool’,\(^7^2\) returned to Galway to buy up the encumbered estate belonging to Richard

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\(^6^9\) Joseph Mayer (1803-1886) was a noted antiquary and collector, and the principal founder of the Liverpool Museum, re-named after a bequest the Sir William Brown Library and Museum, and now called the World Museum, Liverpool. Although Mayer started collecting early, he didn’t have the funds to indulge his passion until after he opened his jewellery business in 1844-45. The Museum was established in 1852 and, by 1857, Edmund and Nicholas Kirwan were flush again, so presumably Edmund’s plea must have fallen on deaf ears prior to 1857 or perhaps later during the Land League agitation. The Kirwans moved to Liverpool around 1842.

\(^7^0\) Edmund Kirwan, *Letters to Edmond J.[sic] Kirwan of Dublin and Galway 1834-70*, MS 2115, Vol.97, NLI; also Kirwan MSS, MS9856, NLI. Patrick Melvin in a letter to the author of this thesis, 15 April 2004, advises that Edmund did not want his papers to go to Patrick Weston Joyce, who was married to Caroline Waters, sister of Edmund’s wife.

\(^7^1\) Denis Agar Richard Kirwan and John Waters Kirwan, *Pedigree of the Kirwan Family*; also ‘A Celebrated Tuam Man’, *Tuam Herald*, c.April/May 1927, Kirwan Papers, MS91: PR520 O/S C17, BL. Griffith’s Valuation [1848-64] shows property in the name of Richard Kirwan located in the Townland of Quinaltagh, Co. Galway, Barony Dunmore, Civil Parish Addergoole, Poor Law region of Tuam.

Andrew Hyacinth Kirwan, a descendant of the Cregg line. The unromantic source of their new-found riches was a guano (fertiliser) factory which they operated from premises on Regent St, but their arrival in Liverpool may have been dictated by the Great Famine of 1845-48, when the loss of their tenants would have robbed the Kirwans of the rents that had been their chief income. Galway, with its impoverished soils, small, over-cultivated farmlets and congested rural communities, was particularly hard hit by the Famine. Between 1845 and 1850, 73,000 people from that county alone died of starvation and disease while tens of thousands emigrated over the next five years, precipitating a trend that by 1891 had more than halved the populace from 442,000 in 1841 to 215,000. That the Kirwans also suffered, at least financially, is borne out by Edmund’s relentless pursuit of Joseph Mayer and his resentment of the tenantry, whom he blamed for ‘turning against their kind good old landlords [and] voting at the Elections for trading politicians’:

This was the cause of the banishment ruin and destruction of the tenants of Ireland. The great tie of friendship was broken between landlord and tenant and the landlord became an absentee….The Famine years came and ruined both landlord and tenant but if landlord and tenant were united together as formerly, the Famine would not have ruined either….76

Whatever the truth of the matter, all had apparently been forgiven by 1857 when the Kirwans returned to buy up the Cregg estate. If the Tuam Herald is to be believed, the tenants were delighted to have the Kirwans back as landlords and, when Edmund returned three years later to purchase more land, celebrated the occasion with ‘dancing, bonfires, and music’.77 However, the turbulent course of Irish history once more plunged them into difficulties. John Kirwan, in his only reference to his lost patrimony, writes that his father’s heavily mortgaged estates were forfeited during the Land League agitation, when the tenants refused to pay their rents.78 He does not identify the property in question, and the Milltown estate, formerly owned by Richard Kirwan and purchased by Nicholas in 1857, was sold the same year to Walter Burke or Bourke, a landlord of the rack-renting variety who sparked

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73 British Census, 1861 and 1881; also Michael Kirwan in a letter to the author, 25th June 2002; and ‘Incumbered Estates Sales – Native Purchasers’, Tuam Herald, 23 May 1857. Supporting evidence of the move to Liverpool comes via the Kirwan family tree which records that Bridget Kirwan, née McCann, the mother of Edmund and Nicholas, died in England in 1858.

74 Noel O’Donoghue, Proud and Upright Men, no publishing details, p.7.


76 Edmund Kirwan, ‘A Short and Abridged Account of the Life of Edmund Kirwan’, Blackall Collection, Neg.1028, Pos.1109, NLI. An article on John Kirwan’s visit to the Free State in ‘A Celebrated Tuam Man’, Tuam Herald, c. April/May 1927, reports that ‘in the famine years…[the Kirwans] had to see their estates sold for a song in the Landed Estates Court’, though whether the reference is to the Woodfield Kirwans or the family generally is unknown.

77 Tuam Herald, 1 December 1860.

78 Kirwan, MLA, p.1.

the famous Irishtown protest, which gave rise to the Land League.\footnote{Michael Davitt, The Fall of Feudalism in Ireland, p.146; also ‘A Celebrated Tuam Man’, Tuam Herald, c.April or May 1927, reprinted from ‘An Irishman’s Diary’, Irish Times, 10 April 1927, supplied by Michael Kirwan, Limerick, 25 June 2002. Confusingly, later sources say the landlord in question was a Roman Catholic priest, Canon Ulick or Geoffrey Burke.} The tangled web of Kirwan land ownership is not easy of resolution and convoluted enough to merit a separate volume.

At any rate, nine months after his triumphant 1857 return to Galway, Nicholas Kirwan married Mary Ellen Waters. His principal Galway residence was then Sandymount House, Oughterard, the property having an extent of 281 acres, 1 rood and 30 perch, valued at 66 pounds, fifteen shillings.\footnote{Return of Owners of Land of One Acre and Upwards in the Several Counties, Counties of Cities, and Counties of Towns in Ireland, Baltimore: Genealogical Publishing Co. Ltd., 1988, p.297.} But over the next two decades the family moved at least four times, a pattern which suggests that the Kirwans’ money worries had returned to haunt them. In 1866, the year of John’s birth, they were domiciled at 12 Park Road, Toxteth Park, West Derby, in Lancaster.\footnote{General Register Office, Merseyside, England, Certified Copy of an Entry of Birth: John Waters Kirwan, CM 195717.} A little over three years later, Lydia Mary, John’s younger sister and the last of Nicholas’ and Mary Ellen’s six children, was born in Crosby, Liverpool, in February 1870.\footnote{Information supplied by Lydia O’Halloran, née Kirwan, and Michael Kirwan, grandchildren of Lydia Mary Kirwan.} Within a few years of her birth, however, the family had apparently moved back to Oughterard because it was here that Mary Ellen died in 1873 of phthisis, or tuberculosis.\footnote{General Register Office, Joyce House, Dublin. Death certificate: Mary Ellen Kirwan, 31 May 1873, No. 298.}

After the loss of Mary Ellen, the family moved yet again, this time to 60 Summerhill, Dublin, where, fifteen years later on 12 September 1888, Nicholas himself died of ‘chronic gastritis with ulceration and aortic valve disease’.\footnote{General Register Office, Dublin. Death certificate: Nicholas John Kirwan, No. 443; also death notices, Freeman’s Journal, 13 September 1888, p.1; Irish Times, 13 September 1888, p.1.} The death certificate describes him as 79 years of age, a widower and a landowner. By his side was his younger son, John, then a journalist with the Dublin Morning and Evening Mail, and a freelance contributor to sundry English and Irish newspapers: he wrote ‘Our Dublin Letter’ for the Drogheda Argus.\footnote{Pat Simpson, ADB, pp.614-16.} Edmund, the eldest, had already left for Australia\footnote{Kirwan, MLA, p.1.} where he quickly established himself as a journalist with the Brisbane Courier and, within a year of their father’s death, John and his younger sister, Lydia, joined him. The land of dreams was about to become a reality.
One can only speculate about his childhood since, although he was keen to write about his more illustrious ancestors, he chose to remain silent about his early years. Two facts – the death of his mother when he was six and his father’s financial woes – suggest it was neither very happy nor very secure. He may have been a sickly child – friends would later comment on his frail appearance – and this, combined with the loss of his mother and the two little brothers who died before he was born, appears to have induced morbid fears about his health. The family’s habit of moving house also had its effect, impressing him with the need for constant stimulus as an antidote to illness. Marrying at the comparatively late age of 45, he was a natural bachelor who does not appear to have craved female companionship or to have shown any very tender regard for his fragile wife, who was hastily shut away after exhibiting symptoms of a nervous malaise.

From the quality of his writing and the many literary allusions it contains, it is evident that, unlike his uncle Edmund, he benefited from a first-class classical education, and yet extensive enquiries have failed to locate the institution in question. The family traditionally entrusted their young to the Benedictines. His sister Lydia was sent to a Benedictine college in Hamont, Belgium, and his three sons attended Downside in Somerset, England, a Catholic boarding school run by the same order, so it is reasonable to assume that the father might have gone there before them but, if so, no record of his enrolment survives. According to Jack Hocking, son of Sid Hocking, Kirwan’s old business partner at the *Kalgoorlie Miner*, he was a graduate of ‘Dublin University’ – presumably he meant Trinity College – but his name does not appear as an alumnus of either Trinity or University College.

There are two explanations for this. Either he did not graduate, or he exaggerated his qualifications while seeking work in Australia, but if he lied he did not repeat the falsehood in print. How much did he know about his family history? One suspects a great deal if

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88 An exhaustive enquiry of a wide range of Catholic boys’ schools has failed to ascertain where Kirwan was educated. These include Downside Abbey, Somerset; Douai Abbey, Upper Woolhampton, Reading; Ampleforth Abbey, York; Ushaw College; St Joseph’s College, Upholland, Lancashire; Prior Park College, Bath; St Francis Xavier Institute, Belgium; Clongowes Wood College, Kildare; St Jarlath’s, Tuam; Blackrock College, Dublin; Castleknock College, Dublin; Kylemore Abbey, Wexford; Mt St Benedict, Gorey; Stonyhurst College, Lancashire; Worth Abbey, Crawley, West Sussex, to name a few of the more prominent.

89 Lydia O’Halloran, née Kirwan, and Michael Kirwan in conversation and correspondence with the author.

90 Downside Abbey, *List of Boys at St Gregory’s*, Downside Abbey, Bath, 1972, pp.78, 80, 82, 84, 189-190.

91 Chris Jeffery, ‘An Interview with Jack F. Hocking’, Oral History 184, 1976, BL, p.7. The terms ‘Dublin University’ and ‘University of Dublin’ are usually synonymous with Trinity College but enquiries were also made of University College, to no avail.
voluble Uncle Edmund had his way. No doubt he heard the tales of the Kirwans’ glory days, when William O Ciorovane installed himself as suzerain of Galway and Yellow Richard roamed the continent like an Irish Chevalier Bayard, defending the cause of a brace of Catholic monarchs at the point of his sword. They were his first heroes and the route by which the unhappy, imaginative child escaped his bleak pragmatic existence. But the boyhood fantasies, persisting into adult life, also fed his ambitions. He longed to restore the family to its former station and, immersed in the romance of the past, often self-consciously evoked the spirits of his famous forebears. He read *Clarissa*, Richardson’s tragic moral fable, set in the days ‘of the Georges, when men wore knee-breeches, shoes with sparkling buckles, three-cornered hats, swords and pigtails, fought duels and took snuff’. He wrote a series of articles about eminent Kirwans, collaborated on others for the *Tuam Herald* and, as obsessed with his genealogy as his uncle had been, drew up elaborate annotated charts tracing his lineage back to Milesius, the legendary progenitor of the Irish race. Fighting for the rights of the Kalgoorlie diggers in 1898, he compared their struggle to the 1798 Wexford Rebellion, casting himself by implication in the role of its leader, his own maternal great-grandfather, Garrett Byrne. He duelled with words, jabbing at the upstart Forrest from the pages of the *Kalgoorlie Miner* and, later, from the heart of the Federal and State Parliaments. For like his famous ancestors, Kirwan never forgot or forgave a slight, and his hatred of Forrest was to survive even the death of his enemy.

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92 ‘A Trip to Maoriland’, *Port Augusta and Quorn Dispatch, Newcastle and Flinders Chronicle*, 13 and 20 October 1893, p.3.


94 ‘Resolution – Federation and the State’, *WAPD*, Vol.64, 27 September 1921, p.917. Forrest died in 1918, but Kirwan was still re-living his epic battle with the former Premier of Western Australia in 1921.
Chapter 2

‘Bound for South Australia’

Kirwan’s first years in Australia were a series of contrasting experiences. He hated Queensland, saw the best and worst of country life in rural Victoria, and fetched up in Sydney in time to witness the 1893 recession. Although he preferred Sydney to Melbourne, he left to try his luck in New Zealand, from whence he returned to edit the Port Augusta Dispatch, a newspaper in rural South Australia. He later described the two years he spent there as the happiest in his life.1

It was here, too, that he formed the friendships and alliances which were to prove so valuable to him in his future role as mover and shaker of the Goldfields Separation movement. As editor of the Dispatch, he championed the newly elected government of Charles Cameron Kingston and earned a public commendation from a grateful Premier. Kingston’s ill-fated brother, Strickland (‘Pat’), practised law in Port Augusta and both he and Charles regularly featured in the columns of the newspaper, as did Patrick McMahon Glynn, then editor of the neighbouring Kapunda Herald, and Josiah Symon, the latter unfavourably after he publicly vilified the Premier. Whatever their differences at the time, these three constitutional heavyweights – Charles Cameron Kingston, Patrick McMahon Glynn and Josiah Symon – later supported the Goldfields Separationists with advice and technical assistance.

South Australia, then, marked a turning point in Kirwan’s life and his relationship with his adopted homeland. It introduced him to a lively, if often fractious, political forum, helped hone his beliefs and debating skills, and taught him to improvise a successful editorial career. Flush with victory, he sought to relive past glories in Western Australia by again allying himself to the government of the day. But in Sir John Forrest, Kirwan was to find a very different species of Premier, and in parochial Western Australia, a jealous ruling élite, determined to cling to power and disinclined to take instruction from a newcomer.

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Of all this, John Kirwan was could have had no conception when, on 25 May 1889, he and his younger sister, Lydia, a ‘mere girl’ several years his junior, boarded an Orient

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1 Port Augusta and Quorn Dispatch, Newcastle and Flinders Chronicle [PAD], 29 November 1895, p.2.
Company liner for the six weeks voyage from Tilbury, London, to far-off Australia.  
Accompanied by a faithful family retainer, an Irish peasant woman called ‘Bab’, they were bound for the colony of Queensland where their elder brother, Edmund, had earlier established himself as a staff writer with the Brisbane Courier. The cramped, coal-powered steamer, sailing by way of Naples, Egypt and Ceylon, might have seemed an unlikely conduit but, for John Kirwan at least, it initiated an important rite of passage. At the age of 22, parentless and with neither wealth nor position to recommend him, yet ‘deeply sensible’ of his family obligations, he had embarked upon a voyage of discovery that would take him from the old world to the new, from youth to adulthood, from boyish daydreams to the rough-and-tumble of pioneer life, and, eventually, to a seat in the first Australian Federal Parliament. He was also to discover within himself a wanderlust and a yen for adventure which he would spend a lifetime trying to satisfy.

Kirwan’s first impressions of Australia and Australians were not favourable. He preferred Sydney’s ‘crooked, narrow thoroughfares’ to Melbourne’s wide streets, but pronounced Queensland architecture ‘hideous’, the bush ‘ragged’ and impoverished, and the people ‘full of bustle, rush and energy’, in other words, brash.  
It is probable that the colonists did not look upon John Kirwan with any very great admiration either, although he came to them not quite as a supplicant. On leaving school he had begun work as a journalist, writing for the Dublin Morning and Evening Mail and filing copy with the English newspapers through the London Central News. The editor of the Drogheda Argus, denoting him ‘one of the most promising and talented journalists of the Dublin press’, gave him his own column (‘Our Dublin Letter’), and other employers were equally ready to endorse his character and his technical proficiency. F. H. Wayland of the Mail praised his ‘trustworthiness’ and skill as ‘a practical shorthand writer and…ready paragraphist’ while a more voluble Henry Hunt from the Dublin bureau of the London Central News was in transports about his ‘accuracy, impartiality…clearness of thought and conciseness of style’, as well as his ‘reliability, integrity [and high] moral character’.  
He went on to emphasise his ‘vigilance, quickness of perception…expedition and sound discretion’, leaving J. J. Clancy, M.P. for North Dublin, to speak to his ‘high character…personal integrity…[and]
professional ability’. Armed with these testimonials, and his brother Edmund’s recommendation, he quickly obtained a post at the Brisbane Courier.

However, his association with the Courier was shortlived: he stayed only a few months before travelling to Melbourne via Sydney in December 1889 to take up a position with the Daily Telegraph. It was a pattern which was to be often repeated over the next six years as, eager to ‘see more...of Australia [and] learn all I could about it’, he graduated from one country newspaper to the next. From Melbourne, he moved to Kerang, 180 rail miles north-west of the Victorian capital, where he assumed editorial control of a bi-weekly newspaper. But Kerang, whose unpaved streets turned to ‘seas of liquid mud’ when it rained, proved uncongenial. He found the bureaucratic bungling of the town councillors frustrating, the waste of money appalling and, since they were inclined to degenerate into drunken sprees, the late night meetings long, tedious and purposeless. The grasshopper plague was the last straw and drove him to Casterton, where better opportunities beckoned.

Casterton, in south-west Victoria, provided a refreshing change and helped Kirwan revise his poor opinion of the colonies. In ‘picturesque’ Casterton, he saw ‘country life at its best’, but again he felt the urge to move on. He returned to Melbourne, arriving just before the 1893 recession as the previously buoyant property market collapsed. Kirwan, his savings cannily stowed in the Union Bank, one of the few financial institutions to weather the storm, was not personally affected by the crisis but, as the situation worsened, he fled to Sydney and, thence, New Zealand, to write a series of commissioned articles about the country. These were later published in the Port Augusta and Quorn Dispatch.

Kirwan left Sydney aboard the Waihora on 3 August 1893 for the five day voyage to New Zealand. He was away two or three months, at the end of which time he received a cablegram from Captain David Drysdale, offering him the editorship of the Port Augusta and Quorn Dispatch, a ‘prosperous bi-weekly’ in rural South Australia. Evidently, the charms of New Zealand had worn thin, for he returned to Sydney by ‘the first available steamer’. From Sydney, he sailed to Adelaide aboard the Barrabool, a small coastal vessel which must have made the stormy crossing more than usually uncomfortable, before catching the train to Port Augusta.

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7 J. J. Clancy, May 1889, Testimonials, MN591:PR520 O/S C17, BL.
9 Kirwan, MLA, p.7.
10 Ibid., pp.8-10.
11 Ibid., p.21.
12 ‘A Trip to Maoriland’, PAD, 13 October 1893, p.3 and 20 October 1893, p.3.
13 Kirwan, MLA, p.34. Kirwan says he was gone ‘a few months’, but his first editorial appeared 29 September 1893.
Port Augusta, at the northern tip of Spencer’s Gulf, was then ‘an old established town’ in the shadow of the Flinders Ranges, 260 miles from Adelaide. First charted by explorer Matthew Flinders in 1802, it was officially founded in 1852 and grew rapidly from a ‘mere fishing village’ to a major regional centre, hailed with civic pride by the Port Augusta Dispatch as the gateway to the interior and ‘emporium of Northern trade and commerce’. At the time of Kirwan’s arrival in 1893, the township covered 3000 acres and boasted a municipal chambers, police court and gaol, railways and trams, postal and telegraphic services, chapels and churches, banks, a ‘really splendid’ general store, complete with Corinthian columns and ‘as handsome as any outside Adelaide’, a schoolhouse, Institute and hospital, and five hotels. Its great natural harbour supported a thriving shipping industry, built upon the export trade: it produced wool, wheat, copper, hides, tallow and wattle-bark.

Keeping a watchful eye on proceedings from its offices on the Commercial Road was the town’s chief organ, the Port Augusta Dispatch. Originally issued as a weekly, the Dispatch commenced operations on Friday 18th August 1877, with a working capital of £500 and was published by Captain David Drysdale at his printing works on Tassie Street, Port Augusta. Its first editor was Thomas Burgoyne, a local Member of Parliament, who, as well as being manager and secretary of the Port Augusta Newspaper Company which owned the paper, doubled as reporter and proof-reader, and to whom fell the additional task of writing out the addresses on the wrappers of the few hundred subscribed copies. The press-work for the first edition was performed by ‘three fair ladies of Port Augusta’, with Mrs Brand, wife of one of the directors, turning the machine, Mrs Drysdale, the printer’s wife, ‘feeding’ it, and Mrs Burgoyne performing the delicate task of ‘flying’.

Drysdale became sole proprietor of the paper in August 1880 and immediately set about expanding the business, installing new machinery and revamping the format from a weekly tabloid to a bi-weekly broadsheet. To mark the occasion a name change, the first of many,
was also initiated, the masthead now bearing the legend: *Port Augusta Dispatch and Flinders Advertiser*. Hedging his bets, if not his hyperboles, Drysdale declared that, while the paper was to remain ‘a creditable and powerful local advocate’, it would also ‘compete with the metropolitan dailies’, making it ‘a fearless opponent of all humbug and sham…an outspoken corrector of abuses (political, social, or otherwise), and a faithful chronicler of events’. 21

Kirwan’s arrival in late September 1893 followed close upon the election of a new government, headed by the charismatic Charles Cameron Kingston. Kingston, who came to power in June after brokering an alliance between middle-of-the-road conservatives and Labor members, 22 was a radical liberal with a reformist agenda, but he had his job cut out as South Australia reeled from the combined effects of drought and the economic recession. The *Dispatch*, too, was feeling the pinch and, from being issued three times a week in 1883, had undergone several more name changes before reverting to a weekly. 23 From 22 January 1892, in a transparent attempt to boost its circulation, it bore the cumbersome title, *Port Augusta and Quorn Dispatch, Newcastle and Flinders Chronicle*. There had been further financial trouble over staff wages, with the previous editor, Harry John White, suing Drysdale for breach of contract. White, who had worked at the *Dispatch* for five years, from ‘some time…in 1888’, 24 had walked out, leaving the 22 September issue without its customary editorial. The gap was filled with a lengthy court report of the White vs Drysdale case in which White testified that his wages were often in arrears, sometimes to the tune of £7 or £8. On this occasion, however, Drysdale, who had published three volumes of White’s

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21 Ibid.
23 The new broadsheet format was duly adopted on 1 October 1880, but it was not until 6 January the following year that it began to be published bi-weekly, whence it appeared every Tuesday and Friday evening. Extra staff was hired, and a ‘large and handsome building’ erected on the Commercial Road to house the expanding business. From 2 October 1883, the paper was issued three times a week, appearing every Tuesday, Thursday and Saturday morning, then, from 14 December that year, every Monday, Wednesday and Friday evening. It temporarily reverted to its old title of the *Port Augusta Dispatch* on 20 October 1884, heralding a further change on 18 March 1885 when it became the *Port Augusta Dispatch, Newcastle and Flinders Chronicle*. At this stage, it was still being published three times a week in broadsheet size. However, from Wednesday 30 June 1886, it became bi-weekly, appearing every Tuesday and Friday afternoon, then weekly, from Friday 4 January 1889. See notes at the start of microfilm copies of *Port Augusta and Quorn Dispatch, Newcastle and Flinders Chronicle*, South Australian State Library, Vol.1, No.1, February 1983 and ‘Half a Century’s History of Port Augusta’, *PAD*, 28 October 1892, p.3.
24 White gives the date of his actual departure as Friday 15 September, but claims payment for the editorial published the following day, 16 September, see ‘Police Court’, *PAD*, 22 September 1893, p.2.
bush verse, had withheld payment in lieu of printing costs. The Magistrate ordered Drysdale to pay White £7 10s in wages, with 25 shillings in court fees.25

Despite evidence to the contrary, Kirwan found Drysdale to be a ‘kind-hearted’26 and accommodating employer, only too willing after recent disturbances to give him ‘a perfectly free hand’27 as editor. His first weeks at the Dispatch were not without controversy, however, after he published a skit from an American paper lampooning a rustic official who bore an unfortunate resemblance to Drysdale’s father-in-law and chairman of the Agricultural Board.28 Drysdale, who detested his wife’s father, does not appear to have been much discomfited and Kirwan was left to implement policy as laid down by the newspaper’s owner. This, promulgated in quarterly notices, promoted an ‘independent’ and egalitarian journal under the banner, ‘the greatest good to the greatest number’; ‘classless’, it claimed to be as friendly to the farmer as to the squatter and solicitous of ‘the best interests and legitimate claims’ of every rank of citizen.29 Its ethos – ‘Liberal, without being Radical’30 – was manifest in its support for Federation, Free Trade, tax reform, parliamentary salaries, free compulsory national education, railways and water conservation: all issues which would later form the basis of Kirwan’s own political platform. But while it sought to be a broad church, eschewing extremism of any kind in an attempt to appeal to as many readers as possible, it remained at heart a provincial paper, with the main emphasis squarely on local affairs: the pastoral situation, municipal elections, the shipping trade, farming subsidies, Northern development, the proposed meat freezing plant, agricultural and horticultural news, and so on. Intercolonial and overseas events were filtered through a regional lens. Port Augusta came first, the rest of the world second.31

Nonetheless, and while bound to some extent by these shibboleths, Kirwan had his own editorial vision and moved swiftly to proclaim it. His first editorial on 29 September 1893 – an impassioned plea for female suffrage32 – signalled a more progressive outlook and one that bade fair to outKingston Kingston, who had prevaricated on the issue prior to his

25 ‘Police Court’, PAD, 22 September 1893, p.2. The episode does not appear to have soured relations between White and the Dispatch, which soon after hailed White’s third collection of bush verse, Round the Camp Fire, as ‘something “racy of the soil”’. The book had been published at the office of the Dispatch and, although it was not ‘a great work’, it would be ‘highly appreciated…by all who have learned to love the grotesque sights and weird sounds of the Australian bush’. See reviews in the PAD for 3 November and 1 December 1893, p.2.

26 Kirwan, MLA, p.34.

27 ‘Farewell to Mr J.W. Kirwan’, PAD, 29 November 1895, p.2.

28 Kirwan, MLA, p.34.

29 PAD, 1 September 1893, p.4.

30 Ibid.

31 Notes at head of PAD microfilm reel.

32 ‘One Woman One Vote’, PAD, 29 September 1893, p.2.
election. It was not until December 1894 that South Australia under Kingston became the first Australian colony to enfranchise women. He also quickly swung the paper behind the Kingston government in a move that would eventually bring it into conflict with one of the colony’s chief organs, the *South Australian Register*. This was actually less idealistic than it at first appeared since Kingston, who had promised aid and incentives for primary producers, enjoyed popular support across the rural sector. Port Augusta, where the Premier’s elder brother Strickland (‘Pat’) practised law, was Kingston country and Kirwan was soon one of its most devoted subjects. The son of an Irish baronet, the former star athlete, Queen’s Counsel and sometime duellist, over six feet tall with a girth and intellect to match, was precisely the type of romantic aristocratic figure that Kirwan idolised, and the *Dispatch* seldom went to press without a column or two in praise of the Premier, to the amusement of rival newspaper editors.

Local government politics also featured prominently in the *Dispatch*, which, in addition to the proceedings of the Port Augusta Town Council, carried regular reports from the surrounding municipalities: Quorn, Wilmington, Davenport and Woolundunga, to name a few. Usually, these reports were based on the Minutes provided by the instrumentality in question, but in 1894 a new arrangement was put in place. At the urging of Councillor Noel Augustin Webb, the fiery young lawyer who had successfully defended Harry White in his suit against Drysdale, Kirwan was invited to attend meetings of the Town Council in person. The two young men had evidently struck up a friendship since Kirwan’s arrival in Port Augusta. Both were members of the committee which formed in May 1894 to oversee the establishment of a meat freezing facility in the town, and Webb, a fellow Catholic who, when not inflaming local sensibilities, doubled as Choirmaster at the Cathedral, also contributed an occasional column to the *Dispatch*. These proofs of a prior relationship, together with the fact that it was Webb who had been ‘most anxious’ to ensure Kirwan’s presence at Council, were enough to sow the seeds of doubt in some minds, and on 13 August they ripened exponentially when Cr Brennan accused the two of collusion. The

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33 Kirwan marked the occasion with a second editorial on the subject, see *PAD*, 14 December 1894, p.2.
34 *PAD*, 29 November 1895, p.2.
35 *PAD*, 17 August 1894, p.2.
36 ‘The Proposed Freezing Works at Port Augusta’, *PAD*, 25 May 1894, p.2. The other members of the Meat Freezing Committee were Drysdale, Labor MP and Trade Unionist Alex Poynton, and Mayor, C. E. Robertson. See also ‘How to Freeze Meat Cheaply at Port Augusta’, *PAD*, 17 November 1893, p.2 and ‘Meat Freezing and the Kopperamanna Railway’, 1 December 1893, p.2.
37 ‘Departure of Archbishop O’Reily’, *PAD*, 5 April 1895, p.2.
38 *PAD*, 1 June 1894, p.2.
39 *PAD*, 17 August 1894, p.2. The concession was granted at the meeting on Monday 30 July 1894.
grounds for this extraordinary allegation was Council’s decision on 30 July to grant Webb a rent reduction on premises leased from the shire. The Dispatch had failed to mention the matter, incensing Brennan, who, having moved the original resolution granting the concession, now suspected some ‘hole and corner business’. With rumours growing apace, he boldly asked Kirwan, ‘if it were true, as had been stated in the town, that the omission had been made…in consequence of Cr Webb having asked him to keep it out of the paper’?

Kirwan, who had been absent on the night due to illness, strenuously denied the charge and the alleged conspiracy was quickly exploded. Council itself had inadvertently connived at the error by supplying the Dispatch with Minutes from which the crucial resolution had been omitted. To clarify matters, Kirwan published the relevant section, to which he attached a postscript, diplomatically commending Brennan for his probity and re-affirming the newspaper’s democratic charter ‘to give fair reports, independent of party, creed, or class and without fear, favor, or affection’.40 Having successfully defused the situation, he must have thrown up his hands in mock-despair when Webb, who had only latterly heard of Brennan’s accusations, weighed in with a letter to the Dispatch, disputing the version of events contained in the Minutes.41

As was to become apparent throughout his career, Kirwan’s friendships usually served a dual purpose and so it was with Port Augusta’s senior police officer Sub-Inspector Field,42 who provided an outlet for Kirwan’s adventurous spirit and fodder for the Dispatch. It was probably Field who authorised Kirwan’s tour of the gaol in November 1893,43 and invited him in August the following year to accompany police to a siege at Swinden, where mentally disturbed labourer William Leach was threatening to shoot his employer.44 ‘The Case of the Supposed Lunatic’ excited comment throughout the colony, prompting an exasperated Premier Kingston to dash off a telegram, caustically enquiring if the entire northern constabulary was needed to quell one man.45 The Port Augusta courts, where Kingston’s elder brother Strickland regularly appeared for the defence – he represented Drysdale in the Harry White case – proved another rich fund of material. In April 1894, the community was riveted by the case of the Kelly claimant as an ‘impudent’ young outlaw, purporting to be Ned’s nephew but more nearly resembling Scheherazade in his storytelling abilities, spun

40 Ibid.
41 Ibid.
42 Kirwan, MLA, pp.39-44.
43 ‘A Visit to the Port Augusta Gaol’, PAD, 10 November 1893, p.2.
45 Kirwan, MLA, pp.39-44.
the Circuit Court a fantastic tale of his career to date.\textsuperscript{46} Kirwan, scandalised by Kelly’s ‘low forehead’, outrageous dress and ‘insulting remarks’, professed ‘little sympathy’ for a man whose demeanour mimicked that of a ‘penny horrible’ hero. The murder of an Aborigine named Charlie by local man James Douglas Tolmer engrossed readers for several months as Tolmer first surrendered to police, was charged, released, re-arrested and eventually acquitted, to ‘loud applause’ from the public gallery and the approval of Kirwan, who judged that a remorseful Tolmer had ‘paid dearly’ for ‘a hasty act’. He might have reflected with greater truth that Charlie had paid the ultimate price.

When not directing operations at the \textit{Dispatch}, sitting on committees or pursuing criminals, Kirwan enjoyed an active social life. On weekends and public holidays, he was usually to be found swimming, boating and fishing with friends in the waters of the Gulf, the scene of so many ‘delightful adventures’.\textsuperscript{47} He was also spotted, though less frequently, at the races.\textsuperscript{48} From a certain boyish gusto in the telling of them, these outings appear to have been all-male affairs, but if women were included and romance bloomed it was not something about which the chivalrous Kirwan prattled. The Port Augusta Literary and Debating Society, on the other hand, offered more intellectual stimulus and a better chance to mix with members of the opposite sex. Kirwan proved an enthusiastic recruit, joining shortly after arrival on 3 October 1893\textsuperscript{49} and braving ‘incipient influenza’ to participate in his first debate later that month.\textsuperscript{50} A fortnight after that he took part in a debate on Irish Home Rule, borrowing a line from his Female Suffrage editorial to declare that ‘the Irish people… should [not] be deprived of legislative powers like children and idiots’.\textsuperscript{51} In November the following year he read a comic Irish short story, ‘Cricket at Killaloe’, later published in the \textit{Dispatch}, the \textit{Sydney Sunday Times} and a New Zealand journal, the \textit{Taranaki Herald},\textsuperscript{52} and in May 1895 gave a recital of the poems of Thomas Moore.\textsuperscript{53}

The \textit{Dispatch} echoed these patriotic sentiments in regular notices of sports carnivals,\textsuperscript{54} theatrical and cultural events, the annual St Patrick’s Day celebrations,\textsuperscript{55} and other matters

\textsuperscript{46} ‘A Legal Field Day’, \textit{PAD}, 13 April 1894, p.2.
\textsuperscript{47} Kirwan, \textit{MLA}, p.37.
\textsuperscript{48} \textit{PAD}, 17 May 1895, p.4.
\textsuperscript{49} \textit{PAD}, 6 October 1893, p.2.
\textsuperscript{50} \textit{PAD}, 20 October 1893, p.2.
\textsuperscript{51} \textit{PAD}, 3 November 1893, p.2.
\textsuperscript{52} \textit{PAD}, 2 November 1894, p.2, 9 November 1894, p.4 and 30 September 1899, p.3.
\textsuperscript{54} \textit{PAD}, 15 March 1895, p.2.
\textsuperscript{55} \textit{PAD}, 6 October 1893, p.2. A performance of Dion Boucicault’s play, \textit{Conn the Shaughraun}, took place at the Town Hall.
of interest\textsuperscript{56} to Port Augusta’s bustling Irish community. The foundation of the Hibernian Society on 25 July 1894\textsuperscript{57} was announced in the \textit{Dispatch}, as were meetings of the Ancient Order of Foresters and the imminent arrival aboard the \textit{Orizaba} of William Redmond, brother of the Irish parliamentarian.\textsuperscript{58} There were frequent bulletins on the Pope’s health;\textsuperscript{59} reports on the latest Home Rule debate in the Commons, when an Irish Member triumphantly exposed ‘Judas’ Chamberlain as a traitor to the cause;\textsuperscript{60} and any number of comic anecdotes, facts, and fillers, the latter generally contained in ‘Grape Shot’, a mix of news, current affairs and gossip.\textsuperscript{61} Emboldened by the success of ‘Cricket at Killaloe’, Kirwan also tried his hand at humorous stories in the vein of Anglo-Irish writers like Somerville and Ross whose witty, often satirical narratives depicted the subtle tensions between a wily peasantry and an effete Ascendancy. The irony was that, while Edith Somerville espoused nationalist sympathies, Kirwan, who came of native Irish stock, spurned the exclusive Gaelic Catholic republican poetics exalted by a later generation of ideologues. His were the fading pieties of the Big House and towards the peasantry, whose religious traditions he shared, he evinced a supercilious affection, expressed in the mocking tone of stories such as ‘Cricket at Killaloe’ and ‘The Way the Irish Fiddler Tricked the Bull’.\textsuperscript{62} Daniel Corkery, chief apologist for an awakening nationalist consciousness, would have been scandalised by ‘A Land League Story’, in which a young revolutionary, intending to rouse the tenantry of ‘Bally-something’, squandered his opportunity by getting drunk at the nearest hostelry.\textsuperscript{63}

The issue which consistently preoccupied the \textit{Dispatch} during Kirwan’s tenure was the economy. Farmers and graziers, already battling the effects of the 1893 financial crisis, were dealt a double blow the following year as drought laid waste to herds and crops,\textsuperscript{64} reducing exports, lowering prices and retarding trade.\textsuperscript{65} Kirwan, relaying the latest sluggish shipping

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\textsuperscript{56} \textit{PAD}, 12 October 1894, p.2.
\textsuperscript{57} \textit{PAD}, 27 July 1894, p.2. It was founded on Wednesday 25 July.
\textsuperscript{58} ‘Grape Shot’, \textit{PAD}, 3 November 1893, p.3.
\textsuperscript{59} \textit{PAD}, 12 October 1894, p.2.
\textsuperscript{60} \textit{PAD}, 6 October 1893, p.4.
\textsuperscript{61} \textit{PAD}, 29 September 1893, p.2, 13 October 1893, p.3 and 23 February 1894, p.4.
\textsuperscript{62} \textit{PAD}, 31 August 1894, p.4. One assumes that Kirwan wrote the stories. ‘Freeluncher’, his satirical alter ego, shortly afterwards thanked his friends in the press for their kind remarks about his recent ‘literary vagaries’, see ‘The Elevener’, \textit{PAD}, 11 April 1895, p.3.
\textsuperscript{63} \textit{PAD}, 23 August 1893, p.4.
\textsuperscript{65} \textit{PAD}, 14 September 1894, p.2.
\end{flushleft}
returns, likened conditions to the ‘terrible Irish famine of 1847’ while many north-west pastoralists simply walked off the land, leaving their leases to sink back into the wilderness. The repercussions, spreading throughout the colony, lent a rosy glow to utopian ventures like William Lane’s New Australia movement, which offered the poor and dispossessed a chance to start afresh in Paraguay. As a second contingent of Lane’s disciples prepared to leave Adelaide in the summer of 1894, Kingston and two of his Ministers, Dr John Cockburn and Frederick Holder, headed north to appraise the situation for themselves. Kirwan, prolix with excitement at meeting his idol for the first time, accorded the visitors a ‘hearty welcome’ and, assuring them they had arrived in a bastion of liberalism, depicted their relationship with the electorate as an affaire du coeur. Certainly Kingston was popular with workers and farmers alike, especially after his government, reflecting the shift to a more interventionist style of leadership, embarked on an ambitious public works program to stimulate the economy. Legislation was introduced to encourage development of the sparsely populated north-west, subsidise vermin eradication programs, provide primary producers with serviceable low interest loans, and establish rural industries such as the Port Augusta meat freezing plant and Kopperamanna railway. Communal village settlements along the Murray River aimed to relieve urban unemployment and create affordable housing for wage earners.

Though he denied being a ‘blind adherent’ of Kingstonian politics, Kirwan applauded each fresh incentive, but Kingston faced mounting opposition to his reforms from a frugal Parliament reluctant to spend in the midst of a Depression. A motion for state aid, rejected

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73 ‘The Vermin Question’, *PAD*, 12 July 1895, p.2.
74 ‘Cheap Money for Producers’, *PAD*, 3 May 1895, p.2.
76 ‘Lake Bonney Irrigation Settlement’ and ‘Mt Remarkable Village Settlement’, *PAD*, 8 February 1895, pp.2 and 4; and ‘The Demand for Land’, *PAD*, 26 April 1895, p.2. See also John Playford, *ADB*, Vol.9, pp.602-605.
77 ‘Taxation Proposals’, *PAD*, 5 October 1894, p.2.
78 ‘Political’, *PAD*, 13 July 1894, p.2.
by the Upper House in July 1894, effectively scuttled the Kopperamanna railway and put the meat freezing plant in jeopardy.\textsuperscript{80} Relations between the Premier and the Legislative Council deteriorated further after the formation in June 1895 of the Independent Country Party, an extreme right wing alliance of wealthy, mainly city-based businessmen, lawyers and politicians, several of whom had defected from Sir John Downer’s crumbling opposition.\textsuperscript{81} With the split in conservative ranks, Kirwan feared that the extremists would outweigh the moderates, who had in the past supported the government; and, as the new revitalised de facto opposition began using its superior numbers in the Council to block government legislation, his prognostications proved correct.

Kingston’s ongoing dispute with the recalcitrant Upper House overshadowed his Premiership, ushering in ‘one of the stormiest periods in the political history’ of South Australia.\textsuperscript{82} At the eye of the storm was Kingston himself. In the infancy of the party political system, when ‘fusion’ governments were the norm and Ministries were often forged from alliances between factional elements, Kingston was another of those Burkean individualists who straddled the ideological divide. Liberal, he was in the language of the day ‘progressive’, a radical rather than a ‘true’ conservative and one moreover who evinced left-wing sympathies. As a lawyer, he fought for the poor and oppressed and these ideals, translated into his policies as Premier, won him the respect of the working classes. Alfred Deakin, in his eulogy, observed that ‘no man more enjoyed the confidence of the masses’,\textsuperscript{83} and this has led to the contention that he was ‘a Labor man before the Labor Party existed’,\textsuperscript{84} albeit one who spurned the tyranny of Caucus\textsuperscript{85} as Kirwan himself was to do in his turn. Indeed, the two had more in common than their political views. Both possessed ferocious tempers – and both made unhappy marriages. ‘Freeluncher’, Kirwan’s satirical alter-ego, proudly claimed him as ‘half an Irishman’,\textsuperscript{86} but not everyone was as enamoured. The Register dubbed him ‘our eccentric premier’ and Kingston’s unguarded tongue at the time of the 1894 (Royal) Adelaide Hospital row was widely considered to have exacerbated friction between the medical profession and the government. Deakin, commenting on a hostile exchange of letters between Kingston and Josiah Symon in the Register, asserted that they

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\item \textsuperscript{80} Ibid.
\item \textsuperscript{81} ‘The “Independent” Country Party’, \textit{PAD}, 21 June 1895, p.2.
\item \textsuperscript{82} Fred Johns, \textit{A Journalist’s Jottings}, p.45. Things were so bad that at one stage Kingston began referring to the Upper chamber as the ‘Legislative Slaughterhouse’.
\item \textsuperscript{83} John Playford, \textit{ADB}, Vol.9, pp.605.
\item \textsuperscript{84} Craig Campbell, ‘Charles Cameron Kingston (1850-1908)’, M. Blencowe and R. van den Hoorn [eds], \textit{South Australia in the 1890s}, pp.29-34.
\item \textsuperscript{85} John Playford, \textit{ADB}, Vol.9, pp.604.
\item \textsuperscript{86} ‘The Elevener’, \textit{PAD}, 11 April 1895, p.3.
\end{itemize}
would have justified half a dozen duels’; and, in fact, Kingston had been known to take matters into his own hands. He once infamously sent Sir Richard Baker M.L.C. a pistol together with a ‘bloodthirsty letter’ upon receipt of which Baker notified police who arrested Kingston at Adelaide’s Victoria Square in possession of a loaded firearm. After a sensational trial, at which he was defended by the eminent Q.C. Josiah Symon, later a bitter foe, he was bound over to keep the peace for twelve months and was still under sentence when installed as Premier.

While Kingston wrestled (in vain) for control of the Upper House, Kirwan was locked in a battle of his own with the South Australian Register, the chief opposition journal whose scurrilous attacks on the Premier and his Treasurer Frederick Holder aroused Kirwan’s scorn. ‘Freeluncher’ opined that the Register ‘currycombed’ the Premier so vigorously that ‘every particular hair’ stood on end while Kingston himself quipped that he would not be completely happy unless he saw every morning in the paper a paragraph or two abusing him. Beneath the humour, however, Kirwan was becoming increasingly worried that the government was losing ground. Delays in passing crucial legislation had excited criticism even in far-off Port Augusta while a Ministerial bungle in appointing a railway commissioner provided the Register with fresh ammunition. The three hopeful contenders for the job had been kept dangling for five months before the Premier, defying expectations, appointed a fourth man. It was precisely the opportunity Kingston’s enemies were bound to exploit. Under cover of honouring the three so-called ex-railway commissioners, Symon (‘the chief piper’) and a group of Adelaide businessmen in June 1895 organised a banquet, at which they mercilessly roasted the absent Kingston. Both the main metropolitan dailies, the Adelaide Advertiser and the South Australian Register carried reports of the affair, although the Register in keeping with its ‘narrow-minded and unreasonable policy’ went out of its way to embarrass Kingston, incensing Kirwan who dashed off a ‘trenchant’ editorial in reply. At a later date, Kirwan would have cause to be grateful to Symon who, with Kingston and Patrick McMahon Glynn, provided the Goldfields Separationists with practical legal advice. For the present he was content to humiliate him, reminding readers of his failed 1887 electoral campaign and attributing his ‘sickening’ conduct to envy and frustrated

87 John Playford, ADB, Vol.9, pp.602-605.
88 ‘The Hon. the Premier’, PAD, 6 October 1893, p.2.
89 Craig Campbell, ‘Charles Cameron Kingston (1850-1908)’, M. Blencowe and R. van den Hoorn [eds], South Australia in the 1890s, pp.29-34 and John Playford, ADB, Vol.9, pp.602-605.
90 PAD, 26 July 1895, p.2.
91 PAD, 3 May 1895, p.2.
92 ‘The Elevener’, PAD, 14 June 1895, p.3.
parliamentary ambition.\textsuperscript{93} Symon’s ‘oratorical fireworks’ had been amusing, but, lacking courtesy and dignity, had succeeded only in making an exhibition of the speaker. Adding insult to injury, he professed surprise that the Scots-born Symon should ‘pummel…the Premier’s sacred head…as if…born in the land of the shillalahs [sic]’.

Evidently feeling that his words deserved a wider circulation, Kirwan the following week recruited ‘Freeluncher’ to announce that his ‘clever analysis’ was the talk of the town and had reached the conveners of the ‘historical Symonian banquet’, after a local businessman took the trouble to read it to Adelaide insurance broker, L. A. Jessop.\textsuperscript{94} Inspired by the satirical Victorian columnist Rhigdhum Phunnidos, author of ‘Melbourne Under the Microscope’,\textsuperscript{95} ‘Freeluncher’ purported to be an ordinary, if remarkably well-informed, countryman who, mixing easily with men from all walks of life, offered shrewd, often caustic insights into the week’s political events.\textsuperscript{96} Another of his functions, however, was to provide Kirwan with a convenient mask, which he donned whenever he wished to convey his personal views. He first appeared on 11 April 1895 when, in a regular but shortlived column ‘The Elevener’, named after the traditional mid-morning break or ‘elevenses’, he declared he ‘knew [Kingston] well and liked him better’.\textsuperscript{97}

From his obvious resemblance to Kirwan in this as in other respects, Freeluncher’s true identity, though shrouded in secrecy, must have been immediately apparent to all but the most obtuse reader. Their mutual affection for Kingston, their common political sympathies, as well as Freeluncher’s modest references to his ‘literary vagaries’ after the publication of Kirwan’s short stories,\textsuperscript{98} were bound to give the game away. But any illusion of anonymity was finally exploded when in the early part of 1895 both Kirwan and ‘Freeluncher’, resiling from their customary positions, began attacking the Premier and his Ministry.

What caused this unexpected breach? At first it was purely political, a reaction to the widespread perception that the government was neglecting its duty to the people of the interior. To the west and north-west of Port Augusta lay vast uncultivated lands, ideal for stock, but in their natural state a breeding ground for vermin and feral animals. Graziers, hoping to establish a viable pastoral industry, looked to the government to help them develop the region, but as the effects of the Depression, then drought, hampered efforts to maintain

\textsuperscript{93} ‘Ex-Railway Commissioners [sic] Banquet’, \textit{PAD}, 7 June 1895, p.2.
\textsuperscript{94} ‘The Elevener’, \textit{PAD}, 14 June 1895, p.3. One assumes from the similarity of their views that Kirwan and ‘Freeluncher’ shared a common heart.
\textsuperscript{95} A popular weekly column serialised in several newspapers including the \textit{Dispatch}.
\textsuperscript{96} ‘The Elevener’, \textit{PAD}, 11 and 26 April 1895, p.3.
\textsuperscript{97} ‘The Elevener’, \textit{PAD}, 11 April 1895, p.3.
\textsuperscript{98} Ibid.
existing leases, any plans for expansion were put on hold. There was a renewal of optimism after Kingston’s January 1894 visit and the promise of new legislation to address the problems of the north, but as the months passed with no discernible progress, voter confidence gave way to doubt and apprehension. In June Kirwan began pressing the government for urgent action.\textsuperscript{99} By October, he was warning of the dangers of monopolies as wealthy squatters, capitalising on the misfortunes of smaller leaseholders, laid claim to large tracts of land.\textsuperscript{100} Another editorial later in the month criticised the Minister for postponing yet again the date on which he proposed introducing the Pastoral Bill to Parliament.\textsuperscript{101} A spokesman from the Port Augusta Vigilance Committee was quoted as saying that the delays were ‘suspicious’ and betokened some skulduggery on the government’s part. There were fears that a late reading of the Bill would prevent a proper debate on the many complex issues covered in it – and the threat of ‘mass indignation’ rallies if it were not expedited.

When this had no effect, the Port Augusta Vigilance Committee, which existed to monitor matters of interest to the community, ran out of patience. It appointed a sub-committee to examine the legislation and announced a public meeting to discuss its findings. Before any action could be taken, however, a fresh controversy blew up. With the sub-committee requesting more time in which to complete its enquiries, the Council cancelled the meeting till further notice. The last minute change of plan infuriated Cr Webb who, having first endorsed, then reneged on the decision, plunged headfirst into a heated exchange with the Mayor, C. E. Robertson.\textsuperscript{102} Twice the Mayor reminded the dissenter of his earlier agreement. As he had done at the time of the rent reduction row, the obdurate Webb contested the orthodox version, denouncing the Mayor as a liar and eliciting the retort that he ‘ought to be ashamed of his disgraceful and ungentlemanly’ conduct. The quarrel was only resolved when the Mayor, appealing to Kirwan, furnished a report from the Dispatch showing that Webb had indeed agreed to defer the meeting.

By the following week, tempers had cooled enough to admit of a more reasoned response. A contrite Webb, no doubt recollecting that he was due to face voters at the end of the month, wrote to the Dispatch, which published his letter above an editorial rider, advising that a poll of the correspondent’s fellow councillors had found that most concurred

\textsuperscript{100} ‘Our West and North-West Country’, \textit{PAD}, 19 October 1894, p.2.
\textsuperscript{101} ‘The Pastoral Question’, \textit{PAD}, 26 October 1894, p.2.
\textsuperscript{102} ‘The Lie Direct’, \textit{PAD}, 26 October 1894, p.3.
with the newspaper’s account. Meanwhile, on 31 October 1894, Peter Paul Gillen, the Commissioner for Crown Lands, had at last introduced the Pastoral Bill in the Legislative Assembly. As the Vigilance Committee prepared to submit its report, Kirwan, in language foreshadowing his future role as editor of the *Kalgoorlie Miner*, prescribed a campaign of ‘vigorous agitation’. A week later, on the evening of Friday, 9 November, the public meeting so eagerly anticipated by Cr Webb and the people of Port Augusta was convened by the Mayor.

In the event, this did not turn out to be the panacea for which everyone had hoped. For one thing, the meeting was monopolised by the two Liberal Members for Newcastle, Richard Witty Foster and Thomas Burgoyne, who, although belonging to the conservatives, indicated their willingness to support the Bill – and spent most of the evening spruiking its merits. By the time they resumed their seats, it was already 10.30 at night and little opportunity remained for the townsfolk to have their say. For another, the sub-committee appointed to scrutinise the legislation had found it wanting. It recommended a raft of amendments to ensure fixity of tenure, longer leases, and low rentals. Of particular contention were the clauses governing the powers of the Commissioner of Crown Lands who, under the existing terms of the Bill, had the right to evict lessees and resume land without compensating tenants for improvements. To this provision, the doughty Port Augusta burghers offered stern resistance. Thomas Young, a local businessman, criticised the government for introducing the Bill so late in the parliamentary session before moving for new legislation guaranteeing security of tenure and rent reductions. He was supported by N. A. Richardson, Mayor of the adjacent municipality of Port Augusta West, who argued for a simplified leasing system along the lines of residential tenancies. Councillors Webb and Brennan, the latter of whom owned a pastoral run near Uno, found themselves uncomfortably allied against the resumption clause while Brennan demanded further concessions on artesian wells and land improvements.

The reverberations from this meeting were to be long lasting and damaging to more than one reputation. Kirwan was the first to break cover, with a three column spread in the next issue of the *Dispatch*, berating the Liberal Members for their ‘longwinded and tiresome’

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103 *PAD*, 2 November 1894, p.2.
104 Ibid.
105 Ibid.
106 *PAD*, 9 November 1894, p.2.
107 Alexander Poynton, an Independent Labor member, was also present but, sensing the mood of the crowd, wisely kept his comments brief.
(Foster) and ‘tedious’ (Burgoyne) orations.\textsuperscript{108} He was more receptive to the three Labor emissaries – McPherson, Archibald and Batchelor – who, accompanied by a journalist from the \textit{Register}, arrived in the interval to assuage local feelings.\textsuperscript{109} There the matter rested for the time being while the town readied itself for the municipal elections. Notwithstanding their recent contretemps, both Webb and Robertson were returned in the 1 December poll,\textsuperscript{110} the latter resuming his duties as Mayor after a purely perfunctory contest with Drysdale who, when no-one could be found to run against the incumbent, consented to put his name down merely to give ratepayers a choice of candidate.\textsuperscript{111} The energetic Drysdale, who overcame illness on election day to cast his vote, had commenced operations in November as an auctioneer, general commission agent and stockbroker\textsuperscript{112} and was shortly to join one of the many prospecting syndicates that sprang up to exploit the Western Australian goldrush.\textsuperscript{113}

After all that, in late December came news that the Pastoral Bill had been shelved, following attempts by the Upper House to amend it.\textsuperscript{114} It would eventually be passed in revised form in December 1896, although its ill-fated architect, Peter Gillen, would not live to see it, having succumbed in September to heart disease, the legacy of a childhood bout of rheumatic fever.\textsuperscript{115} Kirwan, too, would be far away in Kalgoorlie and about to break a lance with a less congenial Premier. From the pages of \textit{Truth} magazine, he had already gained the impression that Western Australia was an autocracy, ruled by its six foremost families who regarded parliamentary elections as a threatening simoom that would one day suffocate them.\textsuperscript{116}

As if to prefigure the contest to come, Kirwan’s last year in Port Augusta was to be his most turbulent. There was good news in February 1895 when the Mayor in his annual report praised the \textit{Dispatch} as ‘the medium of progress and advancement’.\textsuperscript{117} But in March the spectre of the Pastoral Bill returned to haunt him in the person of Peter Gillen, who, on a damages limitation mission to Port Augusta, undiplomatically mocked the obstinate graziers

\begin{itemize}
\item \textit{PAD}, 16 November 1894, p.2.
\item ‘Ignorance vs Reform’, \textit{PAD}, 23 November 1894, p.2.
\item ‘Municipal Elections’, \textit{PAD}, 7 December 1894, p.2.
\item \textit{PAD}, 27 July, 13 July and 9 November 1894, p.2. Drysdale had several irons in the fire. In addition to owning the \textit{Dispatch}, he was a member of the reconstituted Port Augusta Hospital Board and, in 1894, possibly on Kirwan’s recommendation, joined the Port Augusta Literary and Debating Society.
\item \textit{PAD}, 4 January 1895, pp.3-4.
\item \textit{PAD}, 28 December 1894, p.2.
\item Rob van den Hoorn, ‘Gillen, Peter Paul (1858-1896)’, \textit{ADB}, Vol.9, pp.7-8.
\item ‘Grape Shot’, \textit{PAD}, 19 January 1894, p.2.
\item \textit{PAD}, 1 February 1895, p.4.
\end{itemize}
and the Dispatch for finding fault with his legislation. To Kirwan’s chagrin, the forceful Gillen quickly won over the crowd and, while defending Foster and Burgoyne, not infrequently provoked laughter at Kirwan’s expense.

Kirwan’s resentment at what he considered to be an unfair attack gives the first insights into those character flaws that were to dog his political career. In a reproachful editorial, written more in sorrow than in anger, he upbraided the Minister for his misguided loyalties, hinting darkly that Gillen ‘would not have spoken as he did if he knew the facts’. All he had done was to express the public mood in a way calculated to help, not hinder, the government, whose stalwart friend he had always been; yet the Minister had sided with its political enemies. One of them, Thomas ‘Old Logic’ Burgoyne, founding editor of the Dispatch and head of the Liberal faction in the emerging Independent Country Party, would go on to topple the Kingston government in November 1899.

Despite his air of martyred innocence, Kirwan was no more capable of overlooking the injury to his pride than his duelling ancestors would have been, and over the next two months the columns of the Dispatch rang with anti-Gillen sentiment. On the 19th March, W. G. Pryor, a member of the Vigilance Committee which had recommended changes to the Pastoral Bill, attacked Gillen in a paper read to the Port Augusta Literary and Debating Society. Knowing that the Minister was a member of various Adelaide literary societies and bound to hear of it, the Dispatch gave the debate, and the epistolary duel which erupted in its wake, ample space. As the letters flew back and forth, Kirwan, resorting to the rhetoric he would later use to pummel John Forrest, unburdened himself in a stronger than usual editorial against Gillen, whose ‘Czar-like assumption of authority’ he considered ‘contrary to true Liberalism’.

Still the issue refused to die. At the height of the row, Kingston himself came under fire from ‘Freeluncher’, who accused him of breach of faith, at which time he demoted him from

121 ‘The South Australian Political Crisis. Resignation of Ministry’, West Australian, 30 November 1899, p.5. The report, from Adelaide 20 November, states: ‘Shortly after noon today, at the close of the Executive meeting, Mr Kingston handed the resignation of the Ministry to the Governor, and advised that Mr Burgoyne be sent for. Mr Burgoyne gave place to Mr Solomon, who undertook to form a ministry’. In the event, the Solomon government collapsed after a week, when Frederick Holder, Kingston’s successor, took office.
123 ‘The Case for the Pastoralists’, PAD, 22 March 1895, p.3.
124 PAD, 29 March 1895, p.3; 5 April, 1895, p.2; 11 April 1895, p.2 and 19 April 1895, p.3.
a ‘masterful man’, a veritable Bismarck, to ‘Czar Charley’, the ultimate insult in Kirwan’s lexicon.126 Then in May, Foster and Burgoyne again visited the Port Augusta district where Burgoyne took the time to launch a fresh attack against the Dispatch and its editor.127 Harking back to the controversial meeting of November 1894, he likened Kirwan to the deaf-and-dumb man in a comic anecdote who failed to understand what was said to him. Kirwan, who claimed to have ‘the hearty sympathy’ of the town, retaliated with a blistering editorial lashing the two for their unmannerly behaviour and singling out Burgoyne for his self-important posturings. Foster, his gusty accomplice, he portrayed as dull and ponderous.

Before the year was out, Kingston himself, entering upon the scene like the Good King in the closing Act of a Shakespearian play, would arrive in Port Augusta to restore order and reward Kirwan for his fidelity. In the uneasy truce that supervened, Kirwan turned his attention to other matters. Rumours had been circulating since January that the town’s Catholic prelate, Dr John O’Reily, was about to be appointed Archbishop of Adelaide.128 Kirwan was loath to believe the news, originating as it did with the Register, but in March 1895 came confirmation from the more reliable Advertiser.129 The Dispatch, which had always kept a close eye on the popular Bishop’s activities, greeted his elevation as a major event and Kirwan in a bittersweet ‘Valedictory’130 paid tribute to a modest, scholarly, and compassionate man, ‘an ideal soggath aroon’, beloved by Catholics and non-Catholics alike and, what was more important in Kirwan’s book, a good financial manager who had reduced the diocesan debt from £6,000 to £600. From the tenor of his comments, however, it is clear he also regarded him as a friend131 and perhaps, given O’Reily’s literary background, a kindred spirit. While parish priest in Fremantle, he had been publisher and editor of the Western Australian Catholic Record.132 No doubt Kirwan attended the High Mass at which the Bishop farewelled his parishioners and was amongst the crowd who assembled at the Port Augusta Railway Station on Wednesday, 3 April, to cheer him on his journey to Adelaide.

Another friend of Kirwan’s to feature in the Dispatch was Patrick McMahon Glynn, the Irish-born journalist, lawyer, parliamentarian and future member of the South Australian

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126 PAD, 26 April 1895, p.3.
127 ‘The Members for Newcastle’, PAD, 17 May 1895, p.3.
129 PAD, 15 March 1895, p.2.
130 PAD, 5 April 1895, p.2.
131 Twice in his peroration, he alludes to people who, unlike himself, ‘did not know’ the Bishop. For further bulletins on O’Reily, see PAD, 10 and 24 November 1893, p.2 and 19 January and 11 April 1894, p.2.
triumvirate who would advise the Goldfields Separationists. On 31 May, the Dispatch rejoiced in the news that Glynn, editor of the Kapunda Herald and the former Member for Light in the House of Assembly, had been nominated for the North Adelaide seat vacated by the death of the incumbent, G. C. Hawker. There was speculation that he would join the Labor Party, but with Labor in league with Kingston and Glynn himself opposed to crucial fiscal reforms in the areas of taxation and banking, the union did not eventuate. He remained, as Kirwan would later do, stoutly independent, winning his seat and the approval of ‘Freeluncher’, who, rhapsodising about Glynn’s ‘clear’ mind, ‘incisive’ speech and ‘mellifluous brogue’, extolled ‘the level-headed Hibernian’ as a ‘cultured, clever man’. Due to an unhappy typographical error, however, ‘Freeluncher’s’ attempts to exalt Glynn further as ‘an Irish Chevalier Bayard, sans peur et sans reproche (without fear and without reproach)’ came unstuck when he misspelt peur, rendering the literal meaning of the phrase, ‘without smell’. Perhaps he was thinking of the stench of political jobbery.

There was more trouble for the government in July as the State Advances Bill was read for a second time to a rowdy Parliament. A vital plank in the government’s economic recovery plan, its object was to establish a state bank to stimulate competition and break the monopoly of money-lenders and financial institutions, hence Kingston’s vulgar name for it: the ‘Shylock Exterminating Bill’. As early as August, Kirwan claimed that the threat of it had had an effect in lowering interest rates, but precisely for this reason it was hotly decried by wealthy investors and high flying capitalists. The Register was their mouthpiece, hectoring the Premier and his Treasurer about fiscal responsibility and warning depositors that their money would be seized to fund the government’s promise of cheap loans for producers. Increasingly as the month wore on Kirwan, who in the aftermath of the spiteful ‘Symonian banquet’ of June had resumed his self-appointed role as the Premier’s champion, found himself defending the Treasurer’s performance. To exaggerated reports that the Treasury was £100,000 in the red, Kirwan offered statistical proof that the deficit was £30,000. And when on 17 July, the day after Holder’s opening statement in the House of Assembly, the Register lambasted the bill and the Minister in two derogatory articles, he

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133 PAD, 31 May 1895, p.3.
134 ‘The Elevener’, PAD, 14 June 1895, p.3.
135 PAD, 26 July 1895, p.2.
137 PAD, 5 July 1895, p.2.
mounted a spirited rebuttal, pointing out that Glynn himself, who was regarded as the measure’s fiercest critic, had congratulated the Treasurer on his speech.  

The episode had its farcical side. Amidst the hysteria they had themselves whipped up, a deputation waited on the Treasurer at the end of the month to convey their objections to the bill. One of them, Harry Sparks, a South Australian businessman and old athletics rival of Kingston’s, was allegedly so impudent that the Premier later publicly chastised him in a Friday night speech at Pt Pirie. Sparks flew, literally, when the aggrieved petitioner, reading the Premier’s unflattering appraisal of himself in Monday morning’s newspapers, shot from his house, riding whip in hand, and confronted his accuser in Victoria Square. He was quickly disarmed by the more powerful Kingston and his walking companion, Sheriff W. R. Boothby, but not before landing a few blows, prompting Kingston to quip that he had ‘shed his blood’ for the colony. ‘What a pity, my capitalistic friends will say, that there wasn’t more of it’.  

Kirwan, who in his capacity as ‘Freeluncher’ had once claimed to ‘know and like’ Kingston, was predictably shocked by the sudden violent turn of events and loud in condemnation of the ‘dastardly and cowardly outrage’ perpetrated against him. At the same time, he was keen to extract what political mileage he could from it on the Premier’s behalf, counting it as a victory of sorts for the government whose enemies had resorted to the tactics of the ‘street bully’ in a last gasp attempt to get their way. These two halves of his personality – the calculating and the passionate – were often at war in Kirwan’s nature, especially at moments of high drama, although on this occasion he maintained his composure, only betraying the true extent of his feelings by misspelling ‘exterminating’ when using the Premier’s pet name for the bill at the centre of the dispute. Despite the positive spin, the government suffered a series of setbacks to its legislative program in the second half of the year. In July the Vermin Bill, which would have provided pastoralists with machinery for dog- and rabbit-proof fencing as well as bounties on feral animals, was compromised when Parliament voted to supply fencing only. The State Advances Bill was also heavily amended in October, although not fatally. Kirwan, sensing perhaps that the stakes were getting higher, was moved to invoke divine aid, quoting the newly consecrated Catholic Archbishop of Adelaide, Dr O’Reily who contended that ‘the Kingston

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139 *PAD*, 19 July and 26 July 1895, p.2.
140 ‘The Horsewhip Argument in Politics’, *PAD*, 2 August 1895, p.2.
141 Craig Campbell, ‘Charles Cameron Kingston (1850-1908)’, *South Australia in the 1890s*, pp.29-34.
143 ‘The Vermin Question’, *PAD*, 12 July 1895, p.2.
144 ‘A State Bank’, *PAD*, 4 October 1895, p.2.
Ministry [is] as good as any that has been, and is composed of honest and conscientious men’.  

After the Pastoral Bill fiasco in March, the Port Augusta Town Council also extended an olive branch later in the year, inviting Kingston to visit the municipality. It was enthusiastically seconded by Kirwan who promised the visitors ‘a very cordial reception’. To Kirwan’s delight, Kingston accepted the invitation, arriving with his Chief Secretary, J. H. Gordon, by the 11.30 a.m. train on Saturday, 7th September 1895. The weekly Dispatch, which came out the previous day, commemorated the occasion with a favourable editorial review of the government’s record and an injunction to readers to accord the dignitaries a welcome ‘indicative of the good feeling that exists in this part of the colony towards the…Ministry.

Kingston’s visit was especially gratifying from Kirwan’s point of view. At a meeting in the Port Augusta Town Hall on Saturday evening and in the presence of Chief Secretary Gordon, the Mayor, C. E. Robertson, the Hon. J. G. Bice, M.L.C., A. Poynton, M.P., and Kirwan’s old adversaries, Messrs Foster and Burgoyne, the Premier prefaced his lengthy eighty minute oration with some remarks about the recent press wars. It was not true, he told the crowd, that politicians did not read the newspapers. They could not avoid doing so, particularly if the comments were ‘nasty’. To an interjector, enquiring if he ever read the Register, Kingston replied in the affirmative, adding that he found advocated there ‘what every Liberal should avoid’. After some good-humoured raillery at the expense of ‘old Granny’, Kingston’s euphemism for the Register, he went on to say that he read ‘a possibly more powerful daily’, the Advertiser. Then, to applause from the crowd, and speaking on behalf of himself and his Ministerial colleagues, he declared that he also read the country press, and ‘there on the platform of the Port Augusta Town Hall he wished to return his thanks to the Port Augusta and Quorn Dispatch, and to its editor and all connected with it for its generous appreciation of their labors and services’.

Kirwan was so proud of his public acknowledgement that he ran it twice in the same edition, once as a highlighted extract in the local news column, the second time in his main report of the Premier’s address. If anything, he seemed a little disappointed that more people were not on hand to hear it. The Saturday evening time-slot, coinciding with late

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145 PAD, 9 August 1895, p.3.
146 ‘Invitation to the Premier to Port Augusta’, PAD, 2 August 1895, p.2.
147 ‘Ministerial Visit to the North’, PAD, 6 September 1895, p.2.
148 Ibid.
149 ‘Public Meeting’, PAD, 13 September 1895, p.3.
night closing in the business sector, had prevented a large number from attending, although there had still been an ‘enormous’ turnout. Many had travelled ‘considerable distances’ to hear the Premier, and ‘the fair sex’, whom Kingston had recently enfranchised, were ‘very numerously represented’. Understandably, the Register, when it came to hear of the Premier’s criticism, was less impressed and one of its lead reporters, writing under the pseudonym of ‘A Pencil’, inscribed an adverse report on Kingston, Kirwan and the Dispatch – which Kirwan mocked in the Dispatch.\footnote{‘The Audacity of the Dispatch!’, \textit{PAD}, 15 November 1895, p.2.}

For two days the Ministerial party lingered in the North, promoting the government’s legislative achievements, extenuating its failures and flattering the locals. In Port Augusta, declaimed Kingston to thunderous applause, ‘progress and liberty had their home’. Amidst the rhetoric, however, a sober note was occasionally heard. Kingston, reverting to type, reprimanded the indolent burghers for scrapping the proposed refrigeration works, despite a generous government offer to pay half the cost. Was it, he demanded, want of enterprise or courage that held them back? He could not guarantee the Kopperamanna railway which was facing defeat in a parsimonious House; nor was he disposed to encourage the many deputations who waited on him throughout the visit. Mayor Robertson, touring the Port Augusta Hospital with the Chief Secretary, received the blunt intelligence that it was ‘utterly impossible’ to increase the Board’s £900 budget. Prospectors chary of paying high commercial freight charges were granted permission to shift ore through the government depot at Leigh’s Creek, but petitioners seeking amendments to the Fire Brigades’ Act and work contracts for the duplicate telegraph line to Western Australia were turned empty away.

From Kirwan’s report it appears that these rebuffs did not tarnish the Ministers’ popularity or quell the warmth of their reception, although since the Dispatch was a weekly newspaper its readers had to wait till Friday to gauge the full import.\footnote{‘Ministerial Visit’ and ‘Sunday’s Programme’, \textit{PAD}, 13 September 1895, pp.2-3.} By then, the visitors had been gone nearly a week. Their last official act on Sunday evening was to attend church. Chief Secretary Gordon betook himself to a Presbyterian chapel for a service presided over by the Rev’d R. Mitchell. Kingston joined the Anglican communion and was preached at by Rev’d Ward. The party left the following morning by the early train.

Kirwan had now been in Port Augusta for two years, the longest interval he had spent in one place since arriving in Australia. Work and friendship had anchored him, calming at least temporarily the chronic restlessness which had afflicted him from boyhood. As the
excitement of the Ministerial visit died, however, he seemed to become increasingly frustrated with his lot. The first sign of the malaise was the changing shape of the Dispatch which, from 25 October 1895, expanded to include a two-page weekend supplement containing verse, short stories, serialised novels, and horticultural and travel articles. Ordinarily such a development would have been cause for celebration; the new extended format reflecting the paper’s growing popularity, a feather in Kirwan’s cap. So it was, on one level. However, a tart rejoinder by ‘Freeluncher’ five months earlier hinted at a certain amount of exasperation on Kirwan’s part. To an enquiry from a ‘gimlet-eyed’ racegoer, who had evidently unmasked the Dispatch’s roving spy, ‘Freeluncher’ confided that readers ‘wanted literary olla podrida [miscellany], not the mutton and damper of politics’. 153
Kirwan, however, was first and foremost a mutton and damper man. Since joining the Dispatch, he had effectively politicised the newspaper, repeatedly intervening in the battle between Kingston and his powerful capitalist enemies. For a country editor with a mind above the quotidian, the knowledge that his efforts had not always been appreciated may have seemed a slap in the face, forcing him to lower his sights and leading inevitably to a parting of the ways.

Another sign that he was becoming restive was the preponderance of stories about the Western Australian goldrush in the latter half of the year. The year that Kirwan came to Port Augusta, 1893, was a watershed in the economic fortunes of the Australian colonies. In June, Paddy Hannan struck gold in Coolgardie, heralding a period of unprecedented prosperity for the frail Swan River settlement. Simultaneously, the eastern colonies plunged into crisis as the bottom fell out of the property market, leading to a run on the banks. Tempered by this disaster, and wary of another New Australia fiasco, Kirwan remained sceptical about the latest pie-in-the-sky venture and his first reports were calculated to discourage the foolhardy from risking life and limb in pursuit of an illusory El Dorado. 154 Editorials warned of ‘the terrors of the thirsty desert’ 155 while letters and diary extracts from disgruntled expatriates complained about harsh conditions and poor yields. ‘I am much disappointed with the place and the prospects’, wrote a disillusioned New South Welshman, describing the colony as a ‘land of fleas, sand, poverty’ and, the ultimate insult, ‘Englishmen and English laws’. 156

153 PAD, 17 May 1895, p.4.
154 ‘Grape Shot’, PAD, 2 February 1894, p.3.
155 ‘Westward Ho’, PAD, 16 March 1894, p.2.
156 ‘Western Australia’, PAD, 2 February 1894, p.4, reprinted from Truth.
Other correspondents, grumbling about high prices, bad roads and water shortages, urged their neighbours to stay at home for all the benefit they would derive.\textsuperscript{157}

Still reeling from the effects of the Depression,\textsuperscript{158} many South Australians joined the exodus from the eastern colonies. Steamship companies advertised regular services to the West,\textsuperscript{159} and with every fresh cry of ‘gold’ another steamer, packed stem to stern with cockeyed optimists, sailed for Albany.\textsuperscript{160} In the space of a single week in October 1895, 1200 men sailed from Adelaide for the diggings.\textsuperscript{161} Kirwan, while commending the ‘spirit of Anglo-Saxon enterprise’ which motivated them,\textsuperscript{162} could only look on in dismay. From what he had read and heard, Western Australia was little more than a fiefdom ruled by an elite corps of inbred settlers, with no proper Parliament or facilities.\textsuperscript{163}

As the rush showed no signs of abating, however, his confidence began to waver. The Dispatch itself became caught up in the excitement. Rock specimens showed that the very streets of Hannan’s Find (Kalgoorlie) were paved with gold.\textsuperscript{164} Walter Griffiths, a South Australian M.P. recently returned from the Goldfields, was convinced of their permanence.\textsuperscript{165} There were plans for a railway linking Port Augusta and Western Australia.\textsuperscript{166} Foreign investment was pouring into the colony, its credit rating had never been higher and its Treasury was overflowing. Gold production for September alone was almost £70,000. Buoyed by these reports, several members of Kirwan’s own circle succumbed to temptation. In August 1894, the Port Augusta Literary and Debating Society farewelled Thomas Harkness.\textsuperscript{167} Two of Kirwan’s compositors, Messrs W. A. Bottomley and W. J. Spargo, left in November the following year.\textsuperscript{168} Drysdale and some well-heeled pals formed a syndicate, the N.W. and W.A. Prospecting Company.\textsuperscript{169} Harry White, Kirwan’s predecessor at the Dispatch, joined another and was ‘dispatched’ to Boulder, striking it rich a month later and precipitating a new feeding frenzy.\textsuperscript{170}

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\footnote{‘A Reviving Wheat Market’, \textit{PAD}, 31 May 1895, p.2.}
\footnote{\textit{PAD}, 4 January 1895, p.2.}
\footnote{‘Westward Ho’, \textit{PAD}, 16 March 1894, p.2.}
\footnote{‘Railway to West Australia’, \textit{PAD}, 1 November 1895, p.2.}
\footnote{‘Westward Ho’, \textit{PAD}, 16 March 1894, p.2.}
\footnote{‘Grape Shot’, \textit{PAD}, 2 February 1894, p.3.}
\footnote{\textit{PAD}, 21 September 1894, p.2.}
\footnote{‘The Golden West’, \textit{PAD}, 20 September 1895, p.2.}
\footnote{‘Railway to West Australia’, \textit{PAD}, 1 November 1895, p.2.}
\footnote{‘Port Augusta Literary and Debating Society’, \textit{PAD}, 31 August 1894, p.2. Kirwan was one of 18 signatories to a valedictory letter and certificate awarded to Harkness on the eve of his departure.}
\footnote{‘Westward Ho’, \textit{PAD}, 8 November 1895, p.2.}
\footnote{\textit{PAD}, 4 January 1895, pp.3-4. Drysdale bore the title Hon. Sec. on the prospectus.}
\footnote{White pursued a somewhat chequered career on leaving the Dispatch. He was next heard of at}
\end{footnotes}
At last Kirwan himself capitulated, tendering his resignation on the morning of Monday 25 November 1895 after a telegram from Hocking Brothers, offering him a job as editor of their newly acquired journals, the *Kalgoorlie Miner* and its weekly stable-mate, the *Western Argus*. The suddenness of his appointment caught everyone off guard, not least the Mayor who found himself presiding over an impromptu farewell at the conclusion of that day’s Court of Nominations. With the Returning Officer W. Harden in the chair, friends and colleagues hastily assembled in the Council Chambers to hear Mayor Robertson laud Kirwan’s ‘literary talents’ and efficiency. Regretting the short notice which had prohibited a more fitting public ceremony, he concluded with a formal vote of thanks on behalf of the people of Port Augusta whose ‘interests [Kirwan] had always…ably championed by his pen’. Other speakers continued in the same vein. Thomas Young, lamenting Kirwan’s loss, maintained that he had done ‘his duty with impartiality [and] without giving offence’. Mayor-elect Noel Webb lauded his ‘judicial impartiality of mind’, fairness and courtesy. Drysdale, while conceding that Kirwan’s departure would be ‘a considerable loss’, approved his decision but hoped he would return when Port Augusta had become the Liverpool of the south. Mr Holdsworth, a representative of the Literary and Debating Society admired his scholarship while Chairman Harden reminded the company that Kirwan had had ‘the special and distinguished honor of being publicly complimented by the…Premier for his advocacy of the Liberal cause’. Amidst applause and a general air of bonhomie, not unmixed with melancholy, Kirwan expressed his gratitude to his friends, acknowledged his sorrow at leaving them all, and promised to retain the ‘kindliest feelings’ of the town and its people.

The Literary and Debating Society honoured its retiring member at its last ordinary meeting for the year. Notwithstanding Kirwan’s exasperation with the Society earlier in the calendar, when several members disgraced themselves at a public poetry recital either by absenting themselves from the proceedings or, in one instance, by substituting a blank page for blank verse, the Society rose to the occasion. Chairman the Rev’d C. Martin opened proceedings by extolling Kirwan’s ‘beneficial’ contribution, regretting his loss and, perhaps

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Umberatana where he hoped to revive the defunct Wheel Turner mine. From there he moved to Adelaide as editor of the *Weekly Herald* before being hired by a syndicate and heading with his wife and children for the West Australian Goldfields. One of the members of the syndicate was V. L. Solomon, who would go on to succeed Kingston as Premier. White was last heard of a month later, having ‘secured a promising lease west-south-west of the Boulder’. Purchased for £400, the lease known as the Euclid sold on 20 September 1895 for £4,000. See the following items in the *PAD*: ‘Departure’, 23 February 1894, p.2; ‘White’s Syndicate’, 9 August 1895, pp.2 & 3; and ‘A Lucky Journalist’, 20 September 1895, p.2.

171 ‘Farewell to Mr J. W. Kirwan’, *PAD*, 29 November 1895, p.2.

172 *PAD*, 10 May 1895, p.2.
tactlessly in Drysdale’s presence, congratulating him on his improved circumstances. Having exhausted his list of virtues, all of which Kirwan had in abundance, he yielded to Port Augusta’s mayoral incumbent, Noel Webb.

Webb, called upon to eulogise Kirwan for the second time in as many days, professed himself surprised at being thus singled out but went on to depict a man who was ‘well-read’, ‘independent of thought’, ‘thorough’, ‘conscientious’, and an ‘enthusiastic member’ of the Society whom it was a ‘pleasure’ to know. After further tributes, the night concluded with the traditional presentation of a written testimonial signed by the members. In ‘a short and telling speech’, the grateful recipient reiterated his comments of the day before, and the meeting adjourned, bringing to a close a chapter in the life of John Waters Kirwan.

Both events received wide coverage in that Friday’s Dispatch\textsuperscript{173} – and a further paragraph in the Register from ‘A Pencil’, wryly apologising for any offence he may have given ‘the able journalist who so well conducts the Port Augusta Dispatch’, but taking the opportunity to twit him once again on his ‘hero-worship’ of Kingston. Kirwan, however, had more immediate matters on his mind and ‘A Pencil’ was fated not to receive a reply. Two days shy of his twenty-ninth birthday, he was on the cusp of the most challenging and exciting period of his existence.

\textsuperscript{173} PAD, 29 November 1895, p.2.
Chapter 3

‘Westward Ho’¹

The discovery of gold at Coolgardie in 1893 was a seminal event in the history of Western Australia, transforming it from a small, isolated and stagnant settlement into a wealthy and dynamic colony. As the extent of the ‘Golden Mile’ came to be known, men poured into the region from across Australia and overseas, swelling the population and attracting the attention of native and foreign entrepreneurs. In 1895, the year of Kirwan’s arrival, over £50 million had been invested in the Goldfields, most of it by British shareholders.²

Kirwan, too, was transformed by Kalgoorlie. From an ambitious country editor he rose quickly to become, at the age of 29, co-proprietor of the Kalgoorlie Miner and its weekly stable-mate, the Western Argus. A disciple of the Liberal philosopher Edmund Burke, and an admirer of South Australian Premier Charles Cameron Kingston, he was further radicalised by exposure to the ‘human maelstrom’³ of the mining community, finding his voice in service to the small alluvial miners or ‘diggers’ whose causes he championed.

Two controversial issues catapulted Kirwan and the Miner on to centre stage. In 1898, as the alluvial or surface gold began to dry up, a group of diggers clashed with lease-holders who refused them permission to fossick on their claim. While Kirwan’s unstinting support for the diggers increased his popularity and that of the Miner, the government’s mishandling of the affair exacerbated tensions on the fields. Coming mainly from the older and therefore more developed eastern colonies, the diggers or ‘t’othersiders’ as they were known expected better conditions and railed constantly against high prices, the lack of facilities, above all, the perception that their taxes were enriching settlers in the coastal metropolitan and south-west agricultural districts, to the exclusion of all else.

These grievances, in turn, fuelled the Federation movement in Western Australia, the second major event of Kirwan’s watch.⁴ Most t’othersiders were overwhelmingly in favour of unification, seeing it especially after the alluvial rights dispute as a corrective to the autocratic and unfair machinations of the Forrest administration. Not so their ‘sandgroper’ cousins in the south who resented the rapid pace of change dictated by the newcomers.

¹ ‘Westward Ho’, PAD, 16 March 1894, p.2. Kirwan used this title in several Port Augusta Dispatch editorials.
² Kirwan, MLA, p.67.
³ Ibid.
⁴ Although Kirwan himself disputed this, see KM, 12 February 1900, p.5.
Against the widening gulf between the two electorates the Premier Sir John Forrest, who had earlier publicly applauded the Federal ideal, began to backpedal. Like many of his constituents, he was caught out by the gathering momentum of events in the east, and while initially assuming that Western Australia would have time to adjust to the huge social and economic changes taking place within its borders, later feared that its precipitate entry into the Commonwealth would hamper its fledgling industries.

Kirwan, on the other hand, was an early and steadfast convert to Federalism. By 1899, he also controlled the major daily newspaper on the Goldfields, having usurped the place previously occupied by his rival F. C. B. Vosper at the Coolgardie Miner. In any case, as Walter James confided to Kirwan, Vosper was known to be equivocal on the constitutional question. With Vosper’s departure to manage his new weekend newspaper, the Sunday Times, and Winthrop Hackett at the West Australian openly critical of the impending national union, it fell to Kirwan and, to a lesser extent, Hugh Mahon at the Menzies Miner and later the Kalgoorlie Sun to wave the Federal banner and this they did energetically. However, whilst Mahon played only a minor role in the ensuing agitation, Kirwan was one of its prime movers and, in the opinion of Melbourne’s Punch, ‘the brains of the goldfields’.

Kalgoorlie, then, represents the high watermark of Kirwan’s career. In Kalgoorlie he came into his inheritance, wielding the Miner as a weapon against an intransigent Forrest and rallying Federalists throughout the colony. A natural collaborator, he was also a key player in one of the most successful conspiracies in Australian political history, launching the ‘Separation for Federation’ campaign after private talks with leading Perth Federalists, Walter James and George Leake. On its own, the plot to excise the Goldfields from the rest of the Swan River colony might have remained the regional farce which its enemies initially claimed it to be, but backed by powerful friends such as Deakin and Kingston, even Joseph Chamberlain, who used it to coerce Forrest it achieved its purpose.

As leader of the Separation movement, Kirwan thus played a pivotal role in ensuring that Western Australia joined the Commonwealth as an original state. In recognition of his contribution, he was elected the first Federal Member for Kalgoorlie in the inaugural Commonwealth Parliament. But there was a price to be paid for victory. His relationship with Forrest, which initially looked set to replicate his friendship with Kingston, turned toxic as he took the diggers’ side in their battles against the government and, festering in the more

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5 Walter James to John Waters Kirwan, 24 July 1899, Kirwan Papers, MN591: 383A/1, BL.
7 Newspaper cutting, Kirwan Papers, MN591: PR520 O/S C17, BL.
refined atmosphere of the House of Representatives, cost him support and ultimately his Federal seat.

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Kirwan arrived in Kalgoorlie early in December 1895 after a long and arduous journey from Port Augusta. In Adelaide, he caught a steamer to Albany and mingled with the crowds of fortune hunters inflamed by stories of the rich pickings on the West Australian Goldfields. From Albany, he endured a ‘tiresome’ train journey to Woolgangie, east of Southern Cross, where he boarded a ‘lumbering old coach and four’ and was soon covered in sepia-coloured dust from the dry bush track. At Bulla Bulling, he spent a restless night in a timber and iron wayside inn, listening to fights and scuffles between the teamsters camped nearby; at one stage, he was forced to duck for cover as drunken combatants crashed through the door of his room. The next day he reached Coolgardie where, after a few more days, another coach arrived to take him the remaining 24 miles to Kalgoorlie.

After Port Augusta, Kalgoorlie must have been something of a culture shock. Port Augusta was as one of its chroniclers has designated it a ‘solid town’. Kalgoorlie was little more than a collection of ‘canvas tents and hessian humpies’, which their occupants waggishly named after the busiest parts of London’s West End. There were no roads, only a network of bush tracks, and until 1903 no permanent water supply. Hot, dry and arid, it was famous for just three natural elements: flies, dust and gold. Accommodation was at a premium. Kirwan was lucky to obtain a hotel room on arrival but, finding his ‘hessian walled’ cell too noisy and expensive, soon moved to a campsite at the north end of town.

Notwithstanding these privations, Kirwan pronounced himself ‘pleased with Kalgoorlie’, describing it in a letter to Drysdale as ‘one of the best places in the world for making money in, and…quite up to my expectations…’

The Kalgoorlie Miner was the first daily printed in the town. It was started by the Hocking brothers, Percy and Sidney, who had bought the Western Argus from Decimus and Stanley Mott in mid-1895 before the full extent of the famous ‘Golden Mile’ was known.

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9 Kirwan, MLA, p.65 and King, Voice of the Goldfields, p.27.
10 Kirwan, MLA, p.62.
11 King, Voice of the Goldfields, p.27.
12 ‘Mr J. W. Kirwan’, PAD, 27 December 1895, p.2. The Dispatch published the letter from its former editor.
13 Jack Hocking, OH184, BL, p.6.
The Hockings were then the principal shareholders of two local newspapers, the daily *Golden Age* and the weekly *Coolgardie Courier*. Sid Hocking had begun his journalistic career as a cadet with the *Adelaide Advertiser*, and learnt about mining while filing reports from the Broken Hill desk. On a working trip to Kalgoorlie (then known as Hannan’s) in 1894 to see for himself the activities taking place, he was so struck by its potential that he persuaded his brother to sell up and move there. His timing was impeccable. Shortly afterwards, new crushing techniques gave access to the undeveloped mines along the ‘Mile’, the town of Kalgoorlie prospered, circulation of the *Western Argus* increased and the Hockings decided to start a daily paper. Under the temporary editorship of Hal Colebatch, the first issue of the *Kalgoorlie Miner* was published on Saturday 14 September 1895.

Kirwan took over from Colebatch on Friday 6 December the same year. In contrast to those he was to write later, his first editorial was a tribute to the Premier Sir John Forrest, who had just completed a tour of the Goldfields. Forrest had performed several useful offices for the Hockings, even carrying a set of type on his recent visit to Kalgoorlie so they could print their newspapers. The *Miner* was grateful, applauding his benevolence, his clear powers of observation, and affirming in the phraseology of the day that ‘he [had] made many friends and no enemies’. Thomas Young had used almost an identical form of words when farewelling Kirwan from Port Augusta.

Although Kirwan would later turn the paper against the Premier, he continued its pro-Forrest policy for the time being. It was agreed that, while Kirwan would write most of the editorials, Sid Hocking would contribute any to do with the mining industry; and he and Kirwan, with Sid’s brother Percy as general manager, and engineer Walter Willcock in charge of production, constituted the core staff of the newspaper. In those days, the *Miner* was a ‘pocket handkerchief’ affair, consisting of no more than four to five pages and

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18 Jack Hocking, OH184, BL, p.6. A note at the head of the article states that it was ‘contributed under arrangement with Hon. J. W. Kirwan, M.L.C’.
20 *Kalgoorlie Miner [KM]*, 6 December 1895, p.2.
22 ‘Farewell to Mr J. W. Kirwan’, *PAD*, 29 November 1895, p.2. Young said of Kirwan he had ‘done his duty…without giving offence and had made no enemies’.
23 King, *Voice of the Goldfields*, p.27.
24 Newspaper article, c.1898, Kirwan Papers, MN591: PR520 O/S C17, BL.
operating out of a ‘hessian humpy’ in Hannan St, which the Hockings had acquired from Mott Brothers along with a small hand-press and some type. Until 1901, the text was entirely hand-set and Kirwan is on record as saying that for the first few months he seldom left the ‘wooden shack’ which was his office. Within a few weeks of his arrival, however, work had begun on a double-fronted shop which was replaced in 1901 by a three-storey brick building.

As editor, Kirwan upheld the aims outlined by the proprietors in the first edition of the Miner, namely ‘to secure…due recognition of the importance of the…town of Kalgoorlie and to foster…the success of this great mining camp’. To this end, he campaigned vigorously for improved services and better facilities, emphasising the need for railways, roads, lighting, telegraph and communication systems and schools. He recommended stone buildings to replace the highly flammable timber and hessian shanties and advocated the creation of industry-based organisations such as the Mechanics Institute and the Mine Managers’ Association. Due to a family history of respiratory illness, he was more than usually concerned about health and safety issues. Friends in Port Augusta had warned him that ‘with [his] looks he would not last long’ in Kalgoorlie’s insanitary environment, and their fears were not unfounded. With no scheme water until 1903, and dust from the ‘unmetalled’ thoroughfares polluting drinking supplies and fouling the air, conditions were rife for disease. There were outbreaks of typhoid prompting the Irish Catholic Bishop of Perth, Dr Matthew Gibney, to dispatch the Sisters of St John of God to nurse the sick and raise funds for a hospital.

It took time for the Forrest Government to address the needs of its newest citizenry. People scoffed that Western Australia should be renamed ‘Wait Awhile’, but Kirwan was

25 Jack Hocking, OH184, BL, p.2.
27 Jack Hocking, OH184, BL, p.3.
28 Kirwan, MLA, p.67.
29 King, Voice of the Goldfields, pp.60,63 and Jack Hocking, OH184, BL, p.2.
30 Jack Hocking, OH184, BL, pp.5-6.
31 KM, 11 December 1895, p.2.
32 KM, 14 and 16 December 1895, 19, 28 and 30 March 1896, p.2.
33 KM, 30 March 1896, p.2.
34 KM, 15 May 1896, p.2.
36 KM, 19 March 1895 and 2 February 1897, p.2.
37 KM, 9 December 1895, p.2.
38 KM, 16 May 1896, p.2.
39 Kirwan, MLA, pp.39-40.
40 KM, 14 and 16 December 1895, 19, 28 and 30 March 1896, p.2.
41 KM, 24 April 1896, p.2.
more forebearing, recognising the enormous strains placed on the colony’s limited resources by the surging tide of humanity.\textsuperscript{43} Between 1890 and 1895, the population more than doubled – in 1896 alone there were 55,000 new arrivals\textsuperscript{44} – yet by February 1897 Kalgoorlie was still predominantly a shanty town.\textsuperscript{45} Forrest’s sincerity, practical remedies\textsuperscript{46} and generosity in doling out money to various Goldfields organisations – £250 in December 1895 towards the Mechanics Institute,\textsuperscript{47} another £2000 the same month for sanitation purposes,\textsuperscript{48} £300 in March 1896 to the Roads Board\textsuperscript{49} – won him Kirwan’s respect. Following attacks by Forrest’s political opponents, Kirwan went to bat for the Premier, pointing out the ‘great difficulties’ he and his Ministers faced in converting a ‘small easy-going community with few wants’ into ‘one of the most progressive colonies of the world’, and warning readers not to trust the ‘new chums’ who thought they could do better.\textsuperscript{50}

While he was prepared to give the Premier time to adjust to the rapidly changing circumstances, Kirwan was less tolerant of other aspects of life in Kalgoorlie. Fresh from Kingston’s South Australia, and exposed daily to the supple values of a frontier town, he was appalled by the electoral anomalies that prevailed in this ‘most backward colony’ and consistently lobbied for fairer parliamentary representation and salaries for Members.\textsuperscript{51} The indolence of municipal officers was an especial bugbear.\textsuperscript{52} ‘The Town Council’, he announced sarcastically in March, ‘have aroused themselves from their apathetic state to the extent of deciding to hold a meeting this evening’.\textsuperscript{53} After they disgraced themselves by sacking the sanitary inspector,\textsuperscript{54} Kirwan embarked on a crusade to raise public awareness.\textsuperscript{55} With his own highly developed sense of duty,\textsuperscript{56} he deplored the ‘get-rich-quick’ mentality exhibited by the town’s large, cosmopolitan, rootless population and urged them to set aside selfish interests for the good of their community. Ironically, it would take their growing distrust and hatred of the Forrest Government to unite them.

\textsuperscript{43}KM, 20 December and 23 April 1895, p.2; 20 March 1896, p.2; Kirwan, MLA, pp.132-33.
\textsuperscript{44}Frank Crowley, \textit{Big John Forrest}, Nedlands: University of Western Australia Press, 2000, p.149.
\textsuperscript{45}KM, 2 February 1897, p.2.
\textsuperscript{46}KM, 11 and 30 December 1895, p.2.
\textsuperscript{47}KM, 9 December 1895, p.2.
\textsuperscript{48}KM, 16 December 1895, p.2.
\textsuperscript{49}KM, 28 March 1896, p.2.
\textsuperscript{50}KM, 27 April 1896, p.2.
\textsuperscript{51}KM, 21 March , 27 April and 4 May 1896, p.2.
\textsuperscript{52}KM, 9 and 16 December 1895, p.2; 19 and 28 March, and 2 April 1896, p.2.
\textsuperscript{53}KM, 19 March 1896, p.2.
\textsuperscript{54}KM, 30 March, 1 and 6 April 1896, p.2.
\textsuperscript{55}KM, 9, 14, 20 and 24 December 1895, 19, 20, 25 and 30 March 1896, and 16 December 1896, p.2.
\textsuperscript{56}KM, 11 December 1895, p.2 and 20 March 1896, p.2.
Kirwan’s own civic pride had a practical application. At Forrest’s invitation, he joined the Cemetery Board, and after complaining about the scarcity of magistrates was commissioned a Justice of the Peace by the Premier on 30 November 1896. He also led an active social life and was a founding member of the Hannan’s Club, established in May 1896, as well as the St Mary’s Debating Society and the First Eastern Goldfields Mounted Rifle Corps. Since he neither smoked nor gambled nor drank to excess, describing himself as ‘practically teetotal’, many of the more traditional pleasures of a frontier town were closed to him, but he found other outlets, supporting the local Hurling Club and regularly attending staff picnics and similar functions. As much for recreational purposes as for any financial gain, he applied in June 1896 for a Miner’s Right certificate, or licence, renewing it annually until July 1898. It must have been around this time that he joined a syndicate which commissioned Paddy Hannan to fossick for more gold, although nothing came of it. He also wrote poetry, although little of it survives, and appears to have been part of a select literary coterie whose members included Goldfields bards, ‘Bluebush’ Burke and ‘Dryblower’ Murphy. Murphy later immortalised him in a verse commemorating the christening of Cr Matthias Richardson’s infant son, for whom Kirwan stood ‘godpa’. In July 1900 he was best man at partner Sid Hocking’s wedding.

By the end of 1896, Kirwan was able to report a slight improvement in conditions. Sid Hocking had joined the Kalgoorlie Town Council in November that year, possibly with a view to hastening deliberations or facilitating projects in which he and his brother were interested; but even before this the Miner had noticed a ‘reawakening of community spirit’ by dint of more regular municipal meetings. It also acknowledged that the public works program was slowly gaining ground, prompting it to declare that ‘Kalgoorlie gives promise of assuming an appearance befitting its importance’. Two big projects were started that

57 King, Voice of the Goldfields, p.44.
58 KM, 17 and 31 March 1896, p.2.
59 ‘Sir John Kirwan’s Commission as J.P.’, Kirwan Papers, MN591:382A, BL.
60 King, Voice of the Goldfields, p.44.
61 Kirwan, MLA, pp.62 and 67.
62 Kirwan Papers, MN591:178A, BL.
63 Kirwan, MLA, p. 70 and King, Voice of the Goldfields, p.41.
64 Raeside, Golden Days, pp.236-63.
65 ‘A Cable from Crossley per Mid-Ocean Marconi’, Kirwan Papers, MN591: PR520 O/S C17, BL. The reference in the preamble to Kirwan as the late M.H.R. hints at a date around 1904-05.
66 King, Voice of the Goldfields, p.61.
67 KM, 9 December 1896, p.2.
68 King, Voice of the Goldfields, p.42.
69 KM, 2 April and 9 December 1896, p.2.
year. In April, moves were afoot to launch the Menzies-Kalgoorlie railway\(^{70}\) and in July Forrest applied to Parliament for a loan to finance the Goldfields water scheme.\(^{71}\) The brainchild of C. Y. O’Connor, the colony’s talented Chief Engineer, the plan called for a vast system of overland pipes and steam driven pumping stations, channelling fresh water from a weir on the Helena River in the Darling Ranges to Mt Burges near Coolgardie, a distance of 350 miles. Sceptical at first, the \textit{Miner} labelled it ‘a mad scheme’, but did an about-face a month later to hail it ‘the most stupendous project’ that had yet been brought before the Parliament.\(^ {72}\)

For Kirwan, too, things were looking up. In October 1896, less than a year after starting work as editor, he entered into partnership with Hocking Bros. The opportunity came about when Percy and Sid Hocking decided to register their newspaper business as a limited company, but found they needed a minimum of five shareholders.\(^ {73}\) With printer Walter Willcock, Kirwan was given 333 shares, each valued at £1. Another Hocking brother, Ernest, who temporarily took over as manager in 1900 following Percy’s untimely death,\(^ {74}\) received 334 while Percy and Sid retained 2500 shares each.

Despite intense competition, the \textit{Miner}, too, was going from strength to strength. Between 1892 and 1900, no less than forty-three newspapers were published on the Goldfields,\(^ {75}\) although few had the staying power of the \textit{Miner}. Only 19 survived beyond 1899 and ten of these had folded before the early 1920s. The \textit{Kalgoorlie Miner} itself is the only one to remain in continuous publication from 1895 to the present day. Prior to 1898, its main competitor was the thrice-weekly \textit{Coolgardie Miner}, edited by the flamboyant but influential Frederick Vosper. Jack Hocking relates how a wealthy friend of his father’s used to wait at the railway station for the train from Coolgardie, buy up all the copies of the \textit{Coolgardie Miner} and burn them on the platform.\(^ {76}\) The \textit{Kalgoorlie Miner}, however, had one other advantage over its rivals. From mid-1897 it had a contractual relationship with the Melbourne \textit{Argus}, giving it access to the same intercolonial and cable news service as the big eastern dailies, the only country newspaper in the colony, if not in the land, to benefit from such an arrangement.\(^ {77}\) After the \textit{Coolgardie Miner} ran into financial difficulties in late

\(^{70}\) \textit{KM}, 4, 7 and 10 April 1896, p.2.
\(^{71}\) Crowley, \textit{Big John Forrest}, p.163.
\(^{73}\) Ibid., p.26.
\(^{74}\) Ibid., p.60.
\(^{76}\) Jack Hocking, OH184, BL, p.4.
\(^{77}\) King, \textit{Voice of the Goldfields}, p.25 and Jack Hocking, OH184, BL, p.9; also Raeside, \textit{Golden Days}, p.47. The contract with the \textit{Argus} replaced an earlier stop-gap agreement with the Perth \textit{Daily News
1897, and Vosper left to start the Perth *Sunday Times*, the *Kalgoorlie Miner* became the biggest circulation daily and eventually the only morning newspaper on the Goldfields.\(^{78}\) In January that year, it celebrated the installation of a new imported Warfdale press by halving its price from twopence to a penny.\(^{79}\) Shortly afterwards, the Saturday edition increased in size to eight smaller pages and a bumper sixteen-page late Christmas issue appeared on 29 December 1897.\(^{80}\)

As well as the *Kalgoorlie Miner*, Kirwan edited the weekly *Western Argus*, coincidentally the name of a newspaper in his native Galway. This came out on Thursdays to coincide with the retail half-holiday and, until mid-January 1896, replaced the *Miner* on that day. It originally consisted of four pages and, as well as the week’s main news reports, often included verse and short stories. Within a year of Kirwan’s arrival, however, it had been transformed into an illustrated, pink-covered magazine averaging twenty or more pages.\(^{81}\) From 3 December 1896, as if to celebrate its mounting popularity, literary features displaced advertisements on the front page and a regular column, ‘The Novelist’, began serialising new works of fiction. This was in marked contrast to the *Kalgoorlie Miner* which contained little or no literary content. However, the *Western Argus* did not publish much in the way of original material: typical fare consisted of melodramatic romances, nostalgia, comic skits and verse, frequently reprinted from overseas or intercolonial journals like the Sydney *Bulletin*, Pearson’s *Weekly*, the *Auckland Weekly News*, the *Canterbury Times*, the *Globe Democrat*, and the *Detroit Free Press*.

Unlike other Goldfields editors, Kirwan showed little interest in encouraging local writers, partly because of his deepening political involvement, but partly because he considered their work inferior.\(^{82}\) ‘What a pity Galsworthy did not come’, he lamented, on learning that the acclaimed English novelist and future author of *The Forsyte Saga* had expressed an interest in visiting the West Australian Goldfields.

The only time he departed from this practice was during periods of political crisis such as the 1898 alluvial rights dispute and the Federation wrangle the following year. The

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\(^{79}\) *KM*, 11 January 1897, p.2; also King, *Voice of the Goldfields*, pp.36-37. Kirwan spells it ‘warfdale’, although other accounts give it as ‘wharfdale’.
\(^{81}\) King, *Voice of the Goldfields*, pp.36-37.
\(^{82}\) Kirwan, *MLA*, pp.111-12.
alluvial rights dispute was Kirwan’s and the Miner’s baptism of fire. Alluvial or surface ore was known as ‘poor man’s gold’ and provided a precarious income for the mass of prospectors or diggers who inhabited the Goldfields. Towards the end of 1897, however, the alluvial had all but dried up, forcing the diggers to delve for deeper leads and creating the potential for conflict with the big mining syndicates which leased the land. Under the 1895 Mining Regulation Act of Western Australia, a system of dual title gave diggers and leaseholders equal rights to a claim. The diggers were permitted to work alluvial seams to any depth, provided they remained fifty feet from a lode or reef. It was therefore customary to ask the manager of a lease to define his reef before commencing operations.83

In February 1898, a group of diggers approached the manager of the Ivanhoe Venture Company in Kanowna for this purpose only to be told that everything within the four corner-peggs was lode material. The men then took their case to the Warden, or Chief Magistrate, who upheld the manager’s decision. Fearing the consequences if such a precedent were allowed to go unchallenged, the disgruntled diggers formed themselves into the Alluvial Rights Association and defiantly began working the claim,84 whereupon the manager of the lease applied for an injunction. The diggers ignored that, too, and the ringleaders – William Bray and Patrick Hughes – were arrested and transported to Fremantle Gaol, where they received a hero’s welcome.85 As more flouted the law and were arrested,86 the government passed a regulation limiting alluvial excavations to a depth of ten feet, and extra police and a contingent of troops were sent to enforce the new law.87

The Ten Foot Regulation, or the ‘Ten Foot Drop’ as the diggers sneeringly called it,88 provoked a great deal of resentment. Public meetings were held in which the action of the alluvial diggers was ‘heartily and enthusiastically’ endorsed89 and an effigy of ‘Ten-foot Ned’ (Edward Wittenoom, Minister for Mines) was burned as the convicted diggers boarded the train to Fremantle.90 A meeting in Bunbury, where pastoralists generally looked sourly on the antics of gold-fevered ‘t’othersiders’, ended in an overwhelming vote of support for the diggers and was hailed by Kirwan as a ‘glorious victory’.91

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83 Ibid., p.135.
84 King, Voice of the Goldfields, p.46.
86 Raeside, Golden Days, p.190.
87 Kirwan, MLA, p. 142.
89 ‘Bravo Cue!’, KM, 15 February 1898, p.4.
90 King, Voice of the Goldfields, p.46.
91 ‘Bunbury to the Front!’, KM, 18 February 1898, p.4.
Kirwan was unreservedly on the side of the diggers. In his opinion the new regulation was unlawful or *ultra vires*, that is, beyond the power of the government to enforce since it contravened rights allowed under an existing Act. His advice was to remain calm and seek legal redress in the Supreme Court. At the same time, he began a spirited defence of the embattled diggers, drumming home the message that the real lawbreakers were the Minister and his counsellors. Through the agency of a young journalist-cum-prospector, Thomas Jordan, who was working a claim near the contentious lease, he was able to supply his readers with an on-the-spot account of proceedings, thus ensuring maximum sympathy for the protestors. He also started a fighting fund and made sure the Kanowna prisoners received free copies of the *Miner*. One of them, Patrick Hughes, later wrote to thank Kirwan and Sid Hocking for their assistance.

If novelist Katharine Susannah Prichard is to be believed Kirwan was one of several prominent citizens who tried to mediate the dispute. *The Roaring Nineties*, Prichard’s fictionalised account of the episode, alludes to a conference at which a compromise was worked out. The solution was rejected by the Minister, whose own more draconian answer was to send armed police to patrol the streets of Kalgoorlie. After this Kirwan’s editorials became increasingly strident. In ‘Dragooning the Goldfields’, he condemned the government’s ‘bullying’ tactics, asserting that ‘the straining and evasion of the law by the Cabinet in endeavouring to enforce its new Regulation can be called nothing but brute force’. He concluded:

> The only [illegal] step has been taken by Cabinet itself; and this...demonstration of sending “troops” to the field when they were not wanted, has accentuated...the...evident intention of carrying matters with a high hand against justice and popular opinion.

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95 King, *Voice of the Goldfields*, p.46. Speculation was rife about the *Miner*’s source, although the truth did not emerge until Jordan’s premature death in 1911 at age 39. Jordan was then a leading writer with the *Miner*, having joined the staff after the alluvial dispute.
96 Ibid.
97 Ibid.
99 ‘Dragooning the Goldfields’, *KM*, 12 February 1898, p.4.
The large Irish contingent on the fields must have been especially stirred by his St Patrick’s Day editorial for that year. Written to commemorate the centenary of the United Irishmen rebellion in which his great-grandfather Garrett Byrne had fought, it drew a menacing analogy between the Kanowna martyrs and ‘the men who dyed the hills and valleys of Wexford red with their blood in a vain endeavour to secure liberty and justice’.\(^{100}\)

Notwithstanding his militant language, Kirwan and Mayor John Fimister in a last ditch attempt to avoid violence proposed talking to the diggers.\(^{101}\) Their mission had been prompted by a ministerial wire ordering the police to clear the Ivanhoe Venture of trespassers, but as they were setting out around midnight a second wire arrived countermanding the first. An anonymous poem\(^{102}\) – ‘The York Infantry and the Tantalising Diggers’ – mocked the government’s backdown in the 10 March edition of the *Miner*:\(^{103}\)

> Wired the man who rules the country  
> In the absence of Sir John –  
> ‘Get them fit and keep them ready,  
> For I think there’s trouble on.

> Desperate men these t’othersiders,  
> Rage with law defying shout,  
> When you get your marching orders  
> Aim well low and lay ‘em out’. 

> ... ... ... 

> But the t’othersiders wisely  
> Kept the peace preserved intact,  
> And they ‘went to quod’ in hundreds  
> In accordance with the Act;

> And the Minister, astonished,  
> Had to wire again to York –  
> ‘Send us food to keep the convicts,  
> Beef and mutton, flour and pork’.

At the height of the conflict, Sir John himself, who had been attending the third and final Federal Convention in Melbourne, arrived back in the colony and announced his intention of travelling to the fields to open the new Menzies-Kalgoorlie railway. News of the visit was greeted with cautious optimism by the Kanowna diggers who looked to Forrest to save them from the tyrant Wittenoom.\(^{104}\) But in case he, too, failed to get the message the leaders

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\(^{100}\) ‘The ’98 Centenary’, *KM*, 17 March 1898, p.4.

\(^{101}\) Kirwan, *MLA*, p.142.

\(^{102}\) Don Grant identifies the satirist as Andree Hayward, editor of the *Geraldton Express*, in ‘Literary Journalism’ in Bruce Bennett [ed.] *The Literature of Western Australia*, UWA Press, 1979, p.279.

\(^{103}\) *KM*, 10 March 1898, p.7, originally published in the *Morning Chronicle*.

\(^{104}\) Kirwan, *MLA*, p.138.
planned a mass rally, whereupon Kirwan, anticipating disaster, hurried to Menzies to plead the miners’ case.

Although it would be another year before their relationship soured altogether, it may well have been this encounter which awakened Kirwan’s antipathy towards Forrest. The 29-year-old tribune of the people expected to be taken seriously. Instead he was patronised by the much older Forrest who, while speaking to him in a ‘kind and fatherly’ way, made light of his fears, telling him that ‘everyone else’ had given him the opposite opinion.105

The following day – Thursday, 24 March 1898 – a procession wound its way through the streets of Kalgoorlie, collecting marchers en route and culminating in the ‘largest [gathering] of its kind’ ever witnessed by the township.106 A band played a medley of rousing tunes and banners representing the various participating groups were carried aloft. They included a standard bearing the legend, ‘Kalgoorlie Miner, Sympathy’, with a copy of the newspaper pinned to the centre. It was followed by another depicting ten feet kicking the Minister for Mines, Edward Wittenoom. Around 3.20 p.m. the Premier’s train pulled into Kalgoorlie, where a small reception committee consisting of the Mayor and a few alluvialists awaited it. Surveying the near-deserted platform, Forrest then turned to Kirwan and smilingly asked him where the expected protestors had taken themselves. The mystery was soon explained. The police had cordoned off the station, forcing the 10,000-plus crowd to congregate outside.

Forrest’s palpable dismay at the sight was the first in a series of comic opera mishaps to mar the visit. Instead of delivering himself of a few well chosen words, the Premier hastened down a back lane to the Railway Hotel.107 At the entrance, two mounted policemen wheeled their horses to provide a guard of honour, but the crowd surged forward and the portly Forrest found himself catapulted through the doorway in an unseemly rush. Retiring to an upstairs drawing-room, he was met by a deputation of alluvialists led by the fiery Mick Mannion whose blunt sentiments provoked an already irritable Premier. A heated exchange followed, all embarrassingly within earshot of the press corps and to the accompaniment of hoots and groans – and cheers for the Kalgoorlie Miner – from the Greek chorus below.108

By the time the official party left the hotel for the station, Forrest found himself at the centre of an unruly mob and, but for the Mayor, would have shared the fate of several members of

105 Ibid.
107 The Kalgoorlie Miner’s report of 25 March 1898 gives the location as Wilkie’s Hotel, but Kirwan refers to it as the Railway Hotel in ‘The Case for the Miners’, Review of Reviews, 15 April 1898, p 414.
108 Kirwan, MLA, p.139.
the public – one of them allegedly Kirwan himself – who fell (or were pushed) on to the railway tracks. Eventually the Premier and his escort boarded the train, which retreated a short distance from the town until the furore subsided.109

Perth newspapers commemorated the event with sensational headlines and ‘wildly exaggerated’110 accounts of riot. Forrest’s Secretary Freddy North, who had unaccountably gone to Kalgoorlie with an umbrella, was the unwitting source of some of the rumours after accidentally stabbing his chief in the ribs with his ferrule. 111 An admirer, having metaphorically got hold of the wrong end of the stick, sent the Premier a telegram exclaiming, ‘My God! I am proud of you’.112 The Miner too copped some flack after Forrest wryly informed Kirwan and his colleagues that they had ‘been to blame for the whole thing’. 113

Although it lasted only a couple of months, the repercussions from the alluvial rights dispute were far-reaching. Following Kirwan’s advice, the alluvialists had taken their case to the Supreme Court which upheld their claims; but although the ‘noxious’ regulation114 was abolished, the government’s next step only served to convince the diggers that they could not expect justice from Forrest or the ‘Perthmantle’ set. To safeguard the interests of British investors, Parliament enacted a new amendment to the Mines Regulation Act giving leaseholders complete control of all minerals on their property. 115 As a result, many of the more entrepreneurial figures on the fields left for greener pastures in Canada. Those who stayed joined the push for electoral reform which gathered pace in the latter half of the year.116 But by far the most significant outcome was the loss of goodwill sustained by the Forrest Government – and the concomitant rise in power and popularity of the Kalgoorlie Miner. Henceforth, Kirwan at the Kalgoorlie Miner exercised as much influence as had his great rival F. C. B. Vosper at the Coolgardie Miner.117

110 Kirwan, MLA, p.139.
113 KM, 25 March 1898, p.4.
114 Raeside, Golden Days, p.190.
With the release of the first prisoners in April, Kirwan sought to consolidate his standing by arranging a welcome committee to greet them.\textsuperscript{118} However, the plan backfired when the uncooperative diggers returned, not in a triumphant body on the expected date, but as stragglers over a period of weeks. Nevertheless, as a result of his involvement in the alluvial rights dispute, he was persuaded soon afterwards to stand for the Legislative Council seat of North-East Province.\textsuperscript{119} A ‘born politician’,\textsuperscript{120} he needed little encouragement, even writing his own election jingle to remind people of the part he played in the recent conflict. Casting a bold eye on his great-grandfather Yellow Richard, it read in part:

\begin{verbatim}
Vote for the man who fought your fight
   Vote for the man who thundered
   From day to day how you were right
      And how the Cabinet blundered.

Vote for the man who dared to throw
   His gauntlet down an measure
   His swordlike pen against the foe
      To win you golden treasure.\textsuperscript{121}
\end{verbatim}

Despite his poetic efforts and glowing testimonials from the ‘responsible men’ who had urged his candidacy, one of them Edward ‘Ted’ Irving, editor of the \textit{Kalgoorlie and Boulder Standard},\textsuperscript{122} Kirwan lost the election by ninety-two votes.\textsuperscript{123} However, when the \textit{Standard} closed down a few months later, Irving was offered a place at the \textit{Kalgoorlie Miner}. After Kirwan was elected to the inaugural Federal Parliament in 1901, Irving took over as editor. John Donaldson, formerly of the \textit{Johannesburg Times} in South Africa, had temporarily filled this post during Kirwan’s failed 1898 election campaign.

Four months after the election, Kirwan and Sid Hocking found themselves facing a libel suit. The action related to an article by Hal Colebatch that two Members of the Legislative Assembly, F. H. Piesse, the Commissioner for Railways, and W. J. George, the Member for Murray, had come to blows outside the House and ‘knocked the stuffing’ out of one

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\textsuperscript{118} Reports in the \textit{KM} on 6,7,9 13, 14 and 19 April, 2 and 6 May 1898 charted the imminent and eventual release of the diggers, with the first four, William Bray, Patrick Hughes, Robert Smith and Robert Henry Frost, released on 7 April. Frost’s reappearance was noted in ‘Return of Mr R. Frost’, \textit{KM}, 14 April 1898, p.4 while ‘Return of a Bulong Digger’, \textit{KM}, 19 April 1898, p.3, reported Sweeney’s release.

\textsuperscript{119} \textit{King, Voice of the Goldfields}, pp.59-60.

\textsuperscript{120} Jack Hocking, OH184, BL, p.6.

\textsuperscript{121} ‘To the Diggers’, Kirwan Papers, MN591: PR520 O/S C17, BL.

\textsuperscript{122} \textit{King, Voice of the Goldfields}, pp.59-60.

\textsuperscript{123} Kirwan Papers, MN591: PR520 O/S C17, BL. Jenkins was the successful candidate with 426 votes to Kirwan’s 334.
\end{footnotesize}
another.\textsuperscript{124} Several newspapers ran the story, but the \textit{Miner}, which had been so vociferous in its defence of the alluvial diggers, was the only one sued for libel. The case was heard in the Supreme Court where the jury found the defendants not guilty and instructed Parliament to apologise to the paper. A congratulatory telegram from the Kalgoorlie, Boulder and District Trades and Labour Council mocked Forrest’s recent ignominious visit to the Goldfields with the words, ‘My God! We are proud of you’.\textsuperscript{125}

\textsuperscript{124} King, \textit{Voice of the Goldfields}, pp.52-53.  
\textsuperscript{125} Ibid., p.54.
Chapter 4

‘How the West was Won’

While these events were unfolding in the west, in the east decisions were being made that would profoundly alter the political relationship of the six colonies. From 20 January to 17 March 1898, Forrest and nine other Western Australian delegates were in Melbourne for the third and final session of the second Federal Convention, at which the draft Constitution Bill was formulated. An earlier draft had been completed at the first Convention in Sydney in March-April 1891, but failed to pass through the colonial Parliaments, so that it was not until 1897 that any real headway was made.

The first session of the second National Australasian Convention was held in Adelaide from 22 March to 23 April 1897, but adjourned to allow delegates to report to their respective legislatures. Over the next twelve months, two further sessions were convened, in Sydney from 2 to 24 September 1897, and in Melbourne from 20 January to 17 March 1898. Neither Queensland nor New Zealand, which were represented at the first Convention, sent delegates to the second and the Western Australians, who attended both, were consistently outclassed and out-gunned by their sharper, more sophisticated and intellectually astute eastern counterparts. As members of the least developed and remotest of the colonies (Western Australia had only become self-governing in 1890) Forrest and his cohorts were political novices at the first Convention and consequently exerted little influence over the draft constitution. No allowances, however, were made for them on these grounds either then or later. On the contrary, Deakin, rather to his satisfaction, observed that the visible wealth and power of Sydney in 1897 had a chas tening effect on delegates from the less populous colonies. At the end of the Adelaide session, he and Barton publicly criticised a more experienced and vocal Forrest for trying to alter decisions made in 1891, specifically in respect of the powers of the Senate, while Federalists at home, particularly on the Goldfields, deeply resented the fact that the Western Australian delegates had been appointed by Parliament rather than popularly elected like the other colonial representatives. The relative

1 Crowley, Big John Forrest, pp.98,197.
3 Ibid.
5 Crowley, Big John Forrest, p.98 and H. H. Hunter, ‘How the Goldfields United Australia: The
silence of all but one of the Western Australians was further cause for comment, with some saying that Forrest had intimidated his colleagues, although Henry Briggs later contended that the group had conferred privately, leaving it to Forrest to convey their joint views.

By the time the Melbourne Convention adjourned in March 1898, the constitution was ready to be presented to the Australian people who would be offered the opportunity to accept or reject it in a referendum. Notwithstanding his reservations, Forrest in a rousing speech to the newly established Western Australian chapter of the Federal League in May declared his commitment to the national union and outlined the programme: the Commonwealth Bill would be submitted, first, to Parliament for approval, and then to the people of Western Australia.

John Kirwan was an ardent Federalist, as were the majority of the Miner’s readers, most of whom hailed from the eastern colonies, hence the derogatory appellation, ‘t’othersiders’, by which they were known. Kirwan himself had been converted after hearing Henry Parkes speak, finding in the ‘excellency of his matter’ ample compensation for his ‘misplaced aspirates’ and vulgar accent.

Forrest was more equivocal. Deakin doubted his sincerity while Kirwan later accused him of having gone to the 1897-98 Convention as a spectator. Forrest himself admitted as much in a speech to the Legislative Assembly on 23 May 1900, excusing his poor showing at the 1897-98 Convention on the grounds that he and the other Western Australians did not believe the colony would be federating and were therefore reluctant to interfere in matters that did not concern them. This view was later promulgated by historians J. S. Battye and David Mossenson, the latter of whom contended that Forrest merely ‘posed’ as a Federalist until forced to confront the inevitable. Frank Crowley, however, argues that Forrest was an

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Separation for Federation Movement’, newspaper article, Kirwan Papers, MN591: PR520 O/SC17, BL.
6 Crowley, Big John Forrest, pp.174-75, 209.
7 Crowley, Big John Forrest, pp. 174, 192-93 and John Bastin, ‘Sir John Forrest and Australian Federation’, Australian Quarterly, Vol.XXIV, No.4, December 1952, p.47. According to Crowley, Briggs’s claim was disputed by the other delegates.
9 Ibid.
10 Kirwan, MLA, p.22.
14 David Mossenson, Gold and Politics: The Influence of the Eastern Goldfields on the Political Development of Western Australia 1890-1904, M. A. thesis, University of Western Australia, 1952.
active and vocal participant at the Convention but found himself continually outmanoeuvred by the powerful eastern bloc. He portrays a man at once ‘sympathetic but cautious’ who, while recognising the benefits of Federation, was anxious for Western Australian to enter the union as an equal partner, and not a mendicant state. At least initially, he thought there was no urgency about the issue and that unification would evolve slowly, giving the West time to bring itself up to speed with the older colonies.

Forrest, however, had figured without the clamour of the eastern colonies. With the production of a viable constitution in 1898 Western Australia had lost the luxury of time. It was sink or swim, hence Forrest’s declaration to the Federal League in May 1898. A year later he had changed his mind. In May 1899, he rejected Walter James’s offer of the Presidency of the Federal League. The turning point, however, had come two months previously. At the so-called ‘secret’ Premiers’ Conference of January-February 1899, the six colonial leaders agreed to amend the draft constitution to accommodate New South Wales and Queensland. Seeing in this a chance to redeem lost opportunities, Forrest commenced lobbying for better conditions for Western Australia, but while he continued to press his claims in the months that followed, he was unable to sway his brother Premiers and began distancing himself from the Federal movement. By then, his initial enthusiasm had received a check from Cabinet colleagues and his traditional supporters who, sceptical of the motives of a remote centralised government, feared that their mineral wealth would be seized to subsidise the rest of the country while their infant industries would be crippled by competition with the more developed eastern colonies. In any event, the issue seemed academic once New South Wales failed to obtain a large enough majority in the referendum to pass the Commonwealth Bill in its original form. Under the terms of the Western Australian Enabling Act, parliamentary approval of the Bill depended on its acceptance by New South Wales.

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16 Ibid., pp.96,98,175,196,210.
19 Ibid., p.35.
Once so promising, Kirwan’s relationship with Forrest had begun to decay during the Kanowna crisis of the year before, but any possibility of friendship was utterly destroyed by the Premier’s infamous volte-face on the Federal question. The honeymoon was well and truly over as Kirwan, lambasting the ‘utter shiftiness and unreliability politically of Sir John Forrest’, denounced him as ‘a pervert from the cause’ he had previously affected to support. In its place was a feud which would last the rest of their lives, surviving even Forrest’s death on 2 September 1918. Partly, this was a ploy to keep alive his own legacy: the very name of Forrest had become a mnemonic for Kirwan’s glory days as tribune of the people. But partly it was a symptom of Kirwan’s snobbery and a measure of his jealousy. Unlike the landed Kirwans, the Forrests were ‘trade’ – his parents came to Western Australia as indentured servants – yet it was ‘the butcher’s brother’ who carried off the glittering prizes, rising to the position of Treasurer and Acting Prime Minister in the first Deakin administration.

Forrest’s apostasy left Federalists in the colony leaderless and pushed back the prospect of Western Australia joining the Commonwealth. At the time the movement in the colony was not a united front, rather a scattered and disparate group of advocates with divided political loyalties. It also faced strenuous opposition from the local press. The *West Australian*, helmed by its Irish Protestant editor John Winthrop Hackett and partner Charles Harper, was vociferously anti-Federal, as were the *Morning Herald* and the *Sunday Times*, the latter co-founded and edited by Frederick Vosper after the *Coolgardie Miner* folded in 1897. Walter James, one of the parliamentary delegates at that year’s Federal Convention, confided in Kirwan his doubts about Vosper’s reliability and was later proved right when, in the run-up to the referendum, Vosper campaigned for a ‘no’ vote. Most Goldfields newspapers favoured Federation, but many rural journals, including the *Northam Advertiser*, *Eastern Districts Chronicle*, the *Southern Times*, *Bunbury Herald* and *Geraldton Advertiser*, came out strongly against. Another northern newspaper, the *Geraldton, Express*, was implacably opposed to Federation and its editor, John Michael Drew, later testified against it at a sitting of the joint select committee.

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27 James to Kirwan, 24 July 1899, Kirwan Papers, MN591: 383A/1, BL.
This left Kirwan at the *Kalgoorlie Miner*, then with a circulation to rival the *West Australian*, as chief of the principal Federalist journal in the colony.³⁰ Kirwan’s friend and fellow conspirator, Hugh Mahon at the *Kalgoorlie Sun* was another fierce exponent but the *Sun* was a weekly publication with nothing like the *Miner*’s reach. Copies of the *Miner* and the *Western Argus* were posted to overseas and intercolonial subscribers and filed at the British Australasian office of the London Wool Exchange.³¹ While these foreign investors were mainly interested in the mining and financial news, they must also have noticed the editorial blitz which Kirwan was waging against the Forrest Ministry, its ‘pocket-borough’ electoral system³² and the small cabal of conservative, narrow-minded parochialists who in his opinion ruled Western Australia. Many of his leading articles from this period can be read as an unofficial manifesto for the Federal cause as he earnestly enumerated the benefits of nationhood, rebutted opposition arguments and sought to allay the fears of primary producers that competition with the east spelt economic ruin.³³ Others, less subtle, were demagogic in style and content, heavily reliant on irony, hyperbole and excoriating humour for effect and designed as much to demoralise the enemies of democracy as they were to whip the colony into a patriotic fervour.³⁴ Forrest, Hackett, even had he but known it at the time his future father-in-law Tim Quinlan M. L. A.,³⁵ were all singled out for criticism, but it was Forrest who came in for the lion’s share. As news broke of the stand-off in South Africa between the Boer government and the British miners or *uitlanders* of the Transvaal, Kirwan seized upon the chance to mend another punishing analogy, likening Forrest to Kruger, the aggrieved *t’othersiders* to the besieged *uitlanders*, and bombastically portraying their struggles as a ‘battle for liberty’.³⁶

For only the second time since becoming editor, he also threw open the columns of the *Miner* to local writers, unleashing a versifying contest between *t’othersiders* and

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³⁴ ‘Redistribution Promised this Session’, *KM*, 29 June 1899, p.4 and ‘The Objects of Federation’, *KM*, 8 June 1899, p.4.
sandgropers. Inevitably, Forrest’s name attracted its share of puns, with local scribe, ‘Craigy’, looking forward to better times:

When through Forrest, Hill and upland
   We shall win our hardy way
To the clear and brightened sunshine
   Of the new politic day.\(^{37}\)

‘Craigy’s’ efforts heralded an outpouring of pent-up aggravation, and over the next few months the literary columns of the *Miner* witnessed an interesting by-play as friction between t’othersiders and sandgropers spilled into print. In its issue for 6 June 1899, the *Miner* reprinted with a flourish the satirical ‘Ode to Westralia’, penned by Allan Deuchar, a disgruntled Perth estate agent. Inscribing a pun on the Premier’s name, it began:

Land of Forrests, Fleas and Flies,
   Blighted hopes and blighted eyes.\(^{38}\)

Reproving the ‘jealous hireling scribe’, one J. J. Tucker responded with a pointed eulogy that reminded ungrateful t’othersiders of their debt:

Land of forests, mother of gold,
   Wealth of coal in dreams untold,
Land of vineyards, orchards, fold,
   Westralia!

Thy name the t’othersiders bless,
   Nor love thee than their mother less,
Their port from eastern storm and stress –
   Westralia!\(^{39}\)

Stung, the ‘jealous hireling scribe’ retorted with a dig at Forrest’s efforts to secure special conditions for the West:

Too thick skinned to feel a jibe,
   Always ready for a bribe;
Jealous of all t’otherside,
   Westralia!\(^{40}\)

As the prospect of ‘Westralia’ joining the Commonwealth receded, the other colonies began ratifying the amended constitution in a second round of referenda. New South Wales, whose acceptance of the bill was a condition of Western Australia’s entry, won its vote on 20 June but Forrest continued to prevaricate. Parliament resumed the following day, when the

\(^{37}\) ‘Political Diction’, *KM*, 27 April 1899, p.6, reprinted from the *Western Argus*.

\(^{38}\) *KM*, 6 June 1899, p. 6.

\(^{39}\) ‘To Westralia’, *KM*, 8 June 1899, p.6.

\(^{40}\) ‘To Westralia: A Retort’, *KM*, 15 June 1899, p.6.
Governor proclaimed that the Enabling Bill would be introduced only after the draft constitution had been accepted by all the other colonies: in other words, Western Australia’s entry was now contingent on the votes of Victoria, Tasmania and Queensland. Even before Victoria and Tasmania endorsed the constitution on 27 July, however, Forrest appeared to have stacked the odds in his favour. On the 18th of the month, he infuriated Federalists by referring the Commonwealth Bill to a joint parliamentary select committee for review.41

The situation in the West was now critical. Forrest’s actions had convinced Federalists that he was deliberately stalling, prompting former parliamentary rivals Walter James and George Leake to band together to formulate a plan of campaign.42 With Leake assuming the Presidency of the Federal League,43 the immediate leadership crisis was solved but the problem remained of how to organise an unevenly distributed and politically diverse rank-and-file, the majority of whom lived 370 miles east-north-east of Perth on the Goldfields. The answer was staring them in the face. At the very heart of the Goldfields lived the radical editor and co-proprietor of the big circulation daily and Federal mouthpiece, the *Kalgoorlie Miner*. Kirwan, who had proved such an effective advocate for the Kingston Government while editor of the *Port Augusta Dispatch*, was an obvious and experienced collaborator. A letter from James dated 24 July 1899, referring to an exchange of telegrams between the two, confirms that they were in touch and in sync. ‘Your views are in accord with mine as to the Plan of Campaign’, wrote James, adding that he had also communicated with Deakin and urging Kirwan to do the same: ‘it would be a wise move for you to keep in close connection with the leaders East and impress on them how essential it is that they should help us’.44

James’s main purpose in writing, however, was to enlist Kirwan’s aid in establishing branches of the Federal League throughout the Goldfields. This was something James himself had been unable to achieve the year before when the mining community complacently expected Western Australia to join the Commonwealth.45 After Forrest’s abdication of the Federal leadership, however, the movement took on a new urgency. From mid-1899, Federation was the single biggest issue on the Goldfields.46 Monster meetings

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43 Ibid.
44 Walter James to John Waters Kirwan, 24 July 1899, Kirwan Papers, MN591: 383A/1, BL.
46 Ibid.
protesting the Premier’s perfidy were addressed by Kirwan, parliamentarian Alexander Matheson and other civic officials while letters to the *Miner* demanded the formation of Federal Leagues to counteract any impression of apathy.\textsuperscript{47} Reports in the *Miner*, announcing the formation of branches at Kanowna, Kalgoorlie and Coolgardie in May, June and early July, show that the matter was already well in hand before James wrote to Kirwan.\textsuperscript{48}

Once this had been accomplished, the executive of the Kalgoorlie Federal League convened a general meeting on 2 August 1899.\textsuperscript{49} It was attended by coastal leaders James, Leake, A. E. Harney and James Gardiner, a Perth land agent, who made the gruelling trip to Kalgoorlie for the purpose, as well as delegates from all the Goldfield branches and representatives from the Kalgoorlie and Boulder Trades and Labor Council.\textsuperscript{50} Labor organisations, which constituted the majority group within the Goldfields Federal movement,\textsuperscript{51} had held their inaugural Congress in Kalgoorlie in April that year. Kirwan had been one of the speakers, receiving a standing ovation and a vote of thanks from the conveners.\textsuperscript{52} He was also one of the organisers of the Federal Conference in August,\textsuperscript{53} leading the vote to install Leake as head of the Federal League and moving that ‘the necessary legislation…be introduced during the present session of Parliament, referring the Commonwealth Bill without further amendment to the vote of the people’. The motion having been carried, Dr Henry Ellis moved for a petition to embody the resolution, whereupon Leake, Kirwan, Gardiner, Mayor Fimister and one or two others formed a committee to draft the document.

Although the so-called ‘Bill to the People’ petition was the main outcome of the Kalgoorlie conference, it was not the only one. The assembly obviously provided an opportunity for the emerging leaders of the Federal movement to put their heads together and decide on their course of action. Further meetings followed,\textsuperscript{54} and Leake returned to

\textsuperscript{47} Mossenson, *Gold and Politics*, p.192.
\textsuperscript{48} *KM*, 9 May 1899 and 3 July 1899, p.4; ‘Federation Threatened’, *KM*, 24 June 1899, p.4; *KM*, 28 June 1899, p.4.
\textsuperscript{49} ‘The Federal Campaign’, *KM*, 3 August 1899, p.2 and *KM*, 4 August 1899, p.2. See also Mossenson, *Gold and Politics*, pp.192-93
\textsuperscript{50} Mossenson, *Gold and Politics*, pp.191-92.
\textsuperscript{51} Ibid.
\textsuperscript{52} Mentioned in Kirwan’s Federal campaign notice, ‘Workers of the Goldfields! Roll Up, Roll Up!’, *KM*, 15 December 1903, p.4. See *Minutes of Proceedings of the First West Australian Trades’ Union and Labor Congress*, Coolgardie, April 1899, 329.9[AUS], BL, and reports in the *Coolgardie Miner*, 13-17 April 1899, pp.5-6.
\textsuperscript{53} Walter James to John Waters Kirwan, 24 July 1899, Kirwan Papers, MN591: 383A/1, BL. James confirms as much when he writes: ‘I say this because I assume that you are organising the joint meeting of the Federal League…on the Fields’.
\textsuperscript{54} ‘Federation. The Bill-to-the-People Campaign. Meeting of the Kalgoorlie League’, *KM*, 14 August 1899, p.2. Article refers to a meeting last Friday evening, 11 August.
Kalgoorlie in October 1899 and January 1900 to address large public gatherings and confer with his colleagues there.\textsuperscript{55} The two wings of the Federal movement in Western Australia thus collaborated to consummate the union of the six colonies.\textsuperscript{56} James noted with pleasure Kirwan’s assurance that the Goldfields desired to work with the coast\textsuperscript{57} while Kirwan afterwards recalled that Leake came to Kalgoorlie to ‘talk over with me the question of how to bring Western Australia into the Federation’.\textsuperscript{58}

Ten days after the conference, James again wrote to Kirwan and Deakin, predicting the efficacy of a press campaign against Forrest and the man popularly believed to be his chief political adviser, John Winthrop Hackett, the conservative Irish Protestant owner of the \textit{West Australian}.\textsuperscript{59} Kirwan had been conducting a virulent editorial campaign against the Premier for several months, but James had a broader scheme in mind. He asked Kirwan if ‘you think it would be wise to endeavour to enlist the aid of the Eastern Press in our efforts to have the [Commonwealth] Bill referred to the people’. Forrest, intuited James shrewdly, ‘will wince if his actions are exposed in the colonies’, the more so since he ‘wants…to pose as a statesman of the Empire [and] will be very sensitive to Eastern criticism [reaching] England’. He also hinted at the possibility of the Imperial Parliament intervening to enable the Goldfields to enter the Federation independently of the coastal districts. ‘A mere suggestion in that direction’, wrote James, ‘would steady Forrest and Hackett’.

Kirwan on his part urged James and the Perth leadership to make more of an effort.\textsuperscript{60} Replying on the 15\textsuperscript{th} August he could not suppress a spurt of annoyance at all the good advice flowing in his direction while the coastal representatives appeared to him to be resting on their laurels. Where, he asked pointedly, were Matheson and the others? He was prepared to do his bit but could accomplish very little without the help of the rest of the colony. With James’s idea for an eastern press campaign, however, he was wholeheartedly in agreement, inviting him to forward any unflattering articles about the Premier that would bear reproduction. From August 1899 these began appearing in the \textit{ Miner} on a daily basis as

\textsuperscript{56} Mossenson, \textit{Gold and Politics}, p.193. Cf. Lyall Hunt who in ‘Walter James and the Federation Campaign’ claims that the two groups operated independently, p.40. That is not to say that there was not some friction at least initially, as Kirwan reveals in his letter to James, 15 August 1899, James Papers, MS296: 45-46, NLA.
\textsuperscript{57} Walter James to John Kirwan, 12 August 1899, Kirwan Papers, MN591: 383A/1, BL.
\textsuperscript{58} Kirwan, \textit{MLA}, pp.145-46.
\textsuperscript{59} Walter James to John Kirwan, 12 August 1899, Kirwan Papers, MN:591 383A/1, BL; Walter James to Alfred Deakin, 20 July 1899, Deakin Papers, MS1540: 11/2578-85, NLA.
\textsuperscript{60} Kirwan to James, 15 August 1899, James Papers, MS296: 45-46, NLA.
editors across the country vied to come up with ever more disparaging epithets, although for pure vitriol none could match Kirwan who castigated Forrest as a ‘traitor’, a ‘monster’, ‘the champion political turncoat’, the ‘Mephistopheles of Australia’, a ‘pledge-breaker’, ‘a political charlatan and trickster’, the ‘butcher’s brother from Bunbury’, the ‘Jackdaw of Perth’, the ‘stupidly arrogant mouthpiece of Boss Hackett’, the ‘chief clown [in the] Great Forrest Circus Company’. (Hackett was ‘pantaloon’.) There were allegations of bribery and corruption, and snide remarks about the Premier’s dishonesty, his perfidy, his unprincipled political opportunism. He undermined Forrest’s credibility, and while he was at it he took a swipe at his competitors, ‘the Perth dailies’, and the conservatives in government and outside it – the ‘little Australians’, the ‘Swan Settlement Oligarchs’ – who were ‘making strenuous efforts to prevent this colony federating’. As Kirwan saw it, ‘the democratic nature of the proposed Constitution naturally horrifies those who have all their lives upheld and profited by a system whereby the many are governed by the few’.

Kirwan gleefully reported the success of the campaign when, later in the year, Forrest complained to Parliament of the conduct of the Goldfields press. But his triumph was short-lived. On 2 September, Queensland became the fifth colony to accept the draft constitution at a referendum. Meanwhile, as Federalists waited apprehensively for the report of the joint select committee, Leake wrote confidentially to Kirwan on the 11th of the month,

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64 Quoted in Crowley, Big John Forrest, p.241.


asking him to consider an alternative strategy which he had only discussed ‘privately with a few’.

Leake’s plan, a desperate measure for desperate times, was to precipitate a double dissolution of Parliament. ‘If you approve this suggestion about the dissolution you might send me a telegram’, he concluded, ending as he always did when writing to Kirwan with his thanks ‘for the splendid support which you have given us’. James, recognising Leake’s despair and Kirwan’s earlier frustration, counselled the two to get together and ‘talk about…future operations’. This is presumably the famous meeting at which Kirwan and Leake discussed tactics.

Four days later, on 20 September, the ‘Bill to the People’ petition was submitted to Parliament by Alex Matheson. Coincidentally, on the same day the joint select committee which had convened to review the Commonwealth Bill tabled its report. Federalists had been invited to put their case to the committee but, believing it to be a mock inquiry, declined to do so. The committee itself was strongly biased against Federation. Of its fourteen members, seven from the Legislative Assembly, seven from the Legislative Council, only three (Leake included) were Federalists and Forrest kept a tight rein on proceedings. He also had a hand in drafting the report which recommended four constitutional amendments. These were to allow Western Australia to retain its customs revenue for five years, set its own railway freight charges for the same period without interference from the Interstate Commission, and determine its senatorial electoral divisions. The purpose of this last stipulation was to prevent the large dissenting population on the Goldfields from overmastering the wishes of the rest of the electorate. In addition, the report asked the Commonwealth Government to guarantee construction of the transcontinental railway. Since the five eastern colonies had already approved the draft constitution, any alterations would have necessitated another round of referenda, paving the way for N.S.W. and Queensland, which had returned narrow majorities, to reconsider their positions. Forrest, who had sounded out his brother Premiers before the report was tabled, had been unofficially advised that no further changes would be contemplated, although he and

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71 George Leake to John Waters Kirwan, 11 September 1899, Kirwan Papers, MN591: 383A/1, BL.
72 Walter James to John Waters Kirwan, 16 September 1899, Kirwan Papers, MN591:383A/1, BL.
73 Kirwan, MLA, pp.145-46.
74 ‘Petition – Draft Commonwealth Bill’, WAPD, Vol.XIV, 20 September 1899, p.1355. It was read, ordered to be printed and scheduled for consideration on 27 September.
76 Mossenson, in Gold and Politics, p.196, quotes a report in the Kalgoorlie Miner from 7 September 1899.
77 Ibid.
Hackett maintained that the amendments could be effected by Westminster. Accordingly, on 5 October 1899, Forrest initiated parliamentary debate on the Commonwealth Bill with a motion for a dual referendum on both the original and the amended versions of the draft constitution.

Relations between the government and the Goldfields were now stretched to breaking point. On 27 November, the ‘Bill to the People’ petition, which had collected nearly 24,000 signatures representing more than half the population of the entire colony, was literally laughed out of the Legislative Council. Kirwan, who had helped draft it, was mortified and never forgot or forgave the contempt shown him and his colleagues. Three days later, Forrest’s motion for a dual referendum on the constitution was also rejected by the Council. Parliament was then prorogued, leaving the question of Western Australia’s entry into the Commonwealth unresolved.

The Council’s obduracy in refusing to sanction a referendum stunned even Forrest who, for the first time since rejecting the Presidency of the Federal League, was no longer in control of events. Hackett was less surprised, having accurately predicted the outcome in his earlier letters to Deakin. ‘There is not the slightest chance of the Council giving way and there is no means of coercing them’, he confided on 7 November, warning that if Federation were imposed on the colony by the Goldfields, it would only arouse resentment. Certainly it was furiously resisted by the propertied classes in the Upper House who clung jealously to their privileges and used the debate on the Commonwealth Bill to vent their spleen on the mining community, as indeed did some Members of the Legislative Assembly. One irate Councillor, F. T. Crowder, fulminating against ‘parsons, alluvialists and others’, stoutly declared that, if he had his way, he would throw the lot in prison ‘along with a few of the leading editors on the goldfields’. Fuelled by such animosities, the Council went further than either the Premier or his advisors expected, defeating a second ‘impudent
motion’ to allow Forrest and Hackett to resume negotiations with the eastern leaders.  

Ironically, as James afterwards confided to Deakin, the Federalists in the Upper House had helped bring about this result by siding with the Disunionists.

The focus now shifted to the Goldfields where Federalists contemplated a plan more radical than any considered so far: to separate the fields from the rest of the colony. Separation was by no means a new concept. First canvassed by Vosper in a lecture to a Coolgardie audience on 9 September 1894, it had been revived after the 1898 alluvial rights dispute, when anger at the arrogance of the ‘Perthmantle’ Parliament magnified other grievances. One of these was the demand for fairer parliamentary representation. Although it constituted 36.3% of the electorate, the mining community could lay claim to only ten of the fifty seats in the Lower House, prompting calls for the Goldfields to be annexed to South Australia. The Federal campaign in Western Australia was thus unique in being intertwined with the movement for political reform.

Kirwan did not favour separation as an end in itself. The object, as he later confirmed in an interview, was to force Forrest to hold a referendum on the Commonwealth Bill. He was reluctant to consider it in 1898, recommending some form of local autonomy or ‘home rule’ as an alternative to the centralised Forrest administration. By December 1898, however, he had begun to see separation as a conduit to Federation and a natural consequence of it, speculating that ‘a readjustment of existing unsuitable boundaries’ would in certain circumstances be ‘absolutely necessary’.

Separation was evidently one of the options discussed at the Federal Conference in August 1899. On 21 July, less than a fortnight before the gathering, an anonymous letter appeared in the *Kalgoorlie Miner*, suggesting that the Goldfields join the federating colonies as a separate state. Three days after the Conference on 5 August James, apparently in response to a question from Kirwan, wrote to advise him of a legal loophole. Under the

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88 Walter James to Alfred Deakin, 6 January 1900, Deakin Papers, MS1540: 11/146-47, NLA.
93 Interview with the *South Australian Register*, May 1900, Kirwan Papers, MN591: 383A/3, BL.
94 ‘Home Rule for the Goldfields, Not Separation’, *KM*, 13 April 1898, p.4.
95 *KM*, 6 December 1898, p.4.
96 *KM*, 21 July 1899, p.3.
97 Walter James to Kirwan, 5 August 1899, Kirwan Papers, MN591: 383A/1, BL. But see Crowley, Big John
Colonial Boundaries Act 1895 authority to create new states rested, not with the Western
Australian, but with the Imperial, Parliament. Privately, as he confided to Deakin and
Barton, James thought separation an impossibility,98 but to Kirwan he wrote on 12 August
that if the ‘Bill to the People’ petition were rejected, ‘then I think you on the Fields and the
Eastern Press...should go for separation without any reservations and with gloves off’.99

Following the petition’s hostile reception in the Legislative Council, Kirwan did in fact
‘go for it strong’ and ‘Separation for Federation’ became the battle cry of the Miner. But
since neither he nor James wanted separation it seems clear that this was from the start a ruse
to scare the anti-Billite, or ‘anti-Bil(l)ious’ brigade as opponents of Federation were known,
to submission. James summed up the conspiracy, writing to Deakin on 6 January that ‘all
the federalists here are supporters of the [separation] movement’ as a matter of sheer
political expediency.100

Political etiquette of the day dictated that James as a Member of Parliament could not be
seen to sanction such a scheme publicly, so although he continued to aid the Separatists
secretly he was less involved in this phase of the campaign.101 This left Kirwan at the Miner,
then the most powerful Federal propaganda machine in the colony,102 in the vanguard of the
Goldfields agitation, and Kirwan had yet one more ace up his sleeve. While editor of the
Port Augusta Dispatch, he had befriended South Australian lawyers and parliamentarians,
Charles Cameron Kingston, Patrick McMahon and Josiah Symon who constituted the
Separatists’ honorary advisory board.103 From Hackett’s complaints to Deakin on 7
November,104 it is evident that Kingston had begun campaigning on behalf of the Separatists
before then. Around the same time, the Miner published statements from Glynn and Symon
corroborating James’s opinion that Separation was constitutionally viable.105

Forrest, p.264. Under the Act, changes to the boundaries of self-governing colonies could only be made with the
consent of the colonial Parliament.

98 Walter James to Edmund Barton, 15 August 1899, Barton Papers, MS51, NLA and James to Alfred
Deakin, 6 January 1900, Deakin Papers, MS1540: 11/146-47, NLA.
99 Walter James to Kirwan, 12 August 1899, Kirwan Papers, MN591: 383A/1, BL.
100 Walter James to Alfred Deakin 6 January 1900, Deakin Papers, MS1540: 11/146-47, NLA.
March 1978, p.42.
102 Mossenson, Gold and Politics, p.189.
Price, was also on the board.
104 John Winthrop Hackett to Alfred Deakin, 7 November 1899, Deakin Papers, MS1540: 128-32, NLA.
105 P.M. Glynn, ‘Federation or Separation’, KM, 12 September 1899, p.7 and Glynn, ‘Separation
Possible’, KM, 22 September 1899, quoting report in the Adelaide Advertiser, p.5; Glynn’s opinion
quoted, KM, 25 September 1899, p.5; ‘The Boundaries of the New State’, quoting J. H. Symon, Q.C.,
KM, 3 January 1900, p.4; ‘Separation for Federation. Mr Hackett vs Messrs Symon and Glynn’, KM,
On Wednesday 13 December 1899, less than a fortnight after the defeat of Forrest’s motion for a dual referendum, the Goldfields Federalists met in the Coolgardie Council Chambers to consider their next step. After discussion the conference, an eclectic mix of representatives from local municipalities, mining companies, trade unions, financial institutions and other public bodies, formed the Eastern Goldfields Reform League, the name expressing t’othersider solidarity with the besieged uitlanders of South Africa. Notwithstanding their disparate views, delegates resolved by a sixty to one majority to accept Kirwan’s motion for separation and a seven man provisional committee consisting of Kirwan, J. W. Finister (Mayor of Kalgoorlie), Dr Henry Ellis (Coolgardie Federal League), Walter Griffiths (Chamber of Mines), C. Mann (Boulder), Charles McDowall (Coolgardie) and F. C. Gilbert (Secretary, Australian Workers’ Union) convened to draft a petition to the Queen.

Over the next week, the committee met again to decide on the wording of the petition (later redrafted by the League’s Adelaide lawyers, Kingston, Symon and Glynn). Letters to the Imperial and colonial authorities were also drawn up, along with a manifesto listing Goldfields grievances and a map showing the boundaries of the proposed new state, which the romantically inclined had already named ‘Auralia’. Copies of the manifesto and map were subsequently distributed to parliamentarians, public figures and newspaper editors in Britain and Australia, and published with Kirwan’s account of the League’s genesis in the 15th January edition of The Australasian Review of Reviews. A fortnight after this on the 3rd January 1900, a second larger conference was held in Kalgoorlie and a 14-man executive committee established to steer the campaign. Kirwan claimed to have been the first member elected, but proposed as president Alexander Matheson, a Goldfields parliamentarian of

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107 The revitalised Coolgardie Miner gave the vote 60 to 3 while George Leake in the Legislative Assembly said it was 60 to 2, see Bastin, The West Australian Federation Movement: A Study in Pressure Groups, p.98.
British aristocratic stock whose political and financial connections were judged potentially more helpful to the cause.\textsuperscript{112} The inclusion of Labor members Hugh de Largie, John Reside and Hugh Mahon was another tactical decision designed to unify the various elements within the movement, but may ultimately have backfired. By February, the Chamber of Mines and several investor groups had pulled out, leaving the Reform League to reconfigure itself as primarily a Labor organisation.\textsuperscript{113}

In the meantime, Charles Sommers, the Mayor of Coolgardie, presented to the conference the petition, letters and manifesto drawn up by the committee, whose efforts were heartily applauded. Members also expressed ‘much pleasure’ at the messages of support from South Australia: Symon had written and Kirwan was delighted to read out a telegram from Kingston.\textsuperscript{114} But most of the remaining discussion time was eaten up by the financial question. In the end it was decided that the money needed to mount a successful campaign would be raised by public subscription, with donors contributing either through the Labor unions or to a fighting fund administered by the Goldfields press. The meeting then adjourned with a vote of thanks to the \textit{Kalgoorlie Miner}.

Within days branches of the Reform League sprang up across the Goldfields and as far afield as Esperance and Albany.\textsuperscript{115} Money poured in to the League’s coffers,\textsuperscript{116} giving the lie to reports in the \textit{West Australian} that it was struggling financially,\textsuperscript{117} and on the 16\textsuperscript{th} January Leake returned to Kalgoorlie to address supporters.\textsuperscript{118} Forrest and Hackett were also on the move, arriving in Melbourne on the very day of the Kalgoorlie Conference in a last desperate effort to secure better terms for Western Australia.\textsuperscript{119} To save face, they had decided to conceal from the public the true nature of their visit, insisting to reporters that they were merely taking a short holiday.\textsuperscript{120} Newspaper editors were wise to that game, however. Kirwan had tipped them off, precipitating a fresh feeding frenzy in the eastern press, and negotiations took place in an atmosphere of growing rancour.\textsuperscript{121} Melbourne \textit{Punch} and the

\textsuperscript{113} Bastin, \textit{The West Australian Federation Movement: A Study in Pressure Groups}, p.99.
\textsuperscript{114} ‘Separation for Federation’, \textit{KM}, 4 January 1900, pp.2-4.
\textsuperscript{115} ‘Separation for Federation’, \textit{KM}, 5, 6, 8, 9, 16, 26, 29, 30 & 31 January 1900, pp.2 and 4; Bastin, \textit{The West Australian Federation Movement: A Study in Pressure Groups}, p.101-102 and Mossenson, \textit{Gold and Politics}, p.204.
\textsuperscript{116} \textit{KM}, 4, 12 and 29 January 1900, p.4.
\textsuperscript{117} ‘The Separation Movement’, \textit{West Australian}, 30 April 1900, p.2.
\textsuperscript{119} ‘Separation and Federation’, \textit{KM}, 18 January 1900, p.2, quoting a 4 January report from the Melbourne \textit{Age}.
\textsuperscript{120} ‘The Good of his Health’, \textit{KM}, 13 January 1900, p.4, quoting various reports.
\textsuperscript{121} The \textit{Kalgoorlie Miner} filed reports from among others the \textit{Adelaide Advertiser}, 11 January 1900, p.2.
Sydney Daily Telegraph reported that people there had no sympathy for Sir John Forrest. The Reform League, fearing that any last minute attempts to amend the constitution would harm the colony’s chances, had already written to the Premiers on 26 December to assure them that most Western Australians already favoured the existing Bill, so that there was no recourse to be had there; and when in an address to a rowdy meeting of steamship managers Forrest said that he did not think eastern officials would be party to a breach of faith, he was laughed at. James also wrote to Deakin, Barton and the other Federal leaders, encouraging them to ‘stimulate and strengthen this separation movement’:

If you in the East would declare yourselves for it the movement would assume such proportions that our object would be attained.

Deakin must often have smiled to himself as letters from opposing Western counsel winged their way to his parliamentary office: the ones from Walter James urging him ‘to beat up the separation movement’; the others from Winthrop Hackett, entreating him to ignore it. To Hackett’s dismay, Deakin appears to have acted on James’s suggestion. ‘You speak of separation as more than a possibility’, wrote Hackett dejectedly, alluding to an earlier communication from Deakin which had left him full of ‘disappointed hope’. Other Federal leaders followed suit, amongst them Kingston who wrote to assure his old friend John Kirwan of his loyalty and to commend him to the new Premier, Frederick Holder. Kingston mused, before advising him, somewhat repetitiously, to ‘agitate, agitate, agitate’:

Let it be plainly seen that the people mean business. Once their wish is plainly declared effect must be given to it. Your petition is a kind of referendum.

He added: ‘I suppose that you are not so anxious about separation except as a means to an end’.

In February the Federal leaders began leaving Australia for their conference with the Imperial authorities in London. Their journey took them to Albany in the south-west corner of Western Australia, where representatives from the Reform League awaited them. Barton
and Kingston, returning from a late lunch with Forrest and Leake on 11 February, were said to have spent a ‘satisfactory’ hour with the Goldfields Separatists. Deakin, who left ahead of his colleagues a week earlier, assured Matheson that he was ‘heart and soul with the movement on the fields’. 

Negotiations with the Colonial Office commenced on 15 March and from the start were fraught with tension. Stephen Parker, the West Australian observer, was under instruction from Forrest to press for amendments to the tariff provisions. The senior Federalists, Barton, Deakin and Kingston, learning that Chamberlain also wished to introduce amendments, opposed as unconstitutional any alterations while Kingston, Kirwan’s ally, harangued Parker about the Goldfields agitation. At the height of the discussions, Dickson, the Queensland representative caused a breach with his colleagues by siding with Chamberlain on the issue of Privy Council appeals. Chamberlain professed himself sympathetic to Western Australia’s plight but was unwilling to risk alienating the Federal delegates further by interfering in their domestic affairs.

The Reform League was also represented in London, where Fr Ambrose O’Gorman, a Goldfields priest, and Kirwan’s brother, Edmund, had opened a branch office in the Old Temple. Edmund had been appointed secretary. Walter Griffiths, the last of the three-man contingent to arrive, had travelled with Barton and Kingston on R.M.S. Orizaba and must have been delighted to have so distinguished a captive audience. Between them the emissaries maintained a vigorous correspondence with the London press. Fr O’Gorman was interviewed shortly after arrival by the Australian Mail, and the London Critic, The Times, the Westminster Gazette, the St James Gazette, Pall Mall, the Review

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129 ‘Item of News’, KM, 19 and 29 January, 2 and 8 February 1900, p.4.
130 de Garis, ‘Western Australia’, p.315.
131 Ibid., pp.314-16.
133 ‘Items of News’, KM, 5 February 1900, p.4. Griffiths, the Member for the Northern Territory in the South Australian Parliament, did not live to see the new Commonwealth come into being. He died of typhoid on 4 September 1900 shortly after returning from London.
135 KM, 28 March 1900, p.2, quoting Australian Mail, 22 February.
136 16 December 1899, reported in the KM 23 January 1900, p.2.
138 Letters from Walter Griffiths, published in the Westminster Gazette and quoted by the Melbourne Age, 19 April 1900, p.5 and the KM, 2 May 1900, p.5.
139 J. F. Hogan to John Kirwan, 9 March and 12 April 1900, Kirwan Papers, MN591: 383A/1, BL.
140 Quoted in KM, 2 May 1900, p.2.
of Reviews, the Morning Leader,\textsuperscript{141} the Morning Chronicle,\textsuperscript{142} and the London Daily News\textsuperscript{143} all carried regular articles on the growing strength of the Goldfields agitation. The Daily News sent its own reporter, Miss Harkness, to Kalgoorlie to interview leading enthusiasts, one of whom had earlier dispatched a cablegram to Britain denouncing the ‘misdeeds of the Forrest Ministry’.\textsuperscript{144} As the war of words escalated, Parker and Charles Harper sought to hose down the situation,\textsuperscript{145} prompting a fresh flurry of letters from Griffiths, Edmund Kirwan, George Leake and W. T. Stead, editor of the Australasian Review of Reviews.\textsuperscript{146}

Admittedly, much of the League’s campaign was a bluff but one which its agents executed with great conviction and aplomb. Through its London delegates, for example, it claimed to be in touch with the Colonial Office, although Perth newspapers sneered that they had received short shrift. Notwithstanding reports that they were ‘influentially supported’ by Imperial statesmen and financiers,\textsuperscript{147} they did not meet Chamberlain, but were obliged to deal with John Anderson, an assistant under-secretary or ‘fifth clerk’.\textsuperscript{148} The Miner, however, retorted that the Reform League had not sought a meeting with Chamberlain.\textsuperscript{149} If so, it could only mean that Griffiths and Edmund Kirwan were aware that their real mission in London was simply to rattle the cages of Parker and the Imperial authorities. The Separatists had hopes of Chamberlain who, on the eve of the Boer War in October 1899, appeared to issue a general warning to self-governing English colonies not to treat their subjects as Kruger had the Transvaal miners.\textsuperscript{150} And as they never tired of pointing out they had other routes to the Colonial Office. Kingston and Deakin, their allies at the negotiating table, had promised to speak for them.\textsuperscript{151} Deakin, on the opening day of discussions, assured

\textsuperscript{142} Quoted in the KM, 2 May 1900, p.2.
\textsuperscript{143} KM, 2 May 1900, p.4.
\textsuperscript{144} KM, 10 January 1900, p.2. The correspondent was named Dalziel.
\textsuperscript{145} ‘Western Australian Separation’, Times, 30 March and 23 April 1900, p.14; ‘Australian Federation’, Times, 7 May 1900, p.4.
\textsuperscript{148} ‘A Formidable Document’, KM, 16 March 1900, p.4.
\textsuperscript{149} Ibid.
\textsuperscript{150} Reported KM, 21 November 1899, p.4.
\textsuperscript{151} James, in his letter to Deakin on 6 January 1900, praised both Symon and Kingston for their advocacy, Deakin Papers, MS1540: 11/146-47, NLA. See also Kingston’s letter to Kirwan, 3 January 1900, in which he enjoins Kirwan to ‘command me’, Kirwan Papers, MN591: 383A/1, BL.
Edmund ‘that we are pressing the position of W. A. upon Mr Chamberlain and have some
glimmer of hope of his intervention in a friendly way’.152

The League also had a tame Imperial parliamentarian who was prepared to make noises
in the right quarter. J. F. Hogan, an expatriate Irish-Australian, delighted both Kirwans by
questioning Chamberlain in the Commons about Goldfields grievances,153 thereby getting a
hearing from the conservative St James Gazette which concluded that the Commonwealth
Bill was ‘too rigid with regard to the boundaries of constituent States’.154 Hogan’s services
came at a price, however. As his importunate letters to Kirwan show, he seemed more intent
on getting money out of the Reform League for an all expenses paid holiday to Kalgoorlie
than in serving the cause. Sir Charles Dilke, a British M.P. with financial interests in the
Goldfields, was at one stage regarded by Kirwan as a safer bet. J. M. Fowler, Secretary of the
Fremantle branch of the Federal League, claimed that Dilke was actively helping the
Separatists and Kirwan had certainly written to him, without however obtaining a very
encouraging reply.155 Fowler himself appears to have operated as a double agent, writing to
the W. A. Catholic Record in January 1900 ostensibly to warn against the dangers of
‘dismembering’ the colony but actually to persuade coastal settlers that Separation was
inevitable unless Forrest submitted.156

Bluff or no, by early 1900 news of the Separation agitation had begun to have an impact
on a sensitive part of London’s anatomy: its financial markets. British capital was heavily
invested in the Goldfields, and while most shareholders welcomed Federation as a stablising
influence, they also saw it as a means of escaping the high taxes and other charges levied by
the Forrest Government. A new tax on dividends introduced in the latter half of 1899 roused
many of them to fury, so much so that on 29 March the following year a 38-man deputation
from the most important British mining companies lodged a protest with Agent-General
Wittenoom. 157 Kirwan’s press campaign exploited this resentment, promoting an
autonomous Goldfields under the Commonwealth as an attractive alternative to an isolated,
fiscally irresponsible administration.158 In this, he had help from an unexpected quarter.

152 Alfred Deakin to E. M. Kirwan, 15 March 1900, Kirwan Papers, MN591: 383A/1, BL.
153 J. F. Hogan to John Kirwan, 9 March & 12 April 1900, Kirwan Papers, MN591: 383A/1, BL.
154 St James Gazette, 10 April 1900.
155 Dilke to Kirwan, 17 January 1900, Kirwan Papers, MN591: 383A/1, BL and Dilke to Kirwan, n.d.
[c.January 1900] MS277: 1/96, NLA.
158 ‘Feeling in London’, KM, 15 January 1900, p.2; ‘Separation and Federation’, KM, 18 January 1900,
1900, p.4; ‘Mine Managers and Separation’, KM, 12 February 1900, p.4; ‘Separation for Federation’,
KM, 28 March 1900, p.2; ‘Tax on Mines’, Western Argus, 26 April 1900, p.12; ‘Under the New
Stephen Parker, in an ill-judged interview with the London Daily Chronicle, sent shock waves through an already jittery market by querying the long-term future of the fields.159 ‘The prevailing impression in London’, purred the Miner, ‘is that…Separation would be most advantageous to the goldfields and to the interests of British capital invested in the mines’.160

While the Reform League continued to gain ground, discussions between the Colonial Office and the Australian representatives had begun to falter. The sticking point was the controversial Clause 74 which removed the right of Privy Council appeals. Chamberlain, thinking to protect British interests, especially on the Goldfields, wished to preserve the supremacy of the Imperial court. He was strenuously opposed by the older colonies who, to bolster their case, argued that they could not accept changes without the consent of the people. Their obstinacy on this point put paid to any possibility of Western Australia winning concessions and compelled Chamberlain to look at other ways of breaking the deadlock.161 On 19 April the Premiers of the federating colonies were due to meet in Melbourne. Chamberlain, whom Deakin afterwards accused of using ‘divide and conquer’ techniques,162 sent two separate cables to the Premiers.163 The first asked them to grant Forrest’s request for fiscal autonomy for five years, thereby nullifying the objection that changes could not be made without popular assent; the second put the case for Privy Council appeals. Simultaneously, the delegates wired their Premiers, urging them to remain firm. The Reform League sent a similar message, which Frederick Holder, who had replaced Kingston as Premier of South Australia in December 1899, read to the assembled leaders.164

It was in this climate that reports began circulating in the colonial press that Chamberlain would meet Walter Griffiths to discuss the ‘Separation for Federation’ petition.165 Griffiths had earlier complained to Chamberlain about interference from the Forrest Government after the petition, bearing nearly 28,000 signatures, was delayed in Perth. It had been presented to Governor Sir Gerard Smith on 17th March (St Patrick’s Order!’, KM, 30 April 1900, p.4; and ‘Separation for Federation. Mr Parker Mischief Making. Injuring the Goldfields’, KM, 2 May 1900, p.2. ‘Separation for Federation’, KM, 2 May 1900, p.2. ‘Separation and Federation. Alarm in Perth’ and ‘Feeling in London’, KM, 15 January 1900, p.2. de Garis, ‘Western Australia’, p.316. Deakin, The Federal Story, p.136. de Garis, ‘Western Australia’, p.316. ‘Mr Chamberlain’s Despatches’, KM, 24 April 1900, p.2 and 2 May 1900, p.5. ‘Cablegrams’, KM, 2 May 1900, p.5 and Daily News, 1 May 1900. A later report in the Coolgardie Miner, 10 July 1900, quoting the London Times, June 8 1900, discounted the rumours as false, although by then the crisis was over.
Day), but had fallen into the clutches of Forrest’s agents after Smith had absently mislaid the gold casket containing it. Privately, Chamberlain regarded separation as untenable, but that did not stop him using it to unsettle Edward Wittenoom, the West Australian Agent-General. Asked by Wittenoom what he would do if the Federal delegates recommended allowing the Goldfields to federate independently from the rest of Western Australia, Chamberlain had replied that he would prefer not to answer without further consideration.

Before Chamberlain could carry out his threat to meet Griffiths, events took a sudden dramatic turn. In a joint reply to the Colonial Secretary’s cable, the Australian Premiers refused further amendments to the constitution, ending any hopes of a compromise. Accordingly, on 27 April 1900, he cabled the Acting Governor of Western Australia, Sir Alexander Onslow, instructing him to make ‘a resolute effort to bring the Colony into Federation at once’. The message continued with a warning as to the possible ‘effect of agitation of the Federalist party, especially in goldfields, if Western Australia does not enter as Original State’.

Four days later, Forrest informed his Ministers that Parliament would be convened on 17 May to enact legislation for a referendum on the Commonwealth Bill. In the subsequent political campaign, public figures who had previously expressed doubts on the subject underwent sudden conversions. Forrest took his place at the head of the ‘yes’ faction and Hackett appeared to have overcome any lingering reservations, telling an audience at the Perth Town Hall that ‘if the colony did not agree to enter the Federation…the [separation] question would come within the range of practical politics’. Three months

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166 KM, 17 March 1900, p.5. Kirwan puts the final figure at 27,733.
167 ‘Australia’, *Times*, 30 March 1900, p.5 and ‘Western Australian Affairs’, *Melbourne Age*, 17 April 1900, p.6. There were allegations that Forrest had illegally subjected the document to an examination which seems borne out by A. E. Morgans’ detailed knowledge of it (he later claimed that many of the signatures were invalid, having come from children or from people who had signed more than once). See the report of his speech in ‘The Separation Movement’, *West Australian*, 30 April 1900, p.2.
169 Wittenoom was, of course, the Minister who introduced the controversial ‘ten-foot drop’ legislation, thereby sparking the 1898 alluvial rights dispute.
172 Quoted by David Mossenson, *Gold and Politics*, p.207.
almost to the day after Chamberlain’s cable, Western Australians voted overwhelmingly to join the Commonwealth.

The referendum was a triumph for the small band of Goldfields Separatists who had helped bring it about, but for Kirwan the result was especially sweet, giving him the recognition he craved. James, Leake and Kingston all wrote to acknowledge his contribution. Kingston congratulated him on his ‘magnificent fight’, 176 Leake thanked him for his ‘able advocacy…without [which] we should have had but a poor chance’. 177 To these tributes was added the acclaim of the people of the Goldfields whose more tangible gratitude took the form of a ‘requisition’ imploring him to run for Federal Parliament. 178 Announcing his acceptance on 3 January, Kirwan expressed himself ‘deeply sensible of the very high honour’ accorded him and promised to do his best ‘to advance the welfare of the people of the Commonwealth of Australia’. 179

Before he could act upon these noble sentiments, however, he had to see off two rival contenders. One was N.S.W. M.L.A. W. J (‘Fergie’) Ferguson who had been invited by the central committee of the Labor Party’s Goldfields branch (G.P.C.C.) to represent its interests in the forthcoming election. Ferguson initially accepted but withdrew after advice from Labor colleagues in N.S.W. and Western Australia, possibly in deference to Kirwan who had frequently demonstrated his sympathy for the workers. 180 Not everyone was happy with the decision, however. Alluding to ‘a candidate [with] all the advantages of a widely circulated goldfields daily’, Fred Gilbert, Secretary of the G.P.C.C., penned a sternly worded letter to the editor of the Barrier Miner, implying that Ferguson had been ‘diddled’ by ‘false friends’ who had betrayed the Labor cause. 181

The other candidate was J. M. Hopkins, a former Mayor of Boulder and disgraced ex-Reform Leaguer who had been expelled for disloyalty. 182 In editorials, reports, and election speeches to large, enthusiastic crowds in the Kalgoorlie-Boulder district, Kirwan flagged Hopkins as a puppet of the Forrest-Moran ‘gang’, contending that Forrest had

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176 Kingston to Kirwan, 6 December 1900, Kirwan Papers, MN591: 445A, BL.
177 George Leake to Kirwan, 15 June 1900, Kirwan Papers, MN591: 383A/1, BL.
180 Kirwan and his followers often promoted him as ‘the workers’ friend’ or ‘friend of the workers’, ‘Mr Kirwan at the Boulder’, KM, 22 March 1901, p.7.
181 ‘Mr Ferguson and the Kalgoorlie Contest’, Barrier Miner, 16 March 1901, p.8.
personally asked Hopkins to run for Federal office.\textsuperscript{183} Charles Moran, the Member for East Coolgardie,\textsuperscript{184} was both implacably opposed to Federation and a major shareholder in the Kalgoorlie \textit{Sun}.\textsuperscript{185} and used the paper to vilify Kirwan. This put Hugh Mahon, editor of the \textit{Sun}, in an invidious position and compelled him to publicly repudiate the attacks on his friend.\textsuperscript{186} The \textit{Evening Star}, which had previously endorsed Kirwan during his abortive 1898 bid for the Legislative Council, also turned traitor,\textsuperscript{187} but the \textit{Morning Herald}, mouthpiece of the State Opposition, and Vosper's \textit{Sunday Times} were firmly behind Kirwan.\textsuperscript{188} Kirwan, of course, had the \textit{Miner} and the \textit{Western Argus} at his disposal and, while claiming to derive no special benefit,\textsuperscript{189} nonetheless ensured that they carried full accounts of his policy-making speeches. As outlined in a rousing address to Boulder’s Mechanics Institute, described by the \textit{Miner} as the ‘most successful political meeting’ of the Kalgoorlie Federal campaign, these promoted old age pensions, Free Trade and an end to monopolies, a Federal Conciliation and Arbitration court, decentralisation, the Esperance railway and divers ‘Goldfields wants’.\textsuperscript{190} His editorials on the same topics kept the issues constantly before the eyes of his readers,\textsuperscript{191} while the achievements of the Reform League (and Kirwan) in uniting the continent were regularly trumpeted\textsuperscript{192} and exploded Hopkins’ ‘arrogant boast’ that he (Hopkins) had done more than any other man to determine the result.\textsuperscript{193} The election, on Friday 29 March 1901, vindicated Kirwan, and the poll was
formally declared six days later by Warden Finnerty, the returning officer, who proclaimed Kirwan the victor with a 2359 majority.\footnote{‘Kalgoorlie House of Representatives.  Declaration of the Poll’, KM, 6 April 1901, p.7. The final figures were Hopkins 3015, Kirwan 5374.}

Notwithstanding this result, and Kirwan’s rhetoric on the subject, the question remains as to just how much influence he and the Miner exerted on the outcome of the Federal referendum? In his lifetime, it was widely accepted that he had played a signal role in ensuring Western Australia joined the Commonwealth. Even Hal Colebatch, while regretting the timing of the referendum, conceded that his old friend ‘Sir John Kirwan was on sound grounds in arguing that the goldfields separation agitation played a major part in securing the immediate entry of Western Australia into the Federation’\footnote{Sir Hal Colebatch, ‘The Federation Campaign’, Journal and Proceedings of the Western Australian Historical Society (Early Days), Vol. IV, Pt.III (1951), p.13.}. The authors and signatories of Kirwan’s Federal requisition justified their appeal in similar terms.

Since his death in 1949, however, a generation of historians has consistently contested his significance and that of the Separation movement. John Bastin contends that the Reform League was never taken seriously by Chamberlain or, indeed, by Forrest and his Ministers.\footnote{John Bastin, ‘The Separation for Federation Movement’, Journal and Proceedings of the Western Australian Historical Society (Early Days), Vol.IV, Part IV (1952), pp.5-6.} Frank Crowley and Brian de Garis concur, recognising Kirwan as its chief apologist but dismissing the campaign itself as a regional sideshow which did more harm than good by blocking Forrest’s attempts to win better conditions for Western Australia.\footnote{F. K. Crowley and B. K. de Garis, ‘The Golden West’, A Short History of Western Australia, MacMillan, 1969, pp.54-55; F. K. Crowley, Australia’s Western Third: A History of Western Australia from the First Settlements to Modern Times, Melbourne: Heinemann, 1960, p.151; and de Garis, ‘Western Australia’, pp.315-318.}

The sheer scale of the movement suggests otherwise. Had it remained a local agitation, it might have merited obscurity, but this was a conspiracy in which leading Australian Federalists colluded to bring Forrest to heel. James, Leake, Kingston, Deakin, Barton, Holder, Glynn and Symon were all on side, along with most of the editors on the eastern seaboard. ‘All the Federalists here are Separatists’, James wrote of his colleagues in the west, explaining their common goal to Deakin. Once their end had been obtained and the Commonwealth instituted, Kirwan and his powerful allies withdrew their support and separation ceased to be a pressing issue. Glynn, writing to C. Mann on 10 May 1900, advised him the Separatist cause in the east was as dead as the proverbial doornail.\footnote{Glynn to C. Mann, 10 May 1900, Kirwan Papers, MS277:1/88-91, NLA.}
It is not inconceivable that Chamberlain, while keeping the Separatists at arm’s length, used them to render Forrest more malleable.199 Being then embroiled in negotiations with the official delegation, he might have found it impolitic to meet with representatives of a splinter group like the Reform League, but given his ‘divide and conquer’ methods he may have found it expedient to play one side against the other. Nor was it the first time he had resorted to such tactics. He was widely suspected of having conspired with Cecil Rhodes to bring down the Boer Government at the time of the disastrous Jameson raid, and many Australian political commentators, reading his 27 April cable in the context of the South African episode, were convinced that the reference to the Goldfields agitation alluded to a private discussion with Parker. J. S. Battye thought so; 200 so too did Kingston’s old duelling partner Sir Richard Baker, then President of the South Australian Legislative Council, who announced on 5 May 1900 that Forrest had acted only after ‘representation from Mr. Chamberlain’.201

Mossenson agrees.202 But in what is surely one of the most sophistical quibbles on the subject, Bastin argues that the cable cannot have contained a threat because Kirwan and his colleagues did not recognise it as such at the time.203 De Garis, reading it in the broader context of other Colonial Office documents, is on firmer ground in seeing it as a friendly warning to Forrest to take what was on offer before the growing momentum of the Federal cause put the matter beyond his reach.204 Neither of these interpretations explains one of the oddest aspects of the case: the seismic shift in the way the Forrest Government came to think about the Separation campaign. Prior to Chamberlain’s cable, both Forrest and Hackett had pooh-poohed the Goldfields agitation at every opportunity. Forrest, indeed, had questioned the intelligence of the men involved.205 Hackett refused to take them seriously, labelling their antics ‘ridiculous’, a ‘bogie’, ‘ludicrous’, 206 and ‘comical’.207 During the referendum

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206 Hackett to Deakin, 7 November 1899 and 2 March 1900, Deakin Papers, MS1540:11/128-32 & 371-74, NLA.
campaign, however, they maintained that if the colony did not federate it would lose the Goldfields.208

Whether they believed this or affected to do so for electioneering purposes is debatable. Kirwan at least had no doubts about the reason for their conversion. Claiming victory on behalf of the Reform League on 2 June 1900 he averred that ‘the dread of separation’ had forced the Premier’s hand.209 With the referendum then two months away, he was taking no chances however, warning the ‘Swan Settlement Oligarchs’ that any further duplicity would cost them the Goldfields and the goodwill of Chamberlain and the Imperial Parliament. But the result when it came was all that Kirwan could have wished. Of the 64,000-plus electors who exercised their democratic right on Tuesday 31 July 1900, 44,800 voted for Federation, 19,691 against.210 As expected the Goldfields supplied more than half the ‘yes’ vote, but there was also a strong pro-Federal swing in the coastal districts.211 Ironically, Forrest, Hackett and Kirwan all helped secure the metropolitan vote by preying on people’s fears of losing the source of the colony’s auriferous wealth.

It must have galled Kirwan to see Forrest take the credit for an outcome he had neither sought nor wanted in the first place. So much may be gauged from his indignant response to the Premier’s New Year message to the Australian people. That Forrest, who had ‘used every means in his power to prevent the people from having a voice in the fixing of their own destiny’,212 should address them as their benefactor was nothing short of a ‘joke’, or would have been had he any ‘more sense of humour than an oyster’. But, in the end, the joke was on Kirwan. History, in remembering Forrest, would forget Kirwan, and yet it was Kirwan who set in train the events which ensured that Western Australia joined the Commonwealth as an original member state. At a time when the constitutional movement had stalled in the west he and the *Kalgoorlie Miner* became the rallying point for Federalists throughout the colony. It was Kirwan who launched the Separation for Federation agitation,213

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207 *West Australian*, 23 April 1900, pp.5-6.
213 de Garis, ‘Western Australia’, p.309 and Kirwan, ‘How Western Australia Joined the
simultaneously initiating an intense press campaign in Australia and Britain which kept the pressure on Forrest and the Swan River parochialists. As he prepared to take his seat in the new Commonwealth Parliament, he must have thought he was on his way at last, but his day in the sun was to prove as brief as his Federal career. Within three years he would be back in Kalgoorlie pondering his future.
Chapter 5

The Honorable Member for Kalgoorlie

Kirwan had his wish. By popular demand, he was now the Honorable Member for Kalgoorlie in the new Commonwealth Parliament, the first to bear the title, but given the opportunity to show what he could do, he proved an ineffective performer. The ‘Parliament of the Talents’¹ was no place for tyros and Kirwan often felt himself out of his league, surrounded as he was by the intellectual colossi who bestrode the national arena. He also found the work of the new Parliament tedious and exhausting. Debate on the tariff alone took up most of the first year and involved long hours and endless argument over such pressing matters as the dutiable value of tinned fish. Then, the vast distance between west and east, uncomfortable travelling conditions, and expense incurred in relocating to Melbourne while Parliament was sitting, imposed further penalties.

Despite these obstacles, Kirwan gave every sign of being a ‘coming man’. He was appointed to several parliamentary committees where his practical skills as a small businessman and editor of country newspapers no doubt stood him in good stead. In the House of Representatives, he emerged as a passionate and able advocate of such issues as the transcontinental and Esperance railways, water conservation, legal aid, old age pensions, health and safety, postal reform and equitable electoral boundaries.² As a Free Trader, he fought tirelessly for the mining industry and his working-class electorate, opposed centralisation and price-fixing monopolies, and demanded the establishment of an Interstate Commission to regularise commerce between the former colonies. But he was aggressive, indulged in personal invective and, frustrated by the slow rate of progress, not infrequently lost his temper, for which he was as regularly chastised by his more learned colleagues. One Member, commenting on a debate in which Kirwan had been a vocal participant, observed glumly that ‘a great deal of feeling’ had entered into the proceedings. Relations with his parliamentary colleagues were equally intense. He was firm friends with West Australians Hugh Mahon, and Senators Staniforth Smith and Ned Harney; worked closely with Hugh Mahon to promote Goldfields interests; admired Kingston and Deakin, but was openly


contemptuous of Barton, the nation’s undisciplined Prime Minister, and preserved his bitter enmity towards Forrest, who fully returned his antipathy. Notwithstanding his Irish heritage, he was a staunch British Imperialist who, like many of his peers, subscribed to the ‘White Australia’ policy formulated by Kingston and Barton.

For all its trials and tribulations, this must have been an exciting time in Kirwan’s life, rubbing shoulders with the Federal Fathers as well as rising Labor stars like Billy Hughes, Chris Watson and Andrew Fisher, young men of his own age who, unlike Kirwan, would go on to attain high office and place their stamp on the growing nation. The abiding question is, why did not Kirwan keep pace with them? He was not without talent, as his journalistic career and successful Federal campaign attested. But, after all ‘the tumult and the shouting’, he failed to stay the course. He served just one term in the Commonwealth Parliament before losing his seat to Labor candidate Charles Frazer in the December 1903 general election. Kirwan’s Federal political career was over before it had properly begun and, inexplicably, was never revived.

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At midday on 9 May 1901, the first Commonwealth Parliament was ceremonially opened by the Duke of Cornwall and York, later George V, in the Exhibition Building, Melbourne. Due to the death earlier in the year of Queen Victoria, it was a subdued affair: the Court was in mourning and the 12,000-strong gathering presented a sombre appearance, with the funereal colours of black and purple leavened by an occasional flash of ermine and scarlet. The sullen weather matched the mood of the proceedings, and the event passed off in an atmosphere of fitful sunshine, drizzling rain and keen winds; but an Age reporter, looking beyond mere externals, saw a scene which was ‘rich and warm...lofty and aspiring’. And Kirwan who was sworn-in immediately after opening speeches thought it ‘brilliant, spectacular and magnificent’.

Despite this outward show of unity, and their shared idealism, Members were not entirely as one, a Nirvana-like condition hardly to be expected with so many egos billeted at close quarters. The new Parliament, lodged temporarily in the Victorian State legislature, was a House divided, literally in the House of Representatives where Protectionists narrowly

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3 West Australian, 10 May 1901, p.4; ‘Federal Parliament. The Day of Opening’, KM, 10 May 1901, p.5. Kirwan was probably the ‘correspondent’ who telegraphed the report.
4 Melbourne Age, 10 May 1901.
7 Ibid., p.10.
outnumbered Free Traders. In the Senate, the situation was reversed, with Free Traders predominating. Headed by Edmund Barton, the Protectionist government ruled by a three seat majority and with the support of the Labor Party, which held the balance of power. So in thrall to Labor did the government sometimes seem that Labor leader John Christian ‘Chris’ Watson was dubbed the ‘Dictator’ while (Sir) George Reid mocked Barton for his alleged docility. There were sixteen Labor Members in the House, eight in the Senate, who were free to vote as they liked on the fiscal question. Watson, whom Kirwan characterised as ‘young, commonsensical, moderate, practical and direct’, was a Protectionist while Andrew Fisher (Wide Bay) and William Morris ‘Billy’ Hughes (West Sydney) were staunch advocates of Free Trade. The Free Traders (or Revenue-Tariffists as, bowing to the inevitable, they eventually became) believed that producers engaged in developing the nation’s extensive pastoral, agricultural and mineral resources should not be handicapped by protective duties; the Protectionists held that local industry should be shielded from cheap imports. With numbers slightly favouring the government, the Protectionists had an added psychological advantage in the Victorian site of the Parliament. Melbourne was strongly Protectionist in outlook whereas Sydney, under the late Henry Parkes, had established itself as a bastion of Free Trade. Had Parliament convened in Sydney, Kirwan maintained, the outcome would have been very different.

Kirwan entered Parliament as a Free Trader, an affiliation which placed him firmly in the Opposition Party led by Sir George ‘Yes-No’ Reid, formerly Premier of New South Wales. Of the five West Australian Representatives, only Forrest was a member of the government and a Protectionist. Elias Solomon, the Member for Fremantle, was another Free Trader, and he and Kirwan and the two West Australian Labor representatives, J. M. Fowler of Perth, and Kirwan’s friend and fellow newspaper editor, Hugh Mahon of Coolgardie, always voted together against the impost. Forrest, recalled Kirwan,

Kirwan, MLA, pp.170-71.


He also maintained that NSW was better off. See ‘Motion of Censure’, PD, Vol.V, 23 October 1901, p.6317.


‘disapproved’ of the stance taken by his more radical State colleagues and, during divisions when voting was underway, would gaze upon them sorrowfully from across the floor.\textsuperscript{14}

The only issue agreed upon by all five West Australians was the proposed transcontinental railway linking the remote and isolated west to its sister states in the east. This had been one of the unwritten conditions of Western Australia’s entry in the first place and was of greater importance to Westerners than to t’othersiders, who were inclined to ridicule their sandgroper cousins’ reliance on the scheme.\textsuperscript{15} Kirwan lost no time in calling his colleagues’ attention to this ‘great national undertaking’: it was, in fact, the main topic of his maiden speech on 23 May 1901, when, confessing to a ‘certain hesitancy’ as a newcomer, he nonetheless rebuked the Governor-General, who appeared to give the project only qualified approval.\textsuperscript{16} As usual when discoursing on this or any subject directly bearing upon his Goldfields constituency, Kirwan turned the speech into an attack on Forrest for failing to extract a constitutional guarantee from the other colonial leaders that the railway would be built and within a specified time. Much to Forrest’s chagrin, Kingston joined in the assault, alluding sternly to one of the concessions Forrest had managed to wrest from the Commonwealth – the sliding scale, which granted Western Australia a five year tax exemption – and affording Kirwan another opportunity to prod the Minister for Defence.

It was a portent of things to come, with Kirwan and Kingston regularly joining forces to niggle Forrest. Kingston’s influence may also have been a factor in Kirwan’s elevation to an official role in the committee room. Within a few weeks of his maiden speech, he was invited by the Speaker, Sir Frederick Holder, to fill a spot as Deputy Chairman of Committees.\textsuperscript{17} After further misgivings on the grounds of inexperience, he finally accepted the offer and, on 5 June 1901, was appointed to the Elections and Qualifications Committee.\textsuperscript{18} On 2 September the following year he was appointed to the select committee on the Bonuses for Manufactures Bill,\textsuperscript{19} which was convened to enquire into the feasibility of a government ironworks, and when the bill lapsed due to the committee’s failure to report,

\textsuperscript{16} Ibid., p.321.
served on the 1903-04 Royal Commission which replaced it. Like other party youngbloods, he was often asked by Reid to poll Members on issues which the opposition leader proposed addressing in Parliament. For his pains he received an annual salary of £400.

One of Kirwan’s pleasanter duties as the year wore on was to sit for the artist Tom Roberts, who had been commissioned by a group of Melbourne businessmen to commemorate the opening ceremony of the first Federal Parliament. Roberts, who sang and danced while he worked, referred to the painting as ‘the Big Picture’ because, as well as occupying a monumental canvas (18½ feet by almost 12 feet), it required him to reproduce miniatures of nearly 300 ‘notabilities’, some of whom were not actually present on the day. George Reid, who had been absent due to illness, was cunningly insinuated and, at the artist’s suggestion, a portrait of the late Henry Parkes, the father of Federation, was introduced to symbolise his presiding influence.

The main business of the new Commonwealth was to draft a uniform Customs and Excise policy. Kirwan considered the tariff ‘the most important matter’ before the House, but it was also the most contentious and provoked a number of heated exchanges in an otherwise decorous Parliament. Debate on the Bill dragged on for eleven months and was characterised by repetitive arguments, procedural intricacies, constitutional conundrums, endless, hairsplitting interpretative wrangles, and long enervating sessions, many stretching late into the night. Under these conditions, state and party rivalries, never far below the surface, flared. Government members accused the opposition of obstructionism and procrastination; the opposition complained of exhaustion, ministerial chicanery, inefficiency and the forced pace of business. Kirwan, observing the recumbent postures of

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22 ‘Federal Politics’, *KM*, 3 February 1902, p.4, reporting Kirwan’s interview with the *West Australian*.
24 Ibid.
28 For just one example of the time, energy and verbiage devoted to meanings and definitions, see the tariff debate on tools of trade/machine tools, *PD*, Vol.VII, 28 January 1902, pp.9286-91.
several Members, had at least once to move for an adjournment.\textsuperscript{30} A new phenomenon – ‘lobbying’ or ‘touting’, so-called due to commercial agents habitually buttonholing Members in lobbies and corridors – proved an added frustration. The practice reached a crescendo during the debate on metals and machinery, whereupon Kirwan raised objections in the House.\textsuperscript{31} Such were the demands of the job that some Members fell by the wayside. Kingston who, as Minister for Trade and Customs, was taxed with piloting the tariff through the Parliament, suffered recurrent health crises. He eventually resigned in July 1903, following a row with Forrest over the jurisdiction of his Conciliation and Arbitration Bill.\textsuperscript{32} Reid was close behind him, vacating his seat on 18 August amidst claims of a government gerrymander which would have sabotaged his plans for a referendum on the tariff.\textsuperscript{33} Barton himself, financially strapped and facing increasing dissent from within his own party, resigned as Prime Minister on 23 September to take up a judicial position in the new High Court.\textsuperscript{34}

Debate on the tariff was conducted in the Ways and Means Committee, which formed on 6 June 1901 expressly to shape taxation policy.\textsuperscript{35} Financial procedure in 1901-03 was somewhat different to the present day system. Prior to 1962, proposed expenditure and revenue-raising measures were considered in either the Committee of Ways and Means (the tariff) or the Committee of Supply (budget estimates), at which time the Minister would introduce a motion and the Members vote to accept or amend it.\textsuperscript{36} Before voting, Members debated the motion, with each speaker limited to two periods of fifteen minutes.\textsuperscript{37} Once resolved, the bill containing the committee’s recommendations was introduced and passed immediately, usually without further discussion.\textsuperscript{38} In contradistinction to similar

\textsuperscript{32} Playford, \textit{ADB}, Vol.9, pp.602-605.
\textsuperscript{33} ‘Member’s Resignation’, \textit{PD}, Vol.XV, 18 August 1903, p.3787.
\textsuperscript{35} ‘Ways and Means’, \textit{PD}, Vol.I, 5 June 1901, p.730. ‘Resolved (on motion by Sir George Turner) – That this House will to-morrow resolve itself into a Committee to consider of the ways and means for raising the Supply to be granted to His Majesty’.
\textsuperscript{38} Sharon Bryant, Committee Support, Department of the House of Representatives, in emails to the author, 15-20 October 2008.
parliamentary bodies, both the Committees of Ways and Means and Supply were what is known as ‘Whole House’ committees, meaning that they consisted of all Members, except the Speaker, and met in the chamber itself.\(^{39}\) When they did so, the Speaker retired, thereby signalling a more relaxed and informal system of debate presided over by the Chairman of Committees or one of his Deputies, who sat at the table between the two clerks. Kirwan, as Deputy Chairman, would have taken a turn at doing this. On one memorable occasion, he was summoned by the Chairman, John Moore Chanter, to fill in while the latter dealt with a drunken Member.\(^{40}\)

The Treasurer, Sir George Turner, initiated debate on the tariff in his Budget speech of 8 October 1901.\(^{41}\) Kirwan did not think highly of Turner, regarding him as ‘cautious [but] nothing spectacular’,\(^{42}\) an impression Turner himself did little to dispel by bemoaning all the extra work that had befallen him as a result of his secretary’s indisposition. With classic understatement, he warned Members that the task before them would engage their attention for ‘some little time’ and enjoined them to ‘deal with the question in a patriotic and absolutely impartial spirit’.\(^{43}\) The opposition response was raw and direct: a fortnight later, it introduced a censure motion on the grounds that ‘this House cannot accept the Financial and Tariff proposals submitted by the Government’.\(^{44}\) After much debate, the motion was defeated by a margin of 14 votes; if it had been carried, it would have brought down the government.\(^{45}\) Soon afterwards, government and opposition representatives brokered a new deal. The ‘Free Traders’, now calling themselves ‘Revenue Tariffists’, agreed in the interests of solvency to support duties on certain items: that is, commodities they deemed luxuries as distinct from ‘necessaries’.\(^{46}\) Sir William McMillan, deputising for the oft-absent Reid, explained the opposition rationale:

> We are willing to meet the Government in imposing duties that will raise revenue, and at the same time have a protective incidence, but we are not agreeable to impose duties that will be

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\(^{40}\) Kirwan, ‘The First Commonwealth Parliament’, *Journal and Proceedings of the Western Australian Historical Society (Early Days)*, Vol.3 (December 1946), p.10. One of the presiding officer’s duties was to decide whose turn it was to speak next. Party leaders had priority.


\(^{42}\) Kirwan, *MLA*, pp.177-78.


\(^{45}\) Crowley, *Big John Forrest*, p.318. The vote was 39 to 25 against.

practically prohibitive. Our compact [is] that we should have neither extreme protection nor extreme free-trade.47

The man charged with piloting the tariff through Parliament was none other than Kirwan’s hero, Charles Cameron Kingston, the Minister for Trade and Customs in the Barton government. Kingston, as a Protectionist, believed duties on foreign imports were essential to the preservation of Australian industries. More than this, however, the idea of a uniform customs tariff was for him an article of faith. As much a social as an economic expression of national cohesion, it codified common goals and interests, creating conditions for democratic reform.48

Kirwan, for his part, believed that free trade was inseparable from the workings of a true democracy.49 He saw Australia as a vast empty land, rich in natural resources but, with a population of less than four million, lacking the one commodity essential for growth, the remedy for which was to develop the country’s primary industries.50 Protective policies violated egalitarian principles by concentrating the nation’s wealth in a handful of monopolies. One of the government’s claims for the tariff was that it would enable the smaller, less populous states to discharge their financial obligations to the Commonwealth. Kirwan disputed this, contending that the less industrialised states were to be sacrificed (‘exploited’) in the ‘interests of a few manufactures…in the East’.51 The Goldfields, which relied heavily on overseas imports, would be particularly hard hit, with higher costs affecting ‘every class’ of citizen from the mine worker to the investor.

As the year neared its end, tensions over the government’s fiscal program began to simmer. In November, Kirwan, who hoped rather naively that the bill might pass before Christmas,52 objected when the Prime Minister interrupted an ‘important tariff debate’ to discuss British New Guinea.53 Barton wanted the House to endorse plans to administer the island territory, to which end he had unsuccessfully applied to the Colonial Office for a

48 Playford, ADB, Vol.9, pp.602-605.
51 ‘Motion of Censure’, PD, Vol.V, 23 October 1901, pp.6315-16. Citing telegrams, newspaper reports and other sources, Kirwan sought to show the universal abhorrence in which the tariff was held, from the new West Australian Premier George Leake down. His list included the Melbourne Trades and Labour Council, the Fremantle Chamber of Commerce, the Goldfields Trades and Labour Council, the Kalgoorlie Chamber of Mines, A.E. Morgans, mining company representative and future WA Premier, the Strahan Chamber of Commerce, Mr Richard Hamilton, Manager of the Great Boulder Mine, and employees ‘engaged in the manufacture of starch’ who held a meeting condemning the legislation.
£7000 subsidy. Kirwan, staunch Imperialist that he was, saw the British government’s refusal as a well-deserved ‘snub’; Hugh Mahon, diehard Irish nationalist that he was, labelled the Imperial authorities ‘mean’. A fortnight later, Mahon himself received a tongue-lashing from Kingston after moving to reduce import duties on preserved milk for the benefit of ‘the people of the back-blocks’. The phrase, which Kirwan and Mahon used ad nauseam to justify reductions for their Goldfields constituents, had obviously begun to grate on Kingston, who confessed himself ‘heartily sick’ of hearing about the pioneering folk of the West. As West Australian Members rallied to Mahon’s cause – Elias Solomon (Fremantle) accused the Minister of sneering – Kirwan found himself acting as peacemaker. No slur had been intended, he assured colleagues, to which a more amiable Kingston responded that he had ‘too many good friends in Western Australia to dream of doing such a thing’. He then listened without interruption as his ‘good friend’ Kirwan lectured him on the achievements of the Goldfields pioneers and the privations by them suffered.

Kingston was not always so forbearing or Kirwan so pacific, however, and there were times when the old alliance threatened to buckle under the pressure of political life. One of the biggest rows of the tariff debate was the quarrel which erupted between Kirwan and Kingston over the duty on galvanised iron. Debate on this item alone raged for four weary months, from 9 December 1901 to 14 February the following year and beyond: it was still under discussion in April 1902, five months before the tariff was finally approved by the Senate. The opposition case was led by Kirwan and Mahon, who argued forcefully that the tax of 15/- per ton would unfairly burden the poorer classes by increasing the cost of a staple commodity. As Kirwan pointed out, galvanised iron was ‘the principal building material’ of the interior where it was used in the construction of houses, condensers, water tanks and other vital facilities. Kingston, however, was adamant: the government required revenue to help ‘necessitous states’ like Tasmania, and expected to raise a substantial sum from the item under discussion. With his usual tenacity, Kirwan pursued the matter, admonishing Carty Salmon (Laanecoorie) for his indifference to the ‘back-blocks’, and attacking the unprincipled Tasmanians, one of whom, Donald Cameron, a Free Trader, proposed voting for the duty on this occasion. Despite subsequently voting with the government himself, Kirwan had little respect for ‘log-rollers’ or vacillating Members who changed sides to gain

an advantage, and later upbraided James Page (Maranoa) for abandoning his Free Trade principles in the debate on machine tools.56

Kingston’s response was as unexpected as it was fierce. Grilled by Kirwan, Mahon and others, who had challenged him on everything from his arithmetic to his ethics,57 he finally exploded. Rebutting the West Australians opposite for their ‘unfederal’ attitude,58 he singled out Kirwan as the chief culprit, accusing him of talking ‘clap-trap about the back blocks’.59 He then taunted the West Australians with the sliding scale, the controversial concession which allowed that state to retain its protective duties, estimated at £250,000 to £300,000 annually,60 for five years. At least Tasmania had entered the Commonwealth freely, sniped Kingston; Western Australia had to be ‘dragged’ in.

Jibes about the sliding scale were a favourite tactic of government Members whenever the West Australians raised objections to the tariff61 and Kirwan, whose temper was every bit as fiery as Kingston’s own, reacted predictably. Striking the ironic note he was wont to use in his more inflammatory editorials, he scorned Kingston’s impartiality and sense of justice.62 He and his colleagues were ‘sick and tired’63 of hearing about the sliding scale, which the Minister knew had been foisted on the people of Western Australia by their political ‘misrepresentatives’, one of whom (Forrest) was sitting on the government benches. It was plain, he concluded bitterly but inaccurately, that Kingston was under the influence of the Minister for Defence who had ‘seduced’ him from his democratic principles and he wished both right honorable gentlemen joy of their ‘unholy alliance’.64

In fact, Kingston and Forrest loathed each other, as Kirwan later recalled;65 but since Kingston knew in what contempt Kirwan held Forrest, he would have understood the double insult implicit in the comparison. Although the breach proved temporary – the two were united against Forrest during the transcontinental railway debate on 21 October 1903 – the relationship became far more combative from then on, at least on Kirwan’s side. Several

58 Ibid., p.8456.
59 Ibid., p.8448.
60 Ibid.
63 Ibid., p.8453. The episode was the subject of an editorial, ‘The West Australian Sliding Scale’, in the KM, 9 January 1902, p.4.
65 Kirwan, MLA, p.120.
times during subsequent debates, Kirwan called the Minister to account for errors and inaccuracies, on one occasion demanding a clarification so that *Hansard* would be sure to record the slip. In the meantime, Kingston’s ‘ferocious onslaught’ against Kirwan and the West Australians appeared to have backfired. Following a verbal free-for-all between government and opposition Members, the committee divided and Kirwan’s amendment to exempt plain galvanised iron from the tariff was won by seven votes.

The *Kalgoorlie Miner* hailed Kirwan’s win as ‘the great triumph of the session’, although it took over a month for the full extent of the victory to register. Evidently, Kirwan had been ‘home’ over the Christmas-New Year break and primed the editor, who obligingly relayed an account of his boss’s victory and ‘the stormy debate’ which had preceded it. However, his triumph was shortlived. Baulked, the government tried a different tack, and the committee was forced to reconsider the status of galvanised iron on two further occasions. On the first of these, 14 February 1902, Kingston sought to sweeten the deal by deferring the duty on imported galvanised iron until the local industry was judged ‘sufficiently established’, the tariff then to take effect by joint proclamation of both Houses of Parliament. To assist Australian manufacturers, he also proposed a new bill, implementing a system of bonuses, estimated at £250,000 over five years. Although Kirwan opposed the motion and the bonus scheme, the committee approved the incentive, as it did two additional amendments: the first when Kingston cunningly contrived to include the item in a broader category of ‘tinned iron’, thereby rendering the earlier exemption redundant; and the second when he altered the wording of the clause to tax current imports. To the disdain of Kirwan, the indignation of the *Kalgoorlie Miner*, and the distress of Kingston, who pleaded with ‘tears in his eyes’, the promised Bonus Bill was shelved in September that year.

In many respects, the galvanised iron debate typified the entire contest. Although voting on the tariff did not proceed along party lines, the government usually won its divisions on

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71 ‘The Bonus Bill’, *KM*, 9 September 1902, p.4, reporting Kingston’s speech of 2 September. The *Miner*’s editor was sceptical about the tears.
numbers, with the aid of some Labor Members and the hitherto anathematised ‘log-rollers’. Often, the result went down to the wire: Kirwan’s bid to put diamond drill bits on the free list was defeated by three votes;\textsuperscript{73} his attempt to reduce the duty on pumps\textsuperscript{74} failed by one, although he did manage to persuade Kingston to shave a halfpence off tinned meat.\textsuperscript{75} On the rare occasion when the government failed to get its way, it resorted to subterfuge, as it did during the debate on mining machinery. After discussions on 15 and 21 January 1902, opposition Members were encouraged to vote for a higher duty on the understanding that Kingston and Turner had agreed to exempt patented machinery which could not be manufactured locally.\textsuperscript{76} They then found that, to qualify for the exemption, they were required to submit a list of patented equipment, an impossible task as Kirwan pointed out due to the experimental and rapidly changing nature of mining technology. On learning of their error, two or three Members complained to Kirwan, who accused the Ministers of deception and demanded a reading of *Hansard* to prove it.\textsuperscript{77} Kingston stood his ground, but Turner eventually capitulated and offered disgruntled Members a fresh ballot at a later date, when the amendment to increase the duty on mining machinery was defeated by seven votes.\textsuperscript{78}

Nevertheless, charges of ministerial skulduggery persisted. A fortnight later, Kingston, aided and abetted by Turner, sought to extend his powers, allowing him to impose or waive duties without consulting the committee.\textsuperscript{79} The aim of the amendment was to save time by enabling the Minister to classify new inventions and miscellaneous imports not previously dealt with,\textsuperscript{80} but the Free Traders, fearing that the new regulation would give Kingston the right to formulate his own tariff, vigorously resisted the move,\textsuperscript{81} and the House found itself mired in yet another constitutional morass. There were rumours of misconduct later in the year, with one cynical opposition member querying whether the Minister had compelled a customs official to lodge a false return. ‘Only a mind which we cannot envy’, Kingston intoned oracularly, ‘could suggest such a dirty act’.\textsuperscript{82}

\textsuperscript{73} ‘Federal Politics’, *KM*, 3 February 1902, p.4, reporting Kirwan’s interview with the *West Australian* ‘on his way back to Melbourne’.
\textsuperscript{75} ‘Customs Tariff Bill’, *PD*, Vol.XI, 12 August 1902, p.15035.
\textsuperscript{80} The parliamentary term for these non-categorised items was ‘n.e.i’: not elsewhere included.
\textsuperscript{82} ‘Customs Tariff Bill’, *PD*, 12 August 1902, p.15054. Conroy of Werriwa was the accuser.
As opposition hopes of curbing the tariff faded, all eyes turned to the Senate, where the Free Trade majority was expected to modify it; but before the bill – now known as the Customs Tariff Bill\(^{83}\) – could finally pass into law, a further constitutional crisis supervened. The controversy erupted when the Senate sent two messages to the House of Representatives, requesting a further review and plunging the lower chamber into uproar as Members debated whether to allow it. After a special Cabinet meeting at which Deakin urged a diplomatic solution,\(^{84}\) the government decided to grant the request. If it had refused, the result, as the \textit{West Australian} informed its readers, would have been ‘disastrous’.\(^{85}\) The bill, having been rejected by the Senate, would have had to wait three months before returning to the Upper House. Had the Senate again repulsed it, the only solution to the deadlock would have been a double dissolution. All the West Australians voted with the government.\(^{86}\)

Finally, on 10 September 1902,\(^{87}\) eleven months almost to the day that Kingston had introduced it, the tariff passed into law. Reactions, however, were mixed. While Deakin, as Acting Prime Minister, congratulated Members on concluding the ‘longest, most arduous, most complex, most difficult, and most important task’\(^{88}\) ever faced by an Australian Parliament, and the \textit{West Australian} welcomed it,\(^{89}\) the \textit{Kalgoorlie Miner} lamented its ‘baleful influence’ on the poor, predicting that ‘consumers [would] suffer severely’.\(^{90}\) Both newspapers agreed that the legislation had been ‘doctored’ or watered down to such an extent that it had lost its protective character and become little more than a revenue raising exercise. The \textit{Miner}, which had depicted the entire debate in terms of a class war,\(^{91}\) declared it an unhappy compromise, neither fish, nor flesh nor fowl.

Although the tariff dominated proceedings that first year, another important and controversial bill demanded Members’ attention in the latter half of 1901. The Immigration Restriction bill, basis of the notorious White Australia policy, had its first reading on 5 June

\(^{83}\) ‘Tariff’, \textit{PD}, Vol.VII, 28 January 1902, p.9291. There was some discussion about its future nomenclature when Turner, anticipating the bill’s conversion into law, referred to it as the Tariff Act, prompting a query from Sir Malcolm McEacharn who pointed out that it appeared in printed material as the Customs Act. ‘That is a mistake which we shall have to alter’, conceded Turner.


\(^{85}\) ‘The Tariff Struggle’, \textit{West Australian}, 10 September 1902, p.4, citing a report dated Melbourne, 3 September.


\(^{88}\) ‘Customs Tariff Bill’, \textit{PD}, Vol.XII, 10 September 1902, p.15923.

\(^{89}\) \textit{West Australian}, 11 September 1902, p.4.


1901\textsuperscript{92} and, unlike the tariff, enjoyed almost unanimous parliamentary and electoral approval.\textsuperscript{93} The main objections came from Labor and the opposition, who wanted a sturdier means of excluding ‘black and coloured aliens’ than the proposed English language dictation test. Some concerns were also expressed in government ranks about upsetting Britain’s delicate trade relations with Japan.\textsuperscript{94} In fact, the immigration question – the first major international issue to confront the novice Parliament – tested Commonwealth relations with both Britain and Japan. But, while Barton sought to pacify the Japanese, and Isaacs, incredibly, thought it possible to find an ‘elastic’ form of words to mask the racist dogma at the core of the legislation, Kirwan, who considered Australia’s friendship with Britain ‘ever so much more important’ than any treaty with Japan, was less tactful. Australia, in his opinion, was one of the last ‘great spaces’ on earth and should be preserved ‘as a heritage for the white races of the future’.\textsuperscript{95} Fearful that the English educational exam might rule out ‘desirable’ migrants from Germany and Scandinavia, he favoured the British suggestion that it be conducted in a European language.

These views, reprehensible as they appear in hindsight, expressed the political orthodoxy of Kirwan’s day. Nor was this the only occasion on which he had uttered them. During the tariff debate on narcotics, he ‘gratified’ the government, and defied members of his own party, by voting for a higher duty on opium to protect its European victims.\textsuperscript{96} It was the only time in his Federal career that he voted unreservedly for a tariff, let alone opted to increase it. His cultural chauvinism was again on display when he blamed protective duties in Victoria for facilitating Chinese domination of the furniture trade.\textsuperscript{97} ‘Nonsense’, interposed Watson. Italian and Austrian contract labourers inspired another xenophobic rant. Four times, from August 1901 to June 1902, Kirwan questioned the Prime Minister about the ‘influx of Italians and foreigners’ entering Western Australia.\textsuperscript{98}

A less contentious matter to occupy Parliament that year was the choice of the future national capital. In May 1902, as Barton, Forrest and Austin Chapman headed to London for

\begin{footnotesize}
\textsuperscript{92} See also ‘Immigration Restriction Bill’, PD, Vol.IV, 25 September 1901, pp.5127-30.
\textsuperscript{93} Rutledge, ADB, Vol.7, pp.194-200.
\textsuperscript{94} See also ‘Immigration Restriction Bill’, PD, Vol.IV, 25 September 1901, pp.5127-30.
\end{footnotesize}
the coronation of Edward VII, Kirwan joined a large contingent of Lower House Members on a tour of possible locations. The tour, lasting a fortnight, spanned 2000 miles by rail, more than 400 by coach, and 176 miles by sea, and took in over twelve sites in often remote areas of New South Wales, requiring further trips in ‘lumbering’ four-horse drags over rough terrain. Under the terms of the Constitution, the capital, though earmarked for the oldest colony, was to be at least 100 miles from Sydney in order to preserve Parliament’s autonomy and relieve it of ‘the parochial influences’ of the more populous states. Notwithstanding the rigours of the journey and the mature age of most of the travellers – Kirwan was one of the youngest there – the party was by all accounts lively and cheerful. Lyne and Reid, firm friends despite their opposing political views, entertained the group with their witticisms while the energetic, if dyspeptic, Billy Hughes revealed himself to be a practical joker of the first rank.

But the task of selecting the new seat of government once again exposed differences between the two chambers. The majority of Representatives favoured picturesque Tumut while the Senators, who had conducted a separate tour, chose Bombala. Kirwan had an each way bet, preferring Tumut but voting for Bombala in the first ballot because it was ‘the best site in the whole of Australia’. In the event, debate raged for another six or seven years: it was not until 1909 that Canberra, near Queanbeyan, was selected. Another eighteen years would elapse before the new Parliament House buildings were formally opened by the Duke and Duchess of York in May 1927.

Notwithstanding his initial nervousness, Kirwan ended his first year in the Federal Parliament with a reputation as a vocal and skilful debater: articulate, tenacious and passionate, especially when fighting for his predominantly working-class constituents. He was diligent, with a practical, empirical cast of mind, a fondness for facts and figures, and a bent for correcting his elders and betters. Before the tariff debate, he toured Victorian factories to see firsthand how the bill would affect manufacturers and was appalled at the ‘sweating’ conditions endured by the young, underage, mostly female workforce. He also boasted the ‘highest attendance record of any Federal West Australian Member’ – in contrast to his mate, Hugh Mahon, who appeared to have trouble adjusting to the erratic

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102 Kirwan, *MLA*, p.159.
parliamentary timetable and was several times late or absent when scheduled to speak, leaving Kirwan to fill in for him.105

His great flaw was his temper, the legacy, perhaps, of his duelling ancestors. Exasperated by the parliamentary process and his inability to win crucial tariff amendments, he often became agitated, for which he was as regularly admonished by his colleagues. ‘The honorable member must not get angry’, preached Samuel Maugher (Melbourne Ports) as Kirwan wound up a diatribe against the ‘little Australians’ who would sacrifice the industry of Western Australia for a ‘paltry factory’ near Melbourne.106 Three times during the same debate, he was called to order by the chairman for breaches of protocol107 while the sardonic King O’Malley (Tasmania) regretted the ‘heat’ displayed by Kirwan and Mahon as they battled to waive the duties on galvanised iron and mining machinery.108 Even Sir William McMillan, deputy leader of Kirwan’s own party, delivered a mild reproof for taunting the Tasmanian Members.109 Compassionate, conscientious and courageous, Kirwan was also highly opinionated, bumptious and self-righteous, and showed scant regard for political rank. He was sarcastic to Barton, tackling him on everything from postal reform to Papua New Guinea,110 and offended Sir John Quick to such an extent that the aggrieved constitutional expert wrote privately to the brash young upstart, reproaching him for ‘misrepresenting…one who has done you no harm’.111 To the annoyance of the older, more seasoned Members, he was inclined to lecture them on their ‘lamentable ignorance’112 of the West, prompting Carty Salmon and Sir William Lyne (Hume) to cut the new chum down to size by questioning his parliamentary experience, even his right to speak as an Australian.113

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105 Between September 1901 and September 1902, Kirwan was obliged on at least four occasions to ask questions on the absent Mahon’s behalf on such matters as postal services. Mahon himself felt aggrieved enough about the sudden changes in sitting hours to complain to the House about the lack of proper notification, whereupon the Treasurer, George Turner, pointed out that revised times were shown on the business paper which Members received at 9.00 a.m. every morning. Mahon stubbornly refused to accept the explanation, arguing that he had nearly lost the chance to speak on the important subject of postal administration in Western Australia. See ‘Supply’, *PD*, Vol.XII, 2 October 1902, p.16347; ‘Postal Officials: Medical Attendance’, *PD*, Vol.VIII, 18 February 1902, p.10074; ‘Western Australian Mail Contracts’, *PD*, Vol.IV, 27 September 1901, p.5312.


107 Ibid., p.11534.


111 Sir John Quick to John Waters Kirwan, 27 August 1901, Kirwan Papers, MS277:1/118-120, NLA.


113 Ibid., pp.8455-56. Said Salmon: ‘I tender my acknowledgment to the honorable member for Kalgoorlie for the lecture which he has given to me, and upon which I place the value which one usually attaches to things that cost nothing. … I do not know how long [he] has been in Western Australia, or whether he was ever on a mining field before he went to Kalgoorlie’. ‘How long has he been in Australia’?
Forrest, who stoically bore the brunt of Kirwan’s sneers, detested him and preserved with difficulty his outwardly courteous demeanour.114

Notwithstanding the slings and arrows of parliamentary life, Kirwan received a small nod of encouragement as 1902 drew to a close, when two of his proposals were acknowledged by the House. During the summer recess, Federal Members would be travelling to Kalgoorlie for the opening of the Goldfields Water Supply Scheme. Kirwan, eager to revive flagging interest in the transcontinental railway, suggested the trip be expanded into a fact-finding tour of the state so that Members could familiarise themselves with the special conditions that prevailed there.115 To his gratification, the House embraced the idea enthusiastically, even acceding to his additional request that the government subsidise Members’ travelling expenses.116 Lyne, Minister for Home Affairs, went so far as to say he would like to see wives included in the party and announced his willingness to set aside the previous year’s £1,000 budget surplus for the purpose. This unwonted bounty created such excitement in the breasts of the opposition that Reid, applauding the Minister’s ‘manly, patriotic, and generous address’, waived any further objections to the government’s supply estimates then under consideration while Kirwan was moved to praise Lyne’s ‘liberal’ view of the matter. Coming so soon after a series of similar junkets – Barton’s protracted visit to London, for example, and the Federal capital tours – the decision provoked outcry in the eastern states press which, bewailing further ‘extravagance’, impugned the parliamentary calendar as ‘one wild picnic from beginning to end’.117 As a result, fewer Members headed west than originally intended,118 even though as Kirwan later

interjected Lyne. ‘That is unfair’, exclaimed McMillan. ‘I ask the honorable member’, continued Salmon, ‘before he again speaks…not to forget the possibility of another honorable member knowing as much, and perhaps more, on the subject than he does. … The honorable member for Kalgoorlie, when he has been in Parliament a little longer, will discover that it is not customary for honorable members, who meet for the first time in a House of this sort, to get up and lecture other honorable members’. ‘That is a lesson which the honorable member himself has to learn’, quipped Poynton.

114 Crowley, Big John Forrest, pp.308, 341.
118 ‘Our Visitors’ and ‘Goldfields Water Scheme: The Opening Day’, KM, 26 January 1903, pp.4 and 2 respectively. In its page 2 report on the opening ceremony, the Miner noted that Lyne, Forrest and Fysh represented the Ministry, with half a dozen Senators and 17 Members from the lower chamber, including George Reid, also in attendance. Neither Barton, nor Deakin, nor Kingston made the crossing.
pointed out the only expenses incurred by the Commonwealth were steamer fares between Adelaide and Fremantle amounting to the paltry sum of £172 10 shillings.  

Kirwan’s second coup was to persuade Deakin to allow him and Mahon to address the House on a subject dear to both their hearts: the Esperance railway. This had been one of the chief demands of the Goldfields Separatists who argued that access to the coastal town of Esperance offered a cheaper, more direct haulage route than the existing Kalgoorlie-Fremantle railway. Forrest, wishing to preserve Fremantle’s commercial supremacy however, had steadfastly refused to countenance either the railway or a second ‘natural’ port at Esperance. After a recent motion on the railway had been once again defeated by ‘vested interests’ in the State Parliament, Kirwan and Mahon hatched a plan to transfer responsibility for it to the Commonwealth, whereupon Kirwan approached Deakin. Their friendship, dating from their correspondence on the Separation movement, had grown in Melbourne where the two discovered a mutual love of literature and were often seen strolling together of an evening in the gardens of Parliament House. Deakin, said Kirwan, was ‘kindness itself’.  

The day set aside for the debate, 9 October, was the second last of the session. On the morrow Parliament was due to rise for the Christmas recess and, conscious of the special privilege accorded them, Kirwan was on his best behaviour, twice thanking Deakin as Acting Prime Minister for allowing Mahon and him to submit the railway scheme to the House, and flattering Members on their ‘broad and enlightened views’. Speaking directly after Mahon, who had introduced the motion, he launched into an eloquent, impassioned and heartfelt plea, stressing the social and economic benefits of the railway, not only for the Goldfields, but for the Commonwealth as a whole. By closing the 220 mile gap between Coolgardie and its ‘natural’ port at Esperance, the extension would open up new mineral and timber reserves and foster trade between the eastern states and the Goldfields. It would relieve congestion on the Fremantle line, give weary diggers access to the seaside and convey the sick and injured to the sanatorium he recommended building there (Kirwan’s mother had died of phthisis). Above all, by reducing freight charges and expediting the transport of men and materials, it would cut the cost of that other great railway project, the

120 ‘Esperance to Coolgardie Railway’, PD, Vol.XII, 9 October 1902, p.16705.  
121 Ibid.  
123 ‘Esperance to Coolgardie Railway’, PD, Vol.XII, 9 October 1902, pp.16705-09. The Esperance railway was so earnestly desired by the Goldfields that a deputation even waited on Barton in London.
transcontinental. As his thoughts dwelt once again on the grievances of his constituents, however, Kirwan could not resist a swipe or two at Forrest who while Premier had instigated the preferential rates system which imposed higher cartage fees on products manufactured outside Western Australia. Such a system when combined with the sliding scale was tantamount to ‘a double customs tariff’ and, since it enabled the state to flout the principle of intercolonial free trade which had been a prerequisite of the national union, was unconstitutional.\textsuperscript{124} On the vexed question of the transcontinental railway, which had yet to be endorsed by Parliament, Forrest took another hit for failing to stipulate that building commence by a specific date. Though he wouldn’t have thanked Kirwan for raising the subject, Forrest was of a similar mind and, in his first speech of the 1903 parliamentary session, defiantly declared that, if he had for one moment known that construction of the transcontinental railway would be impeded to the extent it had been, ‘nothing in the world’ would have induced him to bring Western Australia into the Federation.\textsuperscript{125}

For all their zealotry, however, Kirwan and Mahon failed to make much impression on their colleagues. At the end of Kirwan’s oration, Deakin warmly commended both Goldfields representatives who had, he said, acquitted themselves ‘in a manner which reflect[ed] the greatest credit upon them’.\textsuperscript{126} But while he acknowledged the subject to be of ‘great importance both to Western Australia and the Commonwealth’, he diplomatically declined to commit himself or the government to a definite course of action and the debate adjourned to allow Members to consider the ‘grave issues’ raised. It was never resumed, although both Mahon and Kirwan continued to lobby Members on the subject, much to their annoyance.\textsuperscript{127} Their speeches to the House were subsequently published and circulated in pamphlet form\textsuperscript{128} and Kirwan would continue the fight for the next two decades.\textsuperscript{129}

In fact, the Esperance railway came up in another connection in January. While Parliament was still in recess, Federal Members began converging on Kalgoorlie for the historic opening of the Goldfields water pipeline.\textsuperscript{130} Neither Barton, Deakin nor Kingston made the trip across but about two dozen of their colleagues, including Reid, Lyne, Sir Philip

\begin{footnotes}
\item[125] Crowley, \textit{Big John Forrest}, p.331.
\item[126] ‘Esperance to Coolgardie Railway’, PD, Vol.XII, 9 October 1902, p.16709-10.
\item[128] Ibid., p.6372.
\item[129] Simpson, ADB, Vol.9, p.615. A modified version of the line was eventually completed in 1927.
\end{footnotes}
Fysh and ‘King’ O’Malley, joined Premier Walter James and other dignitaries on the podium at Mt Charlotte to watch Forrest for the second time that day open the valves to the reservoir. As if to emphasise the vital importance of the scheme, the weather for the afternoon of Saturday 24 January 1903 was seasonably hot – 106 degrees in the shade – but the mood was festive. Kalgoorlie, in contrast to its demeanour during Forrest’s disastrous 1898 visit, wore its ‘gayest appearance’ and accorded its visionary former Premier a hero’s welcome. As he rose to perform his ceremonial duties, however, he did not forget C. Y. O’Connor who had made it all possible and before turning the taps spoke ‘feelingly’ of the late engineer and his ‘beneficent’, his ‘great necessary humanitarian work’.

The only discordant note was provided by Esperance Railway League officials who paraded through the streets in sandwich boards and heckled the speakers. According to Jack Drayton, the vitriolic editor of Mahon’s old newspaper, the Kalgoorlie Sun, this was part of an attempt by Kirwan to launch a popular Separation style agitation for the railway with himself as leader. The main event occurred later that day when before an ‘enthusiastic crowd’ at the Miner’s Institute, Kirwan presented a deputation from the League to Sir William Lyne. Kirwan’s friend, Norbert Keenan, the League’s President and Mayor of Kalgoorlie, may have been in on the plot. At a banquet that evening, he caused a stir by expressing doubts about the financial viability of the pipeline. Forrest, however, was having none of it, sharply rebuking Keenan for his temerity and conscious from the thunderous ovation which greeted his remarks that his distinguished colleagues shared his disgust.

The plot had failed, humiliating Kirwan and damaging his credibility. Drayton, laughing uproariously at the ‘ludicrous farce’, added salt to the wounds by exposing the cunning plan. The ‘screecher for Separation’, the ‘humorless, hysterical…Esperance railway bore’, had returned thinking that he had only to snap his fingers to re-ignite the passions that had swept him into office three years previously. He was wrong but, more importantly, by continually harking back to the past, fighting old battles and sniping at Forrest, he had shown himself up as vain, obsessive and backward looking. He had begun to believe his own publicity and was in danger of becoming irrelevant.

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133 ‘A Regrettable Incident’, West Australian, 26 January 1903, p.5. Oddly, the Kalgoorlie Miner did not mention Keenan’s gaffe.
Chapter 6
The Great Train Robbery

Kirwan’s last months as a Federal Member were marred by his escalating feud with Forrest. Before the year was out he and Kingston would join forces once again to ambush the Minister for Home Affairs on the transcontinental railway. Much to the disgust of West Australian Members Parliament was in no hurry to introduce the necessary legislation, giving Kirwan an opportunity to pillory Forrest whose new portfolio brought the matter within his purview. As was to become clearer with time, however, Kirwan needed no excuse to tackle his old adversary, often mischievously adopting obstructionist tactics in debates with Forrest, sometimes to his own detriment. Jack Drayton, who appears to have constituted himself Kirwan’s Fool, claimed that his constant carping created a sympathetic backlash for the former Premier, and there were ominous signs that he was right. One portent was the sudden unexpected defection of Hugh Mahon, Kirwan’s friend and former ally, who at the eleventh hour threw in his lot with Forrest. To Kirwan’s distress, Mahon later announced his intention of campaigning against him in the run-up to the December 1903 Federal election. Kingston, who might have redressed his dwindling stocks by joining him on the hustings as he originally offered to do, was at the last too ill to make the trip to Kalgoorlie.

As his friends deserted him Kirwan became increasingly frustrated and disillusioned. The things that mattered to him did not weigh with the majority of his colleagues and without allies he was unable to win many concessions for his ‘back-block’ constituents. Moreover, he was beginning to fear that his role in the Federal story would be forgotten, hence his repeated attempts to remind his fellow legislators and the wider public of his service to what Kingston was pleased to call ‘the sacred cause of Australian unity’.1 No-one was much interested, and while he fought to preserve his legacy he failed to notice what was going on around him. The world was changing. Many of the issues for which he had fought so valiantly while editor of the Kalgoorlie Miner had been resolved, creating new challenges. The growing strength of the Labor Party was one development whose import Kirwan failed to appreciate.

1 Kingston to Kirwan, 3 January 1900, Kirwan Papers, MN591: 383A/1,BL. It is interesting to note the religious language used by the Federalists and others throughout the campaign: the petitions ‘praying’ for a referendum and later for separation, the attempts by the press to demonise Forrest, even Jack Drayton’s much later but derogatory allusions to Kirwan as the ‘missionary of Federation, the apostle of Separation’.
Parliament resumed on 26 May 1903 after a seven month recess. Despite, perhaps because of, its brevity, it was to prove a hectic and tumultuous finale as first Kingston, then Reid and Barton resigned, necessitating by-elections and Cabinet reshuffles. From the first, political pundits had predicted the near-impossibility of maintaining a government peopled by so many talented and dominant personalities – several Ministers (Kingston, Turner, Lyne and Fysh) and two senior opposition members (Reid and Braddon) were former colonial Premiers – and the prophecy proved only too apt as tensions within the Cabinet reached a crescendo. Unknown to Kirwan, he, too, was entering his last year in the Federal Parliament and would experience a number of unexpected shocks and disappointments.

The main legislative issues that year were defence, the judiciary, postal reform, Papua New Guinea, industrial relations, and the reshaping of electoral divisions. Defence was the subject of Kirwan’s first speech of the session, when, in characteristically abrasive fashion, he savaged both Barton and Forrest on their British Navy subsidy plan. In a confidential minute to the Prime Minister, dated 15 March 1902, Forrest, as Minister of Defence, had outlined his vision of a broader Anglo-Australian military pact. Among other suggestions, he recommended that the Commonwealth, with a view to its own protection, should contribute financially to upgrading the Imperial fleet.

Copies of Forrest’s controversial ‘Minute on Naval Defence’ were circulated in Cabinet, but not to Members of the chamber. The document did not become public until it was submitted to the Empire defence conference, which both Forrest and Barton attended while in London for the coronation. Not surprisingly, it was applauded by Chamberlain, the Colonial Secretary, who invited Barton to table it. Reaction in Australia, particularly in the press, was less favourable, however. In the Senate, Alexander Matheson, one-time President of the Eastern Goldfields Reform League, called it an ‘absurdly hyperbolic’ and self-serving piece aimed at securing Forrest a place at the London conference. Evidently, he had not forgotten Forrest’s intransigence over the constitutional referendum, and, seizing the opportunity for revenge, launched an assault so venomous that Senator Richard O’Connor was moved to complain that ‘almost every word [Matheson] uttered in regard to Sir John Forrest was bubbling over with personal malice’. But while Forrest might have expected

\[\text{PD, Vol.XIII, 26 May 1903, p.5.}\]
\[\text{Crowley, Big John Forrest, pp.321-22.}\]
\[\text{Ibid., pp.324-25.}\]
\[\text{Ibid., pp.336-37.}\]
venom from such a quarter, he would have been mortified to learn that Alfred Deakin shared his opinion of the measure. Writing anonymously in the London *Morning Post* of 22 December 1902, Deakin condemned it as unpatriotic and inimical to the independent and enterprising spirit of the Australian people.\(^7\) Since the Minute had till then been sighted only by Ministers, Forrest must have guessed that one of his Cabinet colleagues was the source of the leak, but the true author of the report was not identified until after Deakin’s death. Forrest, who considered Deakin a friend, never discovered his perfidy or it is likely that he, too, would have resigned.\(^8\)

Kirwan, for all his Imperial sympathies, was equally critical and took Forrest and Barton severely to task at the opening of the 1903 session.\(^9\) His chief objection was their failure to consult Parliament either about the subsidy or the Prime Minister’s itinerary, especially since the Colonial Office had provided advance notice of the conference as early as 23 January. Consequently, Barton had had no official standing at the meeting, nor had been authorised to speak on behalf of the nation. A secondary issue was the potentially onerous cost of the subsidy. Barton – ‘the distinguished stranger’,\(^10\) quipped Kirwan in reference to the Prime Minister’s long sojourn in London – had offered the Admiralty £200,000 annually, without stipulating how it should be spent; but if the British took up Forrest’s suggestion that Australia should contribute on a per capita basis, the sum could reach £5,000,000. Kirwan thought it unfair to impose such a burden on the Australian people, when other self-governing dominions – Canada, for example – were not prepared to reciprocate. He also felt strongly that Barton should have secured a seat on Chamberlain’s proposed war council. The proceedings of the conference, which had recently been published in the standard Blue Book, threw no light on the discussions for, although they recorded the speeches of the Imperial representatives, they did not report the views of the colonial delegates.\(^11\)

An ‘uncharacteristically apologetic’ Forrest introduced his first Defence Bill on 9 July 1901 to a hostile Parliament.\(^12\) The task of drafting it had proved more demanding than he expected and he felt keenly his want of military experience.\(^13\) In the Upper House, Senators Matheson and Staniforth Smith, both Kirwan allies, found fault with it while, in the Lower,

\(^7\) Ibid., p.324.
\(^8\) Ibid.
\(^11\) ‘Governor-General’s Speech: Address-in-Reply’, *PD*, Vol.XIII, 29 May 1903, pp.311-12. Barton explained that Chamberlain was willing to publish the speeches of the colonials as long as there were no objections. However, an objection was lodged.
\(^12\) Crowley, *Big John Forrest*, pp.314-16.
\(^13\) Ibid.
forty-three of the seventy-five Representatives spoke during the debate, which took place between 24 July and 9 August 1901. Due to the death of his brother, Alexander, and the Duke of York’s visit to Perth, Forrest was absent for the entire debate. He had greater success with the revised bill which was submitted on 16 July 1903 and passed at its crucial second reading ‘without division in a thin House’.14

Kirwan did not have a great deal to say on the first bill, possibly because his ‘good friend’ Kingston was temporarily in charge while Forrest fulfilled his familial and official duties in Perth. When he did speak, it was merely to question the Minister about the readiness of the Australian volunteer forces, whom Forrest expected to defend the nation in time of war.15 Twice during debates on the Supply Bill, he asked about training facilities and equipment shortages, the first time on 12 June 1901, when he advised that, eighteen months after its inception, the Goldfields contingent still lacked uniforms, much to disappointment of its recruits. Forrest explained that, due to a want of funds, similar delays had been experienced in other parts of the nation, but he hoped to rectify the problem, once the Commonwealth had approved his estimates. He promised not to forget the volunteers of Kalgoorlie whose spirited response to the call of arms made him the more desirous of encouraging them in every way.16

Kirwan raised the matter again in December that year when he drew the Minister’s attention to a report in the Sunday Times about a shortage of practice targets.17 He did not speak again on the subject until 7 August 1903, after Forrest’s second, modified Defence Bill had entered the committee stage. Then, he opposed compulsory enrolment in the cadet corps for adolescent boys, called for the creation of a military college, and approved extending the powers of the Governor-General ‘to establish and control’ small arms and ammunitions factories.18 Forrest had no objection to the last amendment and Kirwan moved accordingly. His big contribution to the Defence Bill, however, as advertised in his 1903 election notice,19 was the legal aid provision which he introduced a fortnight later, entitling accused persons facing the death penalty to counsel at the expense of the Crown.20 Again, Forrest had no objection and a new clause, 96A, was added to the bill, although Littleton Groom (Darling Downs), while favouring the amendment, reminded the honorable Member

14 Ibid., p.333.
15 Ibid., p.314.
for Kalgoorlie that clause 70 of the Judiciary Bill already contained a similar regulation. Notwithstanding Forrest’s generosity, Kirwan could not resist a final dig at the outgoing defence chief, asking if the Minister was aware of pay complaints from military personnel. Forrest was not. The Minister, returned Kirwan mischievously, had evidently neglected to read the *Evening Herald*. He spoke only once more on the defence issue when, in October, he asked Forrest’s successor, Austin Chapman, the former government Whip and the fourth man to hold the post of Minister of Defence, what had been done to place West Australian Rifle Clubs on the same footing as those in the other States. Chapman (Eden-Monaro) replied that action was being taken to gazette the West Australian Clubs in line with recent Commonwealth regulations.

By this date, Barton had been forced to reassign Cabinet positions, following a row between Kingston and Forrest over Kingston’s pet Conciliation and Arbitration Bill. The two had been bitter foes since the 1899 Federation dispute, when Kingston earned Forrest’s enmity by aligning himself with Kirwan and the Kalgoorlie Separationists. Relations deteriorated further in Parliament, where Kingston teamed up with Kirwan to pillory Forrest. But Kingston, his naturally malicious humour sharpened by overwork, was unwell, adding an extra grain of friction to the already ‘combustible’ Cabinet meetings. The tariff, the relentless pace at which he drove himself and his staff, together with his refusal to delegate, precipitated a crisis so acute that Barton, alarmed by his erratic mood swings, confided in Deakin his fears for their colleague’s sanity. The latest impasse arose over whether the legislation should apply to British and foreign seamen in Australian waters. Kingston wanted it to extend to all seamen; Forrest worried that it would interfere with British passenger and contract mail steamers plying West Australian ports. With neither prepared to give ground, Forrest pleaded with Barton and Deakin to devise a means of exempting passenger traffic to and from Western Australia until the transcontinental railway had been constructed. Barton sided with Forrest and, on 24 July, eight days after Forrest had introduced his new Defence Bill, Kingston resigned his portfolio. In the ensuing reshuffle, Lyne replaced Kingston as Minister for Trade and Customs, Forrest took Lyne’s old post of Home Affairs and Senator Drake succeeded Forrest as Minister for Defence. Forrest was to

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22 Crowley, *Big John Forrest*, pp.335-36.
26 Crowley, *Big John Forrest*, p.335.
oversee the final stages of the Defence Bill, however, and was still at the helm a fortnight later when Kirwan introduced his legal aid provision.

Kirwan fought hard for a similar measure in that year’s Judiciary Bill, speaking in support of Charles McDonald’s amendment to aid defendants who could not afford legal assistance. But Kirwan, who believed that a judiciary should ‘administer justice’, not simply convict, wanted a stronger provision than McDonald’s. Even educated men, he pointed out, perhaps remembering his own experiences in Kalgoorlie, found the law baffling. It was the more important, therefore, to ensure that ‘the poor and ignorant’ were not further disadvantaged in the Courts, to which end he proposed a form of words that would apprise them of their rights.

The model he had in mind was the British Bill for the Defence of Poor Prisoners, then before the Commons, which required prisoners to be notified of the charges against them as well as their right to legal counsel. Kirwan thought one of its clauses might well be adapted for Australian purposes but, in true democratic fashion, he wanted it extended to all defendants, and not only those facing capital charges, as provided under existing Commonwealth law. He also differed with the British legislators by insisting that solicitors be paid for their services: he thought it ‘very unfair’ that lawyers appointed to defend the poor should be required to work free of charge. ‘We should not ask counsel to work for nothing’, he pleaded. As understood by the committee, the distinction between the two amendments was that Kirwan’s compelled the judge to appoint a public defender whereas McDonald’s left the appointment entirely to the judge’s discretion. For all his usual bombast, Kirwan, who had no legal background, was uncharacteristically timorous before so many brilliant jurists, but so earnest that he was prepared to engage in a protracted, if polite, tussle with Deakin, whom he greatly esteemed.

Deakin who, as Attorney-General, had charge of the bill was ‘much interested’ in the ‘excellent measure’ referred to by the honorable Member for Kalgoorlie, but ‘shrank’ from adopting it due to the ‘unknown expense’ which might accrue from such applications. Glynn (South Australia) and William Knox (Kooyong) opposed it on similar grounds, although Glynn eventually conceded that a suitably modified amendment might be found to embody Kirwan’s proposal, whereupon Kirwan supplicated for prisoners to be adequately informed

27 ‘Judiciary Bill’, PD, Vol.XIV, 30 June 1903, pp.1527-60. This was the bill to establish the High Court.
28 Ibid., pp.1527-29.
of the course open to them. He read his amendment again, clarifying an earlier ambiguity when it appeared that he intended retaining the Imperial mandate, conferring the right to a solicitor. ‘The honorable member did not originally read his proposal in that way’, remarked Glynn accusingly. After further debate, in which Deakin and Isaacs put their heads together, the committee decided that accused prisoners of inadequate means should, upon indictment, be supplied with a copy of the relevant section of the Act outlining their right to apply for legal aid. Deakin then moved the necessary amendment and the motion was carried unanimously.31 With this Kirwan had to be satisfied, although he later boasted in his election notice that he had ‘inserted in the High Court Bill and Defence Bill…recognition of the principle of Crown defenders, to be paid by Crown, to defend prisoners’.

Kirwan was on surer ground with postal reform. This was an important issue in his remote electorate and one which he addressed frequently in Parliament, regularly asking questions, sometimes on behalf of the dilatory Mahon, about such matters as postal notes and rates,33 employment conditions and wages,34 delivery timetables,35 telegraphic delays,36 and the availability of equipment.37 He thought the Postmaster-General’s Department should be run on commercial lines and opposed a clause exempting it from charges levied by other government instrumentalities.38 The old capacity for ruffling feathers was in evidence during debate on the Post and Telegraph Rates Bill. He favoured a uniform penny post and provoked Sir Philip Fysh, the Minister responsible, by remarking his failure to address the issue in his bill.39 Fysh retaliated by correcting Kirwan’s assumption that the matter could be dealt with by regulation rather than Act of Parliament, while the pedantic Isaacs asked what the honorable Member for Kalgoorlie meant by his phrase ‘to the good’.

As his colleagues often had occasion to point out, Kirwan was inclined to use the terms ‘Western Australia’ and ‘the Goldfields’ interchangeably. One instance of this occurred during debate on the 1902 Supply Bill when he seconded a complaint from Fowler, the Labor Member for Perth, about the operations of the Postmaster-General’s West Australian

31 Ibid., p.1563.
35 ‘S.S.Herbert’, PD, Vol.XII, 1 October 1902, p.16269.
Kirwan’s real grudge, however, lay in the old jealousy between the Goldfields and the coastal districts, which he considered received preferential treatment. Citing as ‘totally inadequate’ conditions on the Goldfields, he demanded better salaries and new buildings for his constituents, endorsed calls for a Public Service Inspector to investigate grievances, and criticised the £550 earmarked by the government for a new post office at Canning, in Forrest’s electorate.41

But Kirwan, motivated at least in part by his animus towards Forrest, may have overreached himself. It was too much for Fowler who urged him to rein in his opposition. Canning, he argued, was a rapidly expanding Perth suburb with no adequate postal outlet and, since their Federal colleagues had seen fit to award Western Australia such a small sum in the annual Supply Bill, it would be a shame to reduce it further by striking the Canning estimate from the equation.

A growing source of aggravation was the government’s tardiness in awarding mail contracts and the inefficiency of the postal and telegraphic system. Throughout 1902 and 1903, Kirwan kept pressure on the government, questioning Kingston, Barton and Fysh about delays, breakdowns and interruptions, their causes and locations, pay disparities, even the fall from grace of a telephone employee accused of embezzling £100,000 over nearly 12 years. 42 He supported Sir Langdon Bonython’s suggestion that the Eucla-Port Augusta line be shifted further inland where it would not be subject to sea-borne contamination, but opposed the new Canadian-Australian mail contract on the grounds that the Vancouver company, by competing with its British rivals, would jeopardise services to Western Australia.43 Britain was one week closer to the West than to the other states on the old Suez Canal route.

He was equally critical of the government’s decision to ratify the agreement between New South Wales and the Eastern Extension Telegraphic Company, largely because it appeared to clash with the Pacific cable project, a partnership between Britain and its dominions – Australia, Canada and New Zealand – forged to oversee the construction of an

40 ‘Supply’, *PD*, Vol.XII, 2 October 1902, p.16347. Forrest, too, was quick to point out Kirwan’s error, as he did during debate on the transcontinental railway, see ‘Adjournment (Formal): Transcontinental Railway’, *PD*, Vol.XVII, 21 October 1903, p.6378.
ocean cable from Australia to British Columbia. Barton saw no discrepancy in approving both agreements, but the opposition was loud in condemnation. Amid imputations of secrecy and double-dealing, Reid cried foul while Kirwan, citing correspondence on the subject, revealed that the Canadian and New Zealand Prime Ministers had both expressed their dismay at the government’s decision. Canada regarded it as a ‘violation of [the] spirit’ of the original agreement; Seddon, the New Zealand Prime Minister, had sent a strongly-worded letter of protest. Chamberlain was said to have intervened, recommending that the subject be thrashed out at a conference attended by the various partners to the venture. (In fact, as Barton later informed the chamber, the suggestion had come from Lyne, then Premier of New South Wales, who had consulted the Colonial Secretary about the benefits of such a meeting).

The debate, spanning two days, took an extraordinary twist when Kirwan tried to force the Prime Minister’s hand, urging him to take a vote on the matter and, when Barton refused, accusing him of breach of faith. But Kirwan’s motion which, as Forrest shrewdly discerned, amounted to an attempt to ‘censure the government’, failed due to the absence of several opposition Members. To buy time, he then moved that Chamberlain’s proposal for a conference be incorporated into the agreement. Since such a move was tantamount to replacing the original agreement with a new one, Barton stoutly refused to accept it. Forrest, too, vehemently opposed Kirwan’s suggestion, issuing a stern warning in the process: he knew the honorable Member’s tricks of old and cautioned him against practising them in the House.

Against such formidable foes, Kirwan could do little but continue to heckle the government, hinting darkly at vested interests while reminding Members that the reputation of the Commonwealth was at stake. On 29 July, his motion was defeated, but not before Barton had been compelled to address his accusations in a detailed, eleven page rebuttal. Finally, Barton read at length from the letters he had exchanged with Seddon, the New Zealand Prime Minister, in which he outlined his reasons for proceeding with the E.E.C.

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agreement.\textsuperscript{52} His original resolution – that the House ratify the contract – was passed five days after he had first introduced it.\textsuperscript{53}

From mid-year, the collective mind of Parliament turned increasingly on the coming election, scheduled for December.\textsuperscript{54} As it would be the first election to use Federal rolls and the first nation-wide poll to extend the franchise to women,\textsuperscript{55} it was necessary to compile accurate records and, thence, to conduct a review of the electoral boundaries. The government’s sluggishness in attending to these matters alarmed many Members, with Sydney Smith (Macquarie) leading the chorus of disapproval by demanding an explanation for delays in completing the roll.\textsuperscript{56} Kirwan was, as ever, on the offensive, attacking Lyne, the Minister for Home Affairs, for his laxity\textsuperscript{57} while even Watson, who usually sided with the government, expressed concern at the way matters had been allowed to drift.\textsuperscript{58}

Lyne, who had attended the grand opening of the Coolgardie pipeline in January, rejected the charges of idleness, but admitted that some little time might have been lost as a result of his recent interstate visits, to which Kirwan responded that the Minister would have been better employed administering his department than ‘gallivanting’.\textsuperscript{59} In his usual combative fashion, he continued to grill the Minister, producing a telegram from a West Australian state parliamentarian, who attested to the lack of progress, and eliciting a sharp response from Lyne. At one point, he sought to embarrass Kirwan by implying that the two had had a secret meeting on the electoral issue, an allegation which Kirwan denied. ‘Nonsense’, snorted Lyne, ‘The honorable member’s mind must be going’. Taking refuge in bluster, he promised to make Kirwan thoroughly ‘ashamed of himself’ before much longer.

As later events were to show, Kirwan was right to be concerned. In November 1902 the government appointed a team of independent Commissioners to redraw the electoral boundaries; in July 1903 they submitted their reports; and in August, the committee discussed them in a series of state-by-state debates. But the new maps aroused fierce controversy and, with the exception of those for Tasmania and South Australia, were rejected by the Minister\textsuperscript{60} on the grounds that the existing boundaries had been ‘most

\begin{itemize}
\item \textsuperscript{52} Ibid., p.2775-86.
\item \textsuperscript{53} ‘Eastern Extension Telegraph Company’s Agreement’, \textit{PD}, Vol.XV, 24 July 1903, p.2595.
\item \textsuperscript{55} Crowley, \textit{Big John Forrest}, p.335.
\item \textsuperscript{57} Ibid., pp.1106-07.
\item \textsuperscript{58} Ibid., p.1111.
\item \textsuperscript{59} Ibid., p.1108.
ruthlessly altered’ in ways which were difficult to comprehend. Immediately there was uproar and on 18 August 1903, Reid resigned his seat in protest.\textsuperscript{61} By doing so, he intended to precipitate a public debate on the redistribution question,\textsuperscript{62} but his real target was the government’s unpopular fiscal programme, which was shaping up as a major election issue. Reid hoped the poll would constitute a referendum on the tariff and saw the Minister’s decision as a thinly disguised attempt to frustrate the democratic process.\textsuperscript{63}

Lyne endeavoured to forestall these suspicions by claiming that the new constituencies actually favoured the government but, as the recent drought in the eastern states had displaced large sections of the populace, maps were needed which would represent people, and not areas.\textsuperscript{64} For that reason, he intended reverting to the existing divisions, except in South Australia and Tasmania, where the proposed changes had proved feasible.

At least in regard to Western Australia, the Commissioner’s alterations were mystifying. It was planned, for example, to yoke Subiaco to Fremantle, Plantagenet, formerly part of Swan, to Kalgoorlie, and Roebourne to Coolgardie, although Lyne initially confused it with Kalgoorlie. Incredibly, Kirwan approved the alterations, congratulating Commissioner Johnston, the West Australian inspector, on his ‘excellent divisions’ and teasing the Minister over his gaffe in confounding Kalgoorlie with Coolgardie. His reasons for so doing had as much to do with sound economic management as they had his democratic faith in the ‘one vote, one value’ principle;\textsuperscript{65} he believed the new electorates were more equitable and deplored the waste of time and money in commissioning inspectors to revise the electoral maps, only to discard their work.\textsuperscript{66} But there was another, ignoble motive in wishing to disoblige Forrest and Lyne and demonstrate his fidelity to his lost leader.

By this time, Forrest had replaced Lyne as Minister for Home Affairs, surrendering his Defence portfolio in the recent Cabinet reshuffle while Lyne took over from Kingston at the department of Trade and Customs. Lyne was to retain responsibility for legislation concerning the new electoral divisions,\textsuperscript{67} but Forrest, as his successor, shared some of his duties. As Premier of Western Australia, he had created the original seats\textsuperscript{68} and, as Minister, was to supervise the arrangements for the coming election.\textsuperscript{69} Ironically, as Cook

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\bibitem{61} ‘Member’s Resignation’, \textit{PD}, Vol.XV, 18 August 1903, p.3787.
\bibitem{63} ‘Budget, 1903-4’, \textit{PD}, Vol.XVI, 10 September 1903, p.4969.
\bibitem{65} Ibid., pp.3745-47.
\bibitem{67} Crowley, \textit{Big John Forrest}, p.335.
\bibitem{68} ‘Electoral Divisions: Western Australia’, \textit{PD}, Vol.XVI, 27 August 1903, pp.4356.
\bibitem{69} Crowley, \textit{Big John Forrest}, p.335.
\end{thebibliography}
(Parramatta) observed, Forrest had also sanctioned Surveyor-General Johnston’s appointment as Electoral Commissioner, only to repudiate his work.

Forrest’s involvement added new zest to the proceedings for Kirwan who saw the bill as a fresh opportunity to continue his long-running verbal duel with the former Premier. Time and again, he revived the old arguments. Under Forrest, the West had been little more than a series of ‘pocket borough’ constituencies. The ‘unequal distribution’ of seats which prevailed there had been for years ‘one of our greatest troubles’ and ‘a source of continual agitation’. West Australians were ‘well educated’ on electoral questions for they knew from ‘bitter experience’ how ‘the principles of representative government [could] be defeated by a method of distribution’. He applauded Reid’s integrity in resigning his seat – ‘The honorable member has regretted it ever since’, sniped McDonald (Kennedy) – backed his calls for a referendum on the tariff, tackled Barton for resisting the idea, and, in short, established himself as an outspoken, aggressive, but increasingly isolated, critic of the government. He was so dogmatic that Fowler expressed ‘surprise’ at the ‘violent partisan’ nature of his colleague’s speech while Lyne lamented the ‘great deal of feeling’ that had been injected into the proceedings.

But Kirwan’s taunts had begun to pall. To a man, his West Australian colleagues deserted him. Fowler (Perth), expressing his ‘surprise’ at the Commissioner’s ‘versatility’, contended that the Subiaco-Fremantle merger was frankly ‘ridiculous’ while Solomon thought a better combination could be found. Even Mahon appeared temporarily to have swapped sides, praising Forrest’s fairness in drafting the state’s original electorates and repenting his part in the affray three years earlier, when the Separatists had accused him of gerrymandering.

This was the real surprise of the day: the extraordinary verbal scuffle which now erupted between Mahon and Kirwan. Despite their ideological differences – Mahon was a Labor man, Kirwan was not – the two shared similar policies and, as the *Kalgoorlie Miner* noted,
'worked well together'\textsuperscript{79} in Parliament, fighting in concert for their Goldfields constituents. But Kirwan’s animus towards Forrest and Lyne blinded him to the ‘absurdity’ of his position, as Mahon intimated, upbraiding his erstwhile friend for his complicity in bludgeoning Forrest in the \textit{Kalgoorlie Miner} all those years ago. Although their friendship survived the rigours of politics – they were still writing cordially to one another in 1913\textsuperscript{80} – it was not the last or the most traumatic rupture the relationship would suffer.

If Forrest derived any enjoyment from the spectacle of old friends and two of his bitterest enemies at each other’s throats, he kept his own counsel and directed his energies to exposing the impracticability of the Commissioner’s West Australian maps.\textsuperscript{81} There was no ‘community of interest’ between Kalgoorlie and Subiaco, for example; the two districts were culturally and geographically separate. In the end, his intimate knowledge of the state he had once governed convinced all but the stubbornest critics, and Lyne’s motion rejecting the Commissioner’s report was carried by a majority of 16 votes. As earlier indicated, Mahon voted for the motion, one of the rare parliamentary occasions on which he and Kirwan took opposing sides.

The electoral redistribution issue exposed other broken alliances. Kingston, since his resignation a brooding presence on the backbenches, now found himself supporting opposition calls to refer the divisions back to the Commissioners for further consideration.\textsuperscript{82} In an impassioned oratorical performance, he implored his ministerial colleagues to preserve ‘the honour of the Australian parliament’ and warned them that, by interfering with the Commissioners’ authority, they were setting a ‘mischievous precedent’ at an early stage of the nation’s parliamentary history.

Kirwan, at least, was moved by the former Minister’s eloquence. Speaking directly after Kingston, he adjudged it ‘well worthy of the right honorable gentleman’ and proof of ‘his strong adherence to principle’.\textsuperscript{83} The government, however, stood by its original decision. It was now out of time – a predicament Kirwan had foreseen in June – and even a last minute compromise proposed by Glynn failed to attract the necessary numbers. The compromise – to buy time by reducing the period allowed for the maps to go on public display – was defeated by a majority of 17 votes. Mahon once again voted with the majority against the

\textsuperscript{80} Kirwan to Hugh Mahon, 28 September 1913, Mahon Papers, MS937:165, NLA.
\textsuperscript{82} ‘Electoral Divisions Bill’, \textit{PD}, Vol.XVI, 2 September 1903, pp.4501, 4518.
\textsuperscript{83} Ibid.
opposition diehards. Kirwan typically threw in his lot with the diehards – the only West Australian representative to do so on this occasion.84

But the episode had left him, if not chastened, ‘dispirited’,85 and as his last year in the Federal arena drew to a close, he became increasingly frustrated and disillusioned by the constraints of parliamentary procedure. He objected to the speed with which the government sought to rush through its electoral legislation, but lamented the lack of progress in other areas.86

The decision to abandon the Papua (British New Guinea) Bill was a particular disappointment. Kirwan, believing that tenure should be vested in the Crown, had fought hard against the alienation of native land. Remarkably, given his family history, he thought new settlers should have the right to lease property but not to purchase freehold titles.87 This was essentially aimed at preventing the wholesale land grabs and private territorial monopolies which had characterised Australian settlement. Had the founding fathers of Australia adhered to such a rule, argued Kirwan, the Commonwealth would now have an endlessly renewable source of revenue, far exceeding its expenditure. To his satisfaction, the majority of his colleagues agreed with him, passing his amendment by a healthy 14 votes.88 But the Prime Minister, whom Kirwan had defied in moving the amendment, was not to be gainsaid. On 15 September, Barton unceremoniously shelved the legislation,89 a decision Kirwan labelled ‘very disappointing’.

In fact, Barton was to remain Prime Minister only nine more days. On 24 September 1903, he resigned to take up a judicial appointment on the bench of the recently convened High Court of Australia.90 Before he left Parliament, he was reprimanded by Kirwan for breaking several promises. One of these concerned the old-age pension.91 The pledge, although vague, had been delivered during the Prime Minister’s famous Maitland speech of 17 January 1901 when Barton intimated that he would consider a national scheme. Kirwan strongly favoured such a scheme, pointing out that it would eliminate problems encountered by citizens who lost their benefits if they moved interstate. At the time, the age pension was available only in Victoria and New South Wales.

90 Crowley, Big John Forrest, pp.338-39.
Kirwan’s parliamentary relationship with Barton was ambivalent, to say the least. Looking back from a distance of over forty years, he portrayed him as a ‘popular’ but ‘ponderous’, rather over-cautious, figure whose ‘excellent phraseology’ was sometimes so convoluted that it seemed calculated to conceal his thoughts.\(^\text{92}\) In reality, Kirwan was far less respectful to the Prime Minister than his faint praise might have suggested, the better to demonstrate his loyalty to senior opposition members. As Kirwan himself acknowledged, Barton did not seem to take his insolence personally and maintained a ‘generous’ and ‘unfailingly courteous’ demeanour at all times. During a debate on labour conditions,\(^\text{93}\) he went so far as to distinguish Kirwan by accepting his draft alteration to the bill. Mahon who, in Kirwan’s absence, sought to substitute his own version, received a mild snub when the Prime Minister indicated that he preferred Kirwan’s wording.

With Barton’s departure, the leadership of the government passed to Alfred Deakin who now presided over what Senator Symon called ‘the Ministry of rehabilitated fragments’.\(^\text{94}\) The transition further retarded the work of Parliament and there were still two projects which Kirwan was especially anxious to see accomplished. One of these was the Interstate Commission which, once established, would ensure the operation of free trade between the States. The tribunal had been virtually promised from the time the Commonwealth Bill came before the people and, as Kirwan rightly pointed out, was a contributing factor in securing the large vote for Federation on the West Australian Goldfields.\(^\text{95}\) Barton, speaking during the Federation campaign, had ranked it second to the High Court in importance while concurring that the long-running rates war between the colonies was inimical to the concept of national unity.\(^\text{96}\)

To its credit, the government had tried to deliver on its undertaking. A draft bill had been introduced during the first session, but had been discarded when its mechanisms were judged too expensive, complicated and, in Kirwan’s words, ‘unwieldy’. Several Members had later questioned the need for it,\(^\text{97}\) but Kirwan was in no doubt of its value. Addressing the subject during his maiden speech, he argued that West Australians were ‘sadly’ in need of a regulatory body to abolish the preferential railway rates which prevailed in the state. Under


\(^{94}\) Crowley, *Big John Forrest*, p.339.


the existing system, local commodities like timber and coal attracted lower rates of carriage than imported products, resulting in inflated prices, especially on the Goldfields.

Even after the bill had been withdrawn, Kirwan doggedly pursued Lyne and Barton about the matter. He referred to it again in May at the commencement of the 1903 parliamentary session, and in similar language to that which he had used in his maiden speech. Preferential railway rates were a ‘direct infringement of inter-state free-trade’. They were ‘a second Customs House’ and, repeating the same phrase three times in the one speech, violated ‘the spirit of the constitution’. He raised the subject again in September, once during question time and subsequently during the Budget debate two days later when he emphasised the oppressive impact of customs duties on the people of the Goldfields and attacked the government for not having done more to ensure ‘the freedom of trade and intercourse between the States’. To his dismay, Barton advised him in September that the bill would not come up for consideration that session due to lack of time, but – perhaps with a view to calling Kirwan’s bluff – professed himself open to suggestions. After further thought, Kirwan recommended that the Ministry seek the co-operation of the various state Premiers, and was a little put out to learn from Turner that they had already been approached several times.

Just as they had been during his ‘inky’ days as a newspaper editor, railways remained a major plank in Kirwan’s political platform. The construction of the transcontinental railway, planned to link the west to the eastern states, was a project in which he had shown early and steadfast interest. During the Federation campaign, he stoutly championed the proposal in his editorials while seeking written assurances of their commitment to the project from leading constitutionalists such as Deakin and Reid. Paradoxically, it was the one topic on which Kirwan and Forrest agreed, and yet a bone of contention between them. For Kirwan, thinking to counteract the commercial centralisation of Perth and Fremantle, wanted an additional line built from Coolgardie to its ‘natural’ seaport in Esperance while Forrest, who

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104 George Reid to Kirwan, 11 May 1899, MS277:1/16-17, NLA and Deakin to Kirwan, 26 May 1899, Kirwan Papers, MS277:1/19-22, NLA.
wished to preserve Fremantle’s supremacy as the state’s chief port, hoped that the national system would silence the clamour for the Esperance line.  

The transcontinental railway was the first item Kirwan had chosen to address in his maiden speech, when, aghast at the Governor-General’s equivocation, he reminded Parliament of its ‘moral obligation’ to expedite what he called this ‘great national undertaking’.  

It had been virtually promised by the leaders of the Federation movement and had greatly influenced the affirmative vote in Western Australia, whose people looked upon the scheme so vitally that, without it, Federation would be ‘nothing more than a name’. He hoped the railway would be built at the earliest opportunity and, in an attempt to rouse his colleagues, went on to emphasise its benefits. These were uncannily similar to the predicted outcomes of the Esperance railway, with one notable exception: in developing the nation’s natural resources, the transcontinental would also assist the Commonwealth to fulfil its constitutional obligations to defend the states in time of war. To Kirwan’s dismay, the scheme did not evoke the same enthusiasm in the breasts of eastern states Members, who were disposed either to ridicule it or dismiss it as a purely West Australian initiative. One indication of this can be seen in the way in which Hansard chose to categorise discussion of the project. The ‘Proposed Transcontinental Railway’ of 5 June 1901 and 9 October 1902 had become, by 2 June 1903, the ‘Transcontinental Railway to Western Australia’ and, thereafter, the ‘Western Australian Transcontinental Railway’.  

Billy Hughes, while sympathetic, summed up the feelings of the majority when he confessed that he did not feel inclined to vote for such a costly proposal. Parliament had to consider the welfare of the whole nation, not just the advantages to the West.  

Comments like these rang hollow in the ears of the West Australian representatives, most of whom increasingly came to feel that they had been lured into the Federal union under false pretences. Western Australia, so the argument ran, had greatly enriched the Commonwealth but had received little in return, especially when compared to the other states which had obtained a greater share of the spoils. No-one, certainly no West Australian,

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106 Crowley, *Big John Forrest*, p.293.
108 Ibid., p.318.
could have escaped a sense of déjà vu on hearing these complaints: the same objections had been expressed by the Goldfields diggers in 1898 in their dispute with the Forrest government.

The case unfolded on 21 October 1903 when Fowler, incensed by Deakin’s evasions on the subject, moved for an adjournment to discuss the progress of the transcontinental railway.\textsuperscript{113} By this stage, the feelings of the West Australian representatives were running so high that, when Fowler concluded his motion, all five Members immediately rose in their seats to speak. Fowler, however, had the floor and proceeded to castigate the government for its inaction on the project, and particularly those members of it – he singled out Deakin, Symon, and Langdon Bonython – who, by various blandishments, had induced Western Australia to enter the Federation without stipulating the need for a compact in regard to the transcontinental railway.

The government’s spokesman on this occasion was Sir John Forrest who, as Minister for Home Affairs, would have the responsibility of overseeing the project. Forrest was in an invidious position. As immediate past Premier of the state, he was a staunch supporter of the transcontinental railway, but he was also a Member of the Cabinet who now found himself having to justify the government’s indolence. At the same time, he was eager to correct eastern misconceptions about the railway as a ‘local’, rather than a national, initiative. He did this by focusing on Western Australia’s rich mineral resources and the ‘very great advantages’ that the railway would deliver to the whole Commonwealth.\textsuperscript{114} It would greatly enhance communication between the states, ferrying mail and passengers across the country as well as from overseas. Mindful of Members’ financial misgivings, he assured them that the scheme would be ‘remunerative’ and, as evidence of his wisdom, cited the successful Coolgardie water pipeline and the state’s strong economic performance during his Premiership.

The debate began to deteriorate when Forrest, in seeking to extricate himself and the Federal Government from culpability, blamed delays on the West and South Australian administrations.\textsuperscript{115} The West Australian Parliament had vacillated for two years before passing the necessary enabling legislation, authorising construction of its portion of the line. South Australia had yet to do so and the Prime Minister had recently written to the Premier of that state seeking an explanation. The temptation to taunt Kingston was too much to resist.

\textsuperscript{113} Ibid., p.6360.
\textsuperscript{114} Ibid., pp.6366-68.
\textsuperscript{115} Ibid., p.6364.
and Forrest succumbed, promising him and the Speaker, Frederick Holder, both former South Australian Premiers, that the correspondence which had been tabled that afternoon would make grim reading.  

All the elements were now in play for a major political stoush as Kirwan and Kingston lined up against Forrest and, surprisingly, Mahon who appeared to have found common cause with the besieged Minister. The most remarkable aspect of the whole debate, however, was the obvious collusion between Kingston and Kirwan as they set about scarifying Forrest. In the ensuing mêlée, Kingston would speak with Kirwan’s voice, Mahon defect from the Kirwan-Kingston camp, and Kirwan, suspiciously silent until the end, provide a characteristically explosive coda.

The central drama, however, was enacted between Forrest and Kingston who chose this opportunity to settle old scores. At first they sparred politely. To Forrest’s imputations, Kingston lightly returned that t’othersiders had supplied men, labour and know-how. ‘We found the mines for you’, he reminded Forrest. Forrest retaliated by identifying Kingston as one of those who had ‘most strongly urged’ Western Australia’s entry into the Federation on the pretext of supporting an east-west rail link. He was sure that the right honorable and learned gentleman would not go back on his word. ‘I do not think that I was ever found to do that’, retorted Kingston. Forrest continued his oration. The transcontinental railway was essential to the national interest. Federation would never be a reality to the people of Western Australia unless they were able to see and feel its effects. Nor could they be expected to remain loyal to an ideal that had no tangible form. ‘This is treason!’ sputtered Joseph Cook.  

Not so, replied Forrest, for he was ‘a good federalist’, but West Australians, patient and long-suffering as they were, could not be expected to labour indefinitely under their disabilities. The people of the Commonwealth, he deposed, in a sudden burst of eloquence, ‘must be bound together with hoops of steel’. This they could never be while the eastern and western sides of the continent were separated by 1,000 miles of unoccupied territory.

Kingston, still seething from his recent defeat on the Conciliation and Arbitration Bill, responded with a sustained assault on Forrest. His weapon of choice was the one most calculated to wound: the Goldfields Separation agitation. Taking up Forrest’s earlier boast of

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116 Ibid., p.6365.
117 Ibid., p.6366.
118 Ibid., pp.6367-68.
119 Ibid., pp.6368-69.
120 Ibid., pp.6371-77.
his economic prowess as Premier, he asserted that Western Australia had been ‘so managed’ under Forrest’s reign that it required ‘the threat of secession’ from the Goldfields before the government would consent to join the union:

If it had not been for the threat of separation made by the people on the gold-fields, because of the provocation they had received, Western Australian would not be part of the Commonwealth to-day. We have the people of the gold-fields to thank for the present position of affairs. In this connexion our duty is clear. Let us give them all they properly claim.

The words were Kingston’s but the sentiments were Kirwan’s, as Forrest well knew, at one point asking Kingston who had been ‘priming’ him. But Kingston had not finished with Forrest. The ‘cry of the people of Western Australia’, he declaimed theatrically, had been heard throughout the Commonwealth and beyond, in London. It was the Colonial Office, acting on the plea for separation of the Goldfields, which had brought about the desired object of national union. He knew how the people of that region had suffered in the past for he had heard their representatives give ‘eloquent expression’ to their complaints. Why did not the right honorable and learned gentleman quote a higher authority? demanded Forrest. There was no higher authority, returned Kingston smugly, than the people’s representatives – in this instance, ‘the honorable members from the gold-fields’.

The tirade continued, to the accompaniment of ‘grunts’ and asides from Forrest, an habitual interjector. Undeterred, Kingston enlarged on his antagonist’s infamy, citing old correspondence between Forrest, Wittenoom and Holder in an attempt to contradict Forrest’s statesmanlike stance on the transcontinental railway. He attacked Forrest’s vanity. The Minister had ‘bragged’ about his involvement in the Coolgardie water scheme, when he should have allowed Members to see the construction estimates for the Esperance extension, of which Kingston professed himself an enthusiastic proponent. As the mood of the debate degenerated, Forrest, interrupting yet again, sarcastically complimented his adversary on his knowledge of West Australian history, unleashing a vicious riposte from Kingston, who roared at his adversary to ‘hold his tongue’ and cease ‘the stupid, inane, and repeated twaddle’ with which he sought to disturb proceedings.

But Forrest had found a new and unlikely champion. Mahon, unmoved by Kingston’s sudden passion for the West, demanded to know why this ‘idol of democracy’ had not

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121 Ibid., pp.6375-76.
122 Ibid., p.6374.
123 Ibid., p.6373.
124 Ibid.
preserved the colony’s rights at the Federal Conventions. Curiously, although he shared Kirwan’s views on the Esperance railway, he chose to challenge Kingston on this point. The Esperance rail link had nothing to do with the matter under discussion. Fowler agreed with Mahon, but Kingston, nettled by Mahon’s ‘amazing audacity’, went further than possibly he had intended, exaggerating its claims as a means of halting the centralising influence of Fremantle; an expression of ‘the highest Federal constitutional principle’, namely Interstate free trade; and the ‘dominant note’ of Reid’s January visit to the Goldfields. Rounding on the ‘audacious’ Mahon, he confronted that recalcitrant Member with the motion he (Mahon) had moved on the Coolgardie-Esperance railway in October the previous year. From this point on, the Kirwan-Mahon-Kingston alliance was no more: the feud between the two firebrands was still going in November when Kingston, in interviews with the Adelaide press, abused Mahon for his ‘paltry palpable evasions’, prompting Mahon to relieve himself of some ripe opinions of the former Minister for Trade and Customs in the Perth Sunday Times and the Kalgoorlie Sun.

It was now 4.30 in the afternoon and the Speaker, in accordance with standing orders, attempted to bring the debate to a halt. On a plea from Mahon, however, Deakin agreed to allow another half hour for discussion, whereupon Kirwan rose to speak. From his first days in the legislature, Kirwan had waged a war of attrition against Forrest. His maiden speech had contained a declaration of hostilities as he regaled Members with the story of ‘the great fight’ that had been fought to bring Western Australia into the Commonwealth, and his own part in the fray. In language later echoed by Kingston, he depicted the battle as a struggle between the people and an oppressive ruling minority, which had only been resolved through the auspices of Chamberlain, the Secretary of State for the Colonies, and ‘several prominent men of the eastern States’:

The consequence was that the people on the gold-fields were compelled to apply to the British authorities, and it was entirely owing to the separation movement that Western Australia is now a State of the union.

It was a tale which Kirwan never tired of telling, reverting to it at every turn and, if nothing else, providing opposition members with a fresh supply of ammunition. Reid himself

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125 Ibid., p.6370.
131 Ibid.
alluded to it during a verbal spat with Forrest, when he expressed the hope that the then Minister for Defence would acclimatize himself to the atmosphere of a true democracy. Had he 'spent more of his time on the gold-fields and less in Perth’, Reid carped, ‘he would have been accustomed to it’.

Given so many willing proxies – it seems clear that Kirwan conducted an effective whispering campaign against Forrest in Melbourne – one might ask why he felt the need to speak at all; and, indeed, apart from an occasional interjection, he had remained uncharacteristically silent throughout Kingston’s obloquy. The transcontinental railway, however, was a cherished project as well as an ideal opportunity to indulge his favourite sport of Forrest-baiting. During the 1899-1900 constitutional campaign, when Western Australia’s fate hung in the balance, he had written to the Federal leaders seeking assurances that the railway would be constructed. 132 Now, having thanked the Prime Minister for the opportunity to speak on a matter of such ‘great importance’ – a courtesy, incidentally, he had never extended to Barton, and one he seldom neglected to pay Deakin – he launched his attack. This focused once again on Forrest’s conduct at the time of the Federal conventions when, as head of the delegation he had himself appointed, he had signally failed to extract a constitutional pledge on the transcontinental railway. Warming to his subject, Kirwan described the bitter feelings aroused by Forrest’s highhandedness, contrasting his autocratic style with the ‘democratic aspirations…voiced by…Mr Kingston’. 133 The opinions of the honorable Member, interposed Forrest dismissively, were confined to the Goldfields.

Kirwan disagreed. The feelings he spoke of were general throughout the state, with the possible exception of a small number of residents in Bunbury (Forrest’s home town) and the older settlements. The majority was ‘absolutely opposed’ to the undemocratic system of representation which had then been practised. He ‘thoroughly indorsed [sic]’ everything Kingston had said about the Separation movement, but took care to repeat it anyway. Western Australia would not have joined the Federation, had it not been for the threat of losing the Goldfields. For the second time that session, Fowler, former Secretary of the Fremantle branch of the Federal League, countered Kirwan’s claim by pointing to the strong coastal vote, but Kirwan offered in evidence the ‘Bill to the People’ petition. That document,

132 Reid to Kirwan, 11 May 1899, Kirwan Papers, MS277: 1/16-17, NLA; Braddon to Kirwan, 18 May 1899, Kirwan Papers, MS277: 1/18, NLA; Deakin to Kirwan, Kirwan Papers, 26 May 1899, MS277: 1/19-22, NLA. Their replies were encouraging but non-committal.

sneered Forrest, thinking Kirwan was referring to the later appeal to the Queen, was full of ‘untruths’ and he had had the pleasure of telling one gentleman so.134

Kirwan corrected him and had the hollow satisfaction of hearing Forrest sardonically beg his pardon. Before he resumed his seat, he further incensed Forrest by repeatedly thanking Kingston, Symon and Glynn for the help they had afforded the Reform League. Forrest hoped they were not responsible for the ‘truth’ of the statements made on its behalf, an imputation Kirwan stoutly rejected. The veracity of his statements would always compare favourably with those made by the Minister.

As was so often the case, however, Kirwan’s temper proved his undoing. Goaded by Forrest, and by the memories he had himself stirred up, he allowed his tongue and his emotions to run away with him. The contempt he had endured from Forrest and his cohorts during the Separation campaign – the ‘Bill to the People’ petition had been laughed out of Parliament – evidently still rankled. He twice referred to the incident before verbally brandishing the petition to the Queen as the instrument which had ‘brought the right honorable members of the State parliament to their knees’. Having worked himself up into one of the rhetorical frenzies to which he was prone, he denounced the Minister for Home Affairs for ‘treachery and falsehood’.135

Kirwan’s outburst brought Forrest to his feet on a point of order and galvanised the Speaker, who twice called upon the honorable Member for Kalgoorlie to withdraw his remarks, once, for slandering Forrest and the second time for impugning Parliament itself by sullenly observing that ‘the truth must not be spoken in this House’.136 Having withdrawn the remarks in deference to the Speaker, he confirmed Kingston’s comments before concluding with a two-fold plea for the transcontinental railway as well as the Esperance extension. As he had during his 1902 address on the subject, he sought to put the two on a similar footing, arguing that the extension was a national trade route and therefore came under the jurisdiction of the Commonwealth.

Kirwan’s insistence on this point did not wash with his peers, however. South Australian Member Alexander Poynton, rising in the closing stages of the debate, accused him of doing more harm than good by his ‘cant and hypocrisy’, an opinion subsequently endorsed by Drayton of the *Sun*. Before resuming his seat he reprimanded both Kirwan and

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134 Ibid.
135 Ibid., p.6379.
136 Ibid.
Kingston for ‘the personal animus’ which they had displayed in discussing this ‘important question’. 137 ‘God save the line from such friends as the last two speakers’, he exclaimed.

The passions stirred up by the debate were not soon cooled. The row between Kingston and Mahon, Forrest and Kingston, playing out in the press 138 in the run-up to the 16 December general election, added a mordant note to proceedings. For Kirwan, however, the repercussions would be crushing. Nominations closed at noon on 3 December, by which date Kirwan had been on the campaign trail for several weeks. 139 At the time he confidently expected to be returned unopposed and was astounded to learn that his seat would be contested by Labor candidate Charles Frazer. 140 Then on 8 December came news that Hugh Mahon would address electors the following evening ‘in support of…Mr C. E. Frazer’. 141 ‘Friend Mahon is advertised to speak against me’, wired Kirwan to Kingston the same day. 142

Labor’s growing dominance quickly became an election issue. Western Australia had five seats in the House of Representatives and Labor candidates were contesting four of them. Only Forrest in Swan was invulnerable. He and Mahon, the sitting Labor Member for Coolgardie, were returned unopposed. With J.M. Fowler expected to retain Perth for Labor, the battles for Fremantle and Kalgoorlie loomed as the most controversial. Accurately anticipating the result, the conservative West Australian saw no cause for celebration in sending a clutch of Labor Members to Melbourne. 143 Labor Representatives, bound by their party oaths, were less likely to vote in accordance with local interests.

Faced with this new threat, Kirwan began talking up his working-class credentials. Posters, exhorting voters to remember their ‘Old Champion… the Man who Never Failed you in any Crisis’, 144 spread across several columns. He ‘fought for Unionism when the

137 Ibid., pp.6380-81.
138 ‘Mr Kingston on Sir John Forrest’, KM, 5 December 1903, p.5 and ‘Mr Kingston’s Visit’, KM, 14 December 1903, p.4. See also Kingston’s incendiary 23 November 1903 letter to Kirwan, berating Forrest, Kirwan Papers, MN591: 445A, BL.
139 Contrary to Kirwan’s later claims that he did not prepare sufficiently, he began touring his electorate in November. See ‘Federal Elections. The Kalgoorlie Seat. Addres by Mr Kirwan’, KM, 20 November 1903, p.10; ‘Items of News. Mr Kirwan on Tour’, KM, 3 December 1903, p.4.; ‘Mr Kirwan at Broad Arrow’, KM, 4 December 1903, p.4; ‘Mr Kirwan’s Candidature’, KM, 7 December 1903, p.4; ‘Mr Kirwan’s Candidature’, KM, 8 December 1903, p.4; ‘Mr Kirwan on Tour’, KM, 9 December 1903, p.4.
142 Kirwan to Kingston, 8 December 1903, draft reply on back of telegram from Kingston, Kirwan Papers, MS277: 1/47, NLA.
143 West Australian, 9 December 1903, p.6.
144 ‘Workers of the Goldfields! Roll Up!’, KM, 15 December 1903, p.4. It also boasted that he had post offices built at Boulder, Trafalgar and Brown Hill in his electorate, extended several mail services, and caused ‘many other public works’ to be carried out.
friends of Unionism were few’, they proclaimed, emphasizing his ‘splendid work’ in promoting Labor policies: Federation, direct taxation, old age and invalid pensions, minimum wages for public servants and other government employees, public works, and reductions in postal and telegraph rates. Electors were made to feel a sense of obligation – ‘the striking ingratitude’ of the union movement was a theme of more than one editorial and report – while letters from outraged constituents – several from William ‘Billy’ Bray, one of the Ivanhoe Venture alluvialists whom Kirwan had championed in 1898 – began appearing in the *Miner* with greater frequency. Hard upon Bray’s letter of 10 December, hailing Kirwan as ‘a workingman [sic]’ and imploring his brother alluvialists ‘not to forget the friend who pleaded their cause so ably’, came the news that the diggers were forming a committee to secure his re-election. A ‘ladies’ circle’, designed to capture the female vote, was also established.

As election day neared, the *Miner* fought to narrow the gap between the two combatants. Edward Irving, the newspaper’s scholarly editor, saw the competition in Blakeian terms as a choice between innocence (Frazer) and experience (Kirwan). Why, asked Irving, would Labor supporters want to replace a ‘tried and proved man such as Mr Kirwan’ with the ‘practically unknown and inexperienced’ Frazer, who professed the same views and would to all intents and purposes effect the same legislation as the incumbent? Ironically, it was the *Miner*’s old rival, the *West Australian*, which put its inky finger on Kirwan’s vulnerabilities. One of these was his strict adherence to the principle of free trade. The fiscal question was a cardinal election issue in 1903, but the *West*, purporting to speak for a growing body of critics, regarded free trade as a political albatross, beneficial to the mining industry but damaging to other producers.

In the opinion of the *West*, Kirwan’s second mistake was his vaunted alliance with Kingston, ‘the chief opponent of this state’. Alluding to their joint demand that the Esperance railway be made a precondition of the Trans-Australian line, the editor declared that Kingston’s ‘impertinent meddling’ in state affairs was widely resented. If true, this

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150 *West Australian*, 16 December 1903, p.6 and 18 December 1903, p.4.
151 *West Australian*, 16 December 1903, p.6.
explains a minor chronological mystery. Kirwan, who had remained in correspondence with Kingston since returning to Kalgoorlie,\(^{152}\) had sought to shore up his popularity by inviting his mentor and erstwhile co-conspirator to join him on the hustings. From early December the *Miner* had been looking forward to Kingston’s ‘contemplated visit’ to the Goldfields.\(^{153}\) It did not eventuate, possibly for the very reasons the *West Australian* indicated.

Kirwan faced opposition from another quarter. Jack Drayton, vituperative editor of the weekly Kalgoorlie *Sun*, let it be known that he was backing Frazer,\(^{154}\) not ‘Curwan’, as he irreverently dubbed the self-appointed tribune of the people. On 8 December, the day of Mahon’s defection, the Adelaide *Critic* published Drayton’s regular ‘Kalgoorlie Letter’, in which he libelled Kirwan as a political ‘mercenary’.\(^{155}\) The *Critic* apoloised after Kirwan’s solicitor, Norbert Keenan, threatened legal action, but Drayton was not so easily silenced. Three days before the election, in a large, half-page notice, the *Sun* published its editor’s ‘open letter’ to Kirwan, in which Drayton lambasted him for, among other offences, his ‘deathless aversion to Forrest’, his ‘dull, turgid, intemperate harangues’ and his ‘little narrow mind, bilious intolerance [and] unlimited abuse’.\(^{156}\) In a separate column, he implied that Kirwan was the source of false newspaper reports announcing that he had been returned unopposed.\(^{157}\) The sequel took place a day or two later when Kirwan, addressing constituents in Boulder, offered ‘caustic criticism’ of the ‘scurrilous letter’.\(^{158}\) On leaving the Palace Hotel shortly afterwards, he ran into Drayton in the street, whereupon the bellicose Drayton challenged him to a fight, only to beat a hasty retreat on catching the eye of a roving police constable. It was precisely the kind of skirmish that Kirwan’s hero, Kingston, would have relished and the *Miner* made the most of it in a serio-comic article reminiscent of Kirwan’s treatment of the Kingston-Sparks grudge-match in the *Port Augusta and Quorn Dispatch*.

But Fate itself appeared to march against Kirwan just then. On the afternoon of election day, 16 December, a ‘violent storm’ struck Kalgoorlie-Boulder, inducing many voters,

\(^{152}\) Telegrams from Kingston to Kirwan, 30 November, 5 December, 8 December and 19 December 1903, Kirwan Papers, MS277: 1/ 149-55, NLA.

\(^{153}\) ‘Mr C.C. Kingston. Contemplated Visit to WA’, *KM*, 5 December 1903, p.5 and ‘Mr Kingston’s Visit’, *KM*, 10 December 1903, p.4.


‘notably ladies’, to stay indoors.⁵⁵⁹ Those who had put off voting in the hot, dusty conditions of the morning were even less inclined to venture out in the torrential rain and cyclonic winds which later flattened buildings and turned the red streets of Kalgoorlie into rivers of mud. Kirwan, whose penchant for quoting the latest financial returns annoyed many of his parliamentary colleagues,⁶⁶⁰ estimated that only 35% of the electorate turned out, most of them ‘Labor fanatics’. His own supporters, thinking him safe, stayed away in droves. The Miner gravely charted the political eclipse of its editor-in-chief: by the following morning the presumptuous Frazer led by 1438 votes and, two days later, by more than 3000.⁶¹

The loss of his seat capped a miserable year for Kirwan. On 26 May 1903, a fire at the new three-storey premises of the Miner had destroyed the editorial offices and reference library,⁶¹² but this latest blow was the more devastating for its unforeseen quality. Despite the odds against him, he had confidently expected to be returned and was, understandably, shocked by the outcome while Kingston, who appeared to have constituted himself Kirwan’s campaign manager, could only commiserate from afar. ‘Your intelligent and devoted representation of your constituency’, he wired the crestfallen contender, ‘deserved kindlier fate’.⁶¹³ One man was overjoyed. Forrest, writing gleefully to Deakin, confessed that ‘the only pleasing feature of the elections [was] the defeat of “friend Kirwan” – we can do without him and Kingston will have to quote another “friend”’:

He used to glory in ‘his friend Mr Mahon’, but he has quarrelled with him and now ‘his friend Mr Kirwan’ has been defeated.⁶¹⁴

Deakin, ever the diplomat, was more compassionate. On hearing the news, he immediately wired Kirwan, conveying his regrets and encouraging him to try again. ‘Hope fortune of war will not discourage you at one rebuff’, ran the message. It was just like him, Kirwan fondly recalled, to say that.⁶¹⁵

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¹⁶³ Telegram from Kingston to Kirwan, 19 December 1903, Kirwan Papers, MS277:1/153, NLA.
¹⁶⁴ Crowley, Big John Forrest, p.343.
But Deakin’s words, while they had the power to move, did not motivate him; he did not act on the Prime Minister’s advice and one can only speculate as to the impulses which led him to accept so easily such an early defeat.

One explanation is that Kirwan had the sheer bad luck to contest his Federal seat at a time when the Labor Party was emerging as a new political force. In the event, Labor candidates won all four contested seats, earning the grudging respect of the *West Australian* which conceded that they ‘who expected most, worked hardest and [were] the best organised’ deserved their victory. After such a rout, it might have been expected that Kirwan, with his working class sympathies, would capitulate and join the socialists; but, like his illustrious countryman Edmund Burke, he believed in the primacy of conscience and freedom of speech. The party oath, by which Labor members bound themselves to the rule of the collective, was anathema to him; he refused to ‘pawn his conscience to a caucus’ and, rightly or wrongly, held to his decision his life long. Consequently, while he retained his autonomy, he remained isolated and beyond the protective power of the well-oiled, highly organised party machine which might have smoothed his way but ended in annihilating him.

Another obstacle was the size and spread of his electorate, an area which encompassed not only the mining towns in the Kalgoorlie-Boulder region but the pastoral districts in and around Esperance. As illustrated by their opposing attitudes during the constitutional crusade, miners and farmers did not always see eye-to-eye, and it is possible that Kirwan, by identifying too closely with the one, alienated the other. The *West Australian* went further. Reflecting on the results two days after the election, it instanced the waning popularity of free trade and Kirwan’s ‘singular alliance with Mr Kingston – the undoubted enemy of all things Western Australian’ as crucial factors in bringing about ‘the most signal defeat’ of the poll. Nor were these views confined to the coastal districts but ‘spread extensively’ across the Goldfields. In the end, Kirwan lost the confidence of electors who felt he no longer represented their interests.

While these elements undoubtedly contributed to his downfall, there was a third, more personal impediment. Kirwan’s volatile temper, and the zealotry which fed it, aroused the scorn of many senior parliamentarians, offending powerful allies who might otherwise have promoted his career. It also made him look ridiculous at times, especially when he clung

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166 *West Australian*, 18 December 1903, p.4.
167 The author is grateful to David Black for raising this point.
169 *West Australian*, 18 December 1903, p.4.
stubbornly to ‘principle’ from a desire to disoblige his enemies and impress his friends. Drayton’s splenetic attack may have exaggerated Kirwan’s faults but, in calling attention to his ‘blind passion and prejudice’, his rhetorical frenzies (‘silly hysteria’) and propensity for ‘keeping alive old feuds’, he hit upon an uncomfortable truth. Kirwan’s weaknesses hobbled his ambitions.

In his defence, it must be said that he was not the only Member of the first Commonwealth Parliament either to indulge in personal invective or to lose his temper. Forrest complained of Reid’s discourtesy and it is possible that Kirwan, in resorting to similar tactics, might have been imitating his chief. Kingston, too, was renowned for his hot temper but Kingston, with all his faults, possessed an intellectual stature that Kirwan lacked.

It is conceivable that Kirwan himself recognised his limitations and that his intemperate outbursts masked an underlying inferiority complex. His hesitancy in accepting Holder’s offer of a post as Acting Chairman of Committees, his frequent allusions to his legal and parliamentary inexperience, and his self-confessed ‘parochialism’ during the tariff debates, suggest that, beneath the bluff and bluster, the private Kirwan was far less sure of himself than his public persona portended. There are signs that the hectic parliamentary schedule added to his anxieties: the frantic pace when dealing with certain issues, the lack of progress on others, the tedium of the tariff debates, the restraints imposed by standing orders and regulations, the frequent interruptions and digressions as Members contested the latest constitutional ruling, all contrived to evoke a sense of disillusionment. He was ‘disappointed’ by the shelving of the Papua New Guinea Bill, ‘dispirited’ by the outcome of the Electoral Divisions debate, and disheartened by the apparent apathy of his parliamentary colleagues towards the Esperance and transcontinental railways. His own failure to advance either of these two cherished projects, or to wring significant concessions from ‘the iniquitous tariff’, may finally have convinced him of the futility of his position.

Whatever the deciding factor, on 16 December 1903, Kirwan’s Federal dream ended abruptly, never to be revived. It would be five years before he again contemplated a political career, but then it would be in the State rather than the Federal legislature; and in the hushed, high church sanctuary of the Upper House rather than in the reformist chapel of the Lower.

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171 Crowley, Big John Forrest, p.313.
Chapter 7

Changes

Nearly five years were to elapse before Kirwan essayed a return to public life. In the immediate aftermath of his shock electoral defeat, he appears to have suffered a crisis of confidence, abjuring politics altogether and beating an ignominious retreat to the offices of the *Kalgoorlie Miner*, where he occupied a roving brief as editor-in-chief. But with the day-to-day running of the paper in the capable hands of Edward Irving, Kirwan must often have felt himself superfluous to requirements and, perhaps, that he had something still to prove as a parliamentarian. After an extended overseas holiday, intended as a restorative to health, he was eventually persuaded to try his luck in the Western Australian Legislative Council, which he entered as the independent Member for South Province in 1908. Given his Burkeian ideals, this was in one sense a logical progression: in the rarefied atmosphere of the State Upper House and with no party whip to belabour him, he could suit his conscience to his cause without fear either of compromise or contamination; he could choose his fights yet remain aloof from the rougher trade of the shop floor, as befitted his status as a gentleman and a newspaper proprietor. It also gave him leisure to cultivate hitherto neglected opportunities – he married and experienced the joys and sorrows of fatherhood – but increasingly as he entered middle age he allowed himself to be preoccupied by unpopular or esoteric projects. One instance of this was his life-long obsession with the Esperance railway. Another, his regular attendance over the years at the Imperial Press Conferences, where he indulged his taste for travel and sycophancy, hobnobbing with the leaders of British high society. Similarly, his twelve year tenure as a founding Senator of the state’s first university, though worthy, proved little more than a sinecure.

It was a far cry from the business of nation-building and yet there were battles still to be fought. Many of these took a familiar form: the parochialists, or ‘little Australians’ as Kirwan sneeringly called them, versus the progressives, although it was no longer always clear to which side Kirwan belonged. He vociferously opposed the Wilson government’s sly attempts at a gerrymander, and as volubly championed the Scaddan Labor Ministry which succeeded it; but his first loyalty was to the Goldfields and in his conscientious, often blinkered, defence of regional interests he not infrequently exhibited the very provincialism he abhorred. Equally ambivalent was his relationship with the Labor Party. After his

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impassioned crusades on behalf of his ‘back-block’ constituents, the election of John Scaddan’s ‘goldfields government’ must have seemed to Kirwan a dream come true, and yet although he endorsed many of its reforms, he remained stubbornly aloof. The big question is why? Why did he not join the Labor Party, possibly with the view of eventually recontesting his Federal seat? If, as he claimed, complacency and lack of preparation were to blame for his 1903 defeat, why did he not exert himself and take his revenge at the polling booth? The one insuperable barrier was the party oath which would have denied him the freedom to vote according to his convictions, but given his early and abiding sympathies with the trade union movement, his consistent support for Labor policies at State and Federal level, he surely would not have found himself much at odds with Caucus.

The price of his independence was political obscurity. As organised Labor’s increasing dominance forced the liberal-conservative factions to unite for their own survival and the party system got well and truly under way, Kirwan, who operated beyond its pale, found himself at the mercy of prevailing political winds. Thus, although he would go on to have a long and distinguished career in the Legislative Council, initially as a Member and, later, as President of the chamber, he was never again to scale the heights of his earlier popularity or, indeed, to wield the power he had exercised as editor of the Kalgoorlie Miner.

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Kirwan felt strongly that he should have won the 1903 election but, in time, came to view his defeat philosophically. Labor would eventually have claimed his seat and he thought it better to have lost sooner rather than later, when he would have been more deeply committed. The strain of juggling his parliamentary and business responsibilities, the one requiring his presence in Melbourne, the other in far-off Western Australia, was an added burden which he was not unhappy to relinquish.

Before he could discard it altogether, however, he was obliged to return to Melbourne after the election to finalise his affairs. The Royal Commission on iron bonuses was still sitting (it did not submit its report till March 1904) and required his attendance. In the same year, he became the first Federal Member to be awarded the title ‘honourable’ for life, but the gesture only served to emphasise how far he had fallen. Back in Kalgoorlie he threw himself into work as editor-in-chief of the Miner and the Western Argus, but the years of frantic activity, compounded by bitter disappointment at the election result, had taken their

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2 Kirwan, MLA, p.213.
4 Simpson, ADB, Vol.9, p.615.
toll of his health and he suffered a collapse and was hospitalised. The nature of the disease remains a mystery. Kirwan, whose mother died of phthisis, was prone to colds and respiratory infections, but it is logical in the circumstances to assume an element of nervous as well as physical exhaustion. That this was the case is further indicated by his low spirits. While recuperating he toyed with the idea of quitting Australia for good. His brother and sister had already done so and he evidently had thoughts of rejoining them. Edmund, who had gone to London at the behest of the Reform League, had remained there as the Miner’s special overseas correspondent while Lydia, a ‘mere girl’ on the outward voyage, was living in Sligo with her new husband and Gardenfield kinsman, Robert J. Kirwan.

Doctors advised a long rest, and early in 1906 Kirwan and two Australian friends set off on a grand tour of Britain and Ireland, France, Germany, Norway and the Arctic. Their first stop after leaving the steamer at Marseilles was Monte Carlo, then in the full flush of the social season. From the Riviera, they moved on to Germany where Kirwan visited the mineral springs of Wiesbaden, a popular watering place for invalids. A taste for the macabre did nothing to lighten his mood, however. In the famous Gothic basilica of Cologne, the ‘ghastly sight’ of thousands of skulls, said to be the remains of the martyred Cornish princess, St Ursula, and her handmaidens, induced a fit of ‘gloomy depression’ while the mummified bodies in a Dublin church vault only served to reinforce his melancholia.

London did more to cheer him than any other location. In the House of Commons he listened attentively to newcomer F. E. Smith, later Lord Birkenhead, debate a non-party measure, and attended the annual banquet hosted by former ally, now Agent-General, Walter James. Among the speakers that night was the new Under-Secretary of State for the Colonies, Winston Churchill, a controversial guest whose criticisms of his predecessor Joseph Chamberlain were much resented at the time by the Australians present. Despite an

5 Kirwan, MLA, p.214.
6 King, Voice of the Goldfields, p.25.
7 Denis Agar Richard Kirwan and John Waters Kirwan, Pedigree of the Kirwan Family, 1939. Lydia and Robert married on 21 November 1904.
8 Kirwan does not give the year, saying simply that he left the steamer at Marseilles in the European spring. However, Mrs Leonard W. Matters (‘Egeria’) in Australasians Who Count in London, p.211, states that the tour took place in 1906, and this seems indicated by several chronological markers. Walter James, having lost government in August 1904, was then Agent-General (1904-07). F. E. Smith, later Lord Birkenhead, had just entered the Commons (1906) and Winston Churchill had recently been appointed Under-Secretary of State for the Colonies (December 1905). Confusingly, Jules Raeside in Golden Days writes that Kirwan returned to W. A. in 1905.
10 Ibid., pp.218-19.
11 Ibid.
12 Ibid., p.217.
initially cool reception, Churchill managed to win over his audience with a rousing speech, though the effect was somewhat spoilt when a somnolent Australian, awakened by the thunderous ovation, staggered to his feet to propose a toast to Chamberlain. Kirwan seemed to make a study of great orators. While in London, he also attended Sunday Mass at the famous Farm St church, where he heard the Rev’d Bernard Vaughan denounce the sins of the smart set.

Returning to Sydney aboard the Mooltan on 16 October 1906, Kirwan was sufficiently reinvigorated to contemplate a return to political life. Sir Isaac Isaacs, writing to thank him on 8 November 1906 for his ‘generous words’ on the former’s elevation to the High Court, may have whetted his appetite further by recalling their time together in the infant Commonwealth. Around the same time Kirwan the teetotaller accepted a seat on the East Coolgardie Licensing Board, and in October 1907 he went to Melbourne on press business and to chaff Hugh Mahon on his fiscal policy. Early the following year he decided to contest the State Upper House seat of South Province, an area incorporating Coolgardie, Boulder, and a small portion of Kalgoorlie extending southwards to Esperance. The circumstances surrounding his political comeback were uncannily similar to those surrounding his Federal candidature. On 30 March 1908, he received a ‘requisition’ from a group of Kalgoorlie electors urging him to stand as a candidate in the forthcoming biennial elections. As reported in the Miner on 6 April, Kirwan was more than happy to oblige, promising in his acceptance speech ‘to faithfully do my duty in what I believe to be the best interests of the people’. He chose to run as an independent, and it was five years before he admitted publicly that he was in fact a nominee of the Newton Moore Ministerialist (Liberal) Party.
Nominations closed on 22 April. Five days later, Kirwan launched his campaign at the Boulder Mechanics’ Institute, reminding an ‘attentive’ audience of his experience and his credentials as a ‘democrat’ in the days before it became ‘popular [or] fashionable’ to be so. Not surprisingly given his constituents, his policies were heavily skewed in favour of regional development: he supported the construction of the Esperance railway extension and other facilities – bridges, roads, dams, and ore treatment plants – aimed at providing ‘back-block settlers’ with the ‘ordinary necessities of life’. He approved of government incentives for prospectors but vehemently opposed centralisation and objected to the expenditure of public funds on ‘ornamental works’ in Perth. The mismanagement of the Goldfields water scheme also attracted his ire. He condemned the current administration which, instead of pumping the surplus to the Goldfields as intended, allowed Mundaring Weir to overflow, wasting millions of gallons of the precious fluid. Wary of appearing too ‘parochial’ – a grave offence in Kirwan’s political code – he stressed his support for national initiatives such as a uniform old age pension scheme and an equitable financial agreement between state and Commonwealth.

Kirwan’s opponent, Jabez Edward Dodd, was a Labor man, but Kirwan had learned from past mistakes and sought to win over Dodd’s working class supporters by presenting himself as a sympathetic, if more disinterested, advocate. He did not agree with Labor policy on income tax but shared the party view on other issues – industrial legislation, conciliation and arbitration, workers’ compensation, the eight hour day and the need for improved employment conditions. Kirwan himself opposed both income tax and the existing land tax system, the former because it was ‘financially unnecessary, expensive to collect, inquisitorial and otherwise objectionable’, and the latter because he thought it should apply only to unimproved land values. On this question, he had come full circle from his stance as a Federal Member when he supported direct taxation in preference to the ‘iniquitous tariff’.

In the short but intense contest which followed, income tax loomed as Labor’s Achilles’ heel. Dodd, fearing a voter backlash, signalled his dissatisfaction with the party on the issue, but was bound by his member’s oath to uphold its policies. The campaign took a controversial turn when Kirwan, homing in on his rival’s dilemma, denounced Dodd as a ‘pledge-breaker’. Dodd’s camp retaliated by accusing Kirwan of obtaining preferential

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25 ‘Legislative Council Elections’, *KM*, 6 May 1908, p.5; ‘South Province Election. Mr Kirwan at
treatment from the Colonial Secretary James Daniel Connolly, whose agent had been acting on Kirwan’s behalf.26 Kirwan denied the charge at the time,27 only conceding years later that he had in fact had the backing of the Moore government.28 Whatever deal had been struck it was mutually beneficial. The Miner endorsed Connolly for the neighbouring seat of North-East Province, and when Parliament resumed Connolly invited Kirwan to move the Address-in-Reply to the Governor’s speech, an honour usually conferred by the government of the day.29 Kirwan used it to pay gushing tribute to Connolly.30 Ironically, the friendship was not to stand the test of time. Two years later Connolly was one of three litigants to sue Kirwan and the Miner for libel.31

Dodd was not without influential supporters, however. Labor stalwarts, Bath, Scaddan, Collier and Ware, joined him on the hustings as the contest played out in opposing newspapers: the official Labor organ, the Westralian Worker, made bold to question both Kirwan’s motives and political record32 while the Kalgoorlie Miner ran articles and letters critical of the Labor Party.33 One anonymous epistle, purportedly from a disillusioned Laborite, accused Dodd of hypocrisy in upholding policies he did not believe in34 while another hoped the Labor candidate would sustain ‘a crushing defeat’.35

The day before the election, 12 May, the Miner carried news of the death in Adelaide of Charles Cameron Kingston.36 Kingston had maintained a regular correspondence with Kirwan during the latter’s abortive 1903 Federal campaign, dispensing advice, reassurance and information.37 He had pledged his support for the Esperance railway and offered to ‘wire Boulder’, KM, 8 May 1908, p.6; ‘Legislative Council Elections. Mr Kirwan at South Kalgoorlie’, KM, 11 May 1908, p.4.

26 ‘Legislative Council Elections’, KM, 11 May 1908, p.4; ‘South Province Election. Mr Kirwan at Boulder’, KM, 8 May 1908, p.6. One of the allegations was that Connolly’s agent had lodged a political notice advising constituents that the rolls for Kirwan’s South Province seat would be on display in the Colonial Secretary’s electoral office.

27 ‘South Province Election. Mr Kirwan at Boulder’, KM, 8 May 1908, p.6.


29 Paul Grant, Clerk Assistant (Committees), Legislative Council, Parliament House, Western Australia, in an email to the author, 14 September 2009 and Mr Chris Hunt, Usher of the Black Rod, Legislative Council, Parliament House, Western Australia, in an email to the author, 11 September 2009.


31 King, Voice of the Goldfields, p.77.


34 ‘A Delegate to the Conference Who Has Been Selected’, KM, 12 May 1908, p.8.


36 ‘Death of Mr Kingston’, KM, 12 May 1908, p.5.

37 Letters and telegrams from Kingston to Kirwan, 30 November, 5 and 8 December 1903 Kirwan Papers, MS277:1/132, 136, 149-55, 151, 152, and Kirwan’s draft reply, back of telegram form, MS277:1/47, NLA.
Thomas’, leader of the Esperance League, to muster support on Kirwan’s behalf. There was talk of Kingston himself coming over to the Goldfields, but after Kirwan’s defeat the gesture seemed pointless and the visit did not take place. Now Kingston was dead. He had fallen ill four days previously, but had rallied briefly before succumbing on the morning of Monday 11 May. He was 57 years old. For a younger man, meditating a return to political life, Kingston’s premature death must have been a sobering reminder of the price of public service, especially since Kirwan had no doubt of the cause of Kingston’s demise. The strain of the Tariff Bill, he wrote, had broken his health.

But even in death Kingston was to be of assistance. In his obituary, in which he mourned one of Australia’s ‘ablest and most vigorous statesmen’ and the people’s ‘sincerest friend’, Kirwan highlighted Kingston’s reservations about the Labor Party. The inference was plain. Like Kirwan, Kingston had been ‘heart and soul in accord with [Labor’s] ideals’, but valued his independence and integrity too much to take the oath. It was an issue which Kirwan hammered throughout his campaign and with some effect. Addressing audiences in churches, schoolrooms and mechanics’ institutes, he boasted that he had never signed a pledge, but nor had he ever broken a promise.

The ploy was so successful that Dodd, two days before the election, found himself on the defensive on more than one front. Inclement weather, the bane of so many political hopefuls, forced a change of venue on one occasion while a further war of words erupted over press coverage of the campaign. Dodd, aggrieved by critical reports in the Kalgoorlie Miner, rebuked Kirwan for his undemocratic use of the newspaper. Kirwan, however, was equally annoyed with the Westralian Worker for its unflattering profile of himself. Before a speech at the South Kalgoorlie Institute, he sought to rescue his reputation by having the chairman of the local Progress Party, a Mr Corry, remind voters of his credentials. At the same time, he was anxious not to alienate the Labor rank-and-file whom he praised for their ‘courtesy, kindness and consideration’. His quarrel was with Dodd and his parliamentary colleagues whom he portrayed as shiftless and untrustworthy.

On the morning of the election, Wednesday 13 May 1908, the Kalgoorlie Miner carried an editorial endorsing Kirwan as the preferred candidate. The choice, it declared, was

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38 Telegram from Kingston to Kirwan, MS 277:1/152. See also ‘Newspaper Libel Action’, KM, 25 August 1911, p.5.
39 Kirwan to Kingston, draft reply to telegram, Kirwan Papers, MS277:1/47, NLA.
40 ‘Death of Mr Kingston’, KM, 12 May 1908, p.5.
42 Ibid.
43 Ibid.
between ‘a man who is politically free and one who is politically bound’. All things being equal, pursued the Miner, ‘the man who is politically free...will prove a better representative...than the man whose political conscience is pawned to a caucus’. To drive the message home, a large central notice, urging a vote for Kirwan and justifying it by reference to a list of his policies, spanned several adjacent columns. It was preceded by an anonymous letter, protesting against the ‘monstrous’, ‘flagrant’, and ‘dishonorable breach of trust’ perpetrated by Dodd and his Labor cronies.

The rolls for the seat of South Province in 1908 recorded a constituency of 3321 electors, 912 fewer than in the previous year. Counting commenced at 7.45 p.m. on election night with the Clerk of Courts, the aptly named Mr Fewing, opening the boxes for the Boulder Division. For Kirwan, there was a tense wait as, one after another, the contents of the four boxes showed him consistently trailing Dodd. The returns from Hannan’s and Ivanhoe revealed a similar pattern, with one notable exception: the Campbell St State School declared decisively for Kirwan. There was more good news from Coolgardie and, although voting in this division was lighter than expected due to a preponderance of postal votes, Kirwan managed to out-poll Dodd by 5 to 1. From then on, the odds began to shorten in Kirwan’s favour. Dundas, which included the electorates of Norseman, Ravensthorpe and Esperance, delivered a healthy majority, as did Southern Cross. According to a local correspondent, who appeared to share his neighbours’ sentiments, there was little interest in the contest, however. The bitterly cold weather, he wrote, had deterred many voters who had ‘with difficulty’ to be brought to perform their civic duty. It was the quietest election in the Norseman district for many years.

The same pattern was repeated throughout the constituency, with just over half the number of electors exercising their democratic rights and eighteen of these voting informally. By the end of the night, however, enough of them had plumped for Kirwan to give him a 215-vote lead. With fewer than 40 votes outstanding, Kirwan had won, but was prevented from claiming victory straightaway by delays in collecting the boxes from Bonnievale and Burbanks, two areas in the Yilgarn. These were retrieved the following day, whereupon the returning officer for South Province, Mr Butler, formally declared the poll at 4.30 on the afternoon of 14 May at Coolgardie. Kirwan had increased his lead by 21 votes to

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Dodd’s three.\textsuperscript{50} In the North-East division, Colonial Secretary Connolly, the sitting Member, had retained his seat by an overwhelming majority.

The *Kalgoorlie Miner* hailed the result as the triumph of experience over uncertainty.\textsuperscript{51} Kirwan and Connolly, the ‘old and tried representatives’, had deservedly trounced the challengers, although as the *Miner* hastened to point out the result had not been a pushover. Mr Kirwan had ‘every reason to be proud of his victory over so formidable an opponent as Mr Dodd’ whom it judged the ‘ablest and strongest man’ the Labor party could have selected. Several of Kirwan’s Federal colleagues were equally delighted to learn of his victory, among them, Josiah Symon who offered his ‘sincere and hearty congratulations’.\textsuperscript{52} He only regretted that it was not the Commonwealth Parliament he was returning to.

Kirwan himself was magnanimous in victory, thanking everyone from the returning officer, Mr Butler, to the electors who had sent him ‘so signal a proof of their confidence’\textsuperscript{53} and finally his own supporters: the petitioners who had initiated his candidacy; the volunteers who had campaigned on his behalf; and ‘the ladies who worked so hard to secure his return’. It was a moment to savour after his electoral upset five years before and, setting aside his quarrel with Dodd, he praised his opponent as a man of ‘ability, earnestness and conscientiousness’. For Kirwan, however, who had lost his Federal seat to Labor in 1903, the sweetest aspect of the whole affair was having won in ‘a strong Labour [sic] province [against] a strong Labour representative’; and, although conceding that Members of the Legislative Council had less ‘power of usefulness’ than their Lower House counterparts, he vowed to act ‘worthily and consistently’ for ‘the welfare of the whole state’, after which a small party of 20 adjourned to the Mayor’s parlour for a private celebration.

From these proceedings, however, the crestfallen Dodd was conspicuously absent and it fell to his comrade in the Legislative Assembly, Charles McDowall, to salvage Labor’s pride and make the appropriate gestures on behalf of the unsuccessful candidate. The festivities continued with the Mayor of Coolgardie congratulating Kirwan on behalf of the electorate and Kirwan acknowledging his debt to Coolgardie for his ‘splendid majority’. He was, and would remain, ‘a goldfields man’. The occasion also served to farewell Warden Finnerty who, on the eve of a trip to the eastern states on military business, warned guests that they might soon need to take up arms in their own defence.

\textsuperscript{50} ‘Legislative Council Elections. Latest Results of Polling’, *KM*, 15 May 1908, p.6.
\textsuperscript{51} ‘The Recent Goldfields Election’, *KM*, 15 May 1908, p.4.
\textsuperscript{52} Josiah Symon’s Letterbook, p.406, Symon Papers, MS1736:1/1277, NLA.
In the autumn of 1908, however, the prospect of war was remote, and less urgent than the many pressing concerns with which Kirwan busied himself. Edward Irving, the cultivated Oxford scholar installed as editor of the *Miner* in 1901 when Kirwan won his Federal seat, had proved a popular and extremely competent manager and his employer could safely leave the running of the paper to him. He was not to be long absent on this occasion, however. As if to illustrate the leisurely pace of business in the state legislature, the fifth session of the sixth Parliament was of short duration, commencing on 23 July and lasting barely three weeks before a three month recess.

Kirwan’s maiden speech during the Address-in-Reply focused on two issues which had always been important to him as ‘a goldfields man’: mining and finance. Taking up a reference in the Governor’s speech to the mining industry, he affirmed his faith in its future and attempted to scotch rumours, originating in the London financial market, that the ‘Golden Mile’ had seen better days. Gold accounted for three-quarters of the value of the state’s exports: in the previous year alone the mines had yielded £7,000,000 in revenue and generated more than £3,000,000 in wages. Ore reserves were ‘better’ than at any time previously, declared Kirwan, and this fact, coupled with improved technology, lower production costs, and new discoveries guaranteed the longevity of the mines as well as ‘the greatness and prosperity’ of the state.

Of greater concern was the financial situation. The Moore government was in deficit, a handicap likely to be exacerbated by impending changes to the current financial arrangement between the states and the Commonwealth. Under Section 87 of the Constitution, irreverently known as the ‘Braddon Blot’, the federating colonies had been permitted to retain three-quarters of Federal customs and excise duties for a period of ten years after Federation, but this dispensation was due to expire at the end of 1910 when the states’ share of revenue reverted to the Commonwealth. Kirwan feared that unless a new agreement was negotiated the Federal government would appropriate the money for grand national schemes to the detriment of the individual states. Western Australia, whose ‘vast territories’, ‘sparse populations’ and ‘young progressive people’ imposed ‘special needs’, could ill afford to miss out.

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In the event a new financial agreement, awarding the states 25 shillings per capita, was finally thrashed out with the Commonwealth in 1909, but until then Kirwan continued to chide the Moore Ministry on its poor economic performance. Moore, however, was bent on a program of expansion and government spending as a means of stimulating growth and, by the time Parliament resumed in November, the accumulated deficit stood at £350,000. Kirwan advocated drastic cutbacks, starting with the Premier’s own portfolio, Lands and Agriculture, which he singled out for extravagance. The one area he was prepared to exempt from his economies was primary production; the ‘pioneers’ of the farming, mining and pastoral industries enjoyed his ‘cordial support’. He praised the Railway Commission for its frugality, but opposed the erection of public buildings from loan funds, and was aghast to learn that the Government Printer operated at an annual cost of £34,000. As owner-editor of ‘a newspaper as big as either of the Perth papers’, Kirwan could claim to speak with authority on this issue, pointing out that the Commonwealth produced a greater volume of material for less.

Other cheese-paring measures verged on the ridiculous. He considered wasteful the money spent on maintaining Perth’s parks and gardens (£8,000 per year), Rottnest Island (another ‘nice little expenditure’), and the zoological gardens. The latter should be closed and its lions, tigers and elephants sold to the first travelling circus. In vain did his colleagues protest, arguing that the zoo was a popular attraction intended for the benefit of the whole state. Kirwan was unrepentant. The people of the back-blocks had little chance to enjoy it. He also found fault with the literary and scientific grants, in particular, the £2,000 allocated to the Observatory which had ‘ceased to be of the slightest use’, and was now merely employed in ‘cataloguing the stars’. With no hint of irony, he recommended that responsibility for the facility be transferred to the Commonwealth or, failing this, shut down altogether. One wonders what Richard Kirwan of Cregg (1733-1812), the eminent Irish scientist and Royal Society member, would have made of his kinsman’s admonition.

Beneath Kirwan’s parsimony lay a worthy motive, namely, the desire to divert funds and attention to the outlying areas for the greater, more practical and, therefore, glorious purpose of developing the state’s natural resources. He later observed that the most satisfying and ‘attractive’ work in Australian politics was ‘the peopling of the vacant spaces

of so vast and empty a continent’. For this reason, he sought to expedite schemes like the Kalgoorlie Abattoir that would improve the conditions of ‘back-block’ settlers. Several core articles of faith were carried forward from his Federal program. He was an earnest advocate of both the transcontinental and Esperance railways which he saw as natural correctives to the ‘dominating influence’ of the capital. Centralisation was a sore point on the Goldfields and in his lengthy career Kirwan never ceased to inveigh against it. During a 1920 tour of Canada, en route to the second Imperial Press Conference, he could not help but compare the two dominions to the detriment of Australia where a disproportionately high percentage of the population was concentrated in the cities. Like many of his constituents, he thought the money spent on constructing Fremantle Harbour a needless extravagance when Albany and Geraldton, with their fine natural ports, were neglected. Immigration, health, education and industrial reform continued to be important, if less conspicuous, causes. He was indignant when Connolly proposed paring back hospital services in remote districts and kept a sharp eye on the provision and upkeep of local schools.

On 6 February 1909, Parliament was prorogued for six months, leaving ample time for Kirwan and Winthrop Hackett to travel to London for the first Imperial Press Conference. The brainchild of journalist, barrister and later parliamentarian, [Sir] Harry Brittain, it was modelled on the Imperial Conferences, a periodic gathering of British and colonial political leaders, and aimed to promote fellowship and understanding between ‘the men who controlled the press of the Empire’. Kirwan and Hackett were the only two West Australians in the party, boarding the Empress of Britain in May for the voyage to Liverpool via Quebec. Hackett was in ‘poor health’ at the time, but Kirwan was a good traveller who loved nothing more than ‘roaming the world’ and meeting people, especially if, like fellow passenger and compatriot, Lord Frederick Hamilton, former editor of Pall Mall Magazine, they were titled and amusing. On the Canadian leg of the journey, Kirwan

60 Kirwan, MLA, p.235.
62 Kirwan, MLA, p.231.
63 Kirwan, Two Imperial Press Conferences, pp.53-54.
64 Kirwan, MLA, p.231.
67 Kirwan, Two Imperial Press Conferences, p.2.
68 Kirwan, MLA, p.279.
69 Ibid., p.226.
70 Ibid., p.293.
71 Ibid., p.220.
was elected honorary secretary of the party, a distinction which must have miffed Hackett, and more so when the appointment was subsequently confirmed in London by the remaining overseas delegates. In all, fifty-six international visitors attended from Australia and New Zealand, Canada, India, Burma, Ceylon, the Straits Settlements, South Africa and the West Indies.

The six-day Conference in early June proved a moveable feast, with meetings at the Foreign Office and in Edinburgh, culminating in the formation of the Empire Press Union. Kirwan was one of two Australian representatives elected to the committee which drafted the Union’s constitution. Between committee meetings at the Savoy, he heard many of the leading statesmen and thinkers of the day discourse on such topics as cable communication, the role of the press in the Empire and the relationship between literature and journalism. Lord Rosebery, a former Prime Minister and maverick Liberal peer, gave the opening address on a subject which must have resonated with Kirwan – the decline of the gentry and their country estates – while the ‘bovishly handsome’ Marconi talked about the latest developments in wireless telegraphy.

There was also a dizzying round of social engagements, from banquets to glittering receptions hosted by the Duke and Duchess of Wellington and other notables. Delegates were royally feted, invited to a garden party thrown by the Prince and Princess of Wales, presented to the King and Queen, and commanded to attend a military ceremony at Windsor. At the House of Commons they lunched with Prime Minister Asquith, Winston Churchill and Sir Charles Dilke, drank tea with Labour Members on the Terrace, and met the Tories at the Constitution Club. In a fleet of cars they toured the kingdom, visiting culturally significant sites such as Stratford-on-Avon and Oxford University, and grand country houses like Warwick Castle and Chatsworth, home of the Duke of Devonshire.

Kirwan, who rather endearingly thought that most newspaper men were, like himself, shy, retiring creatures with a horror of notoriety, found the attention ‘overwhelming’. All the same, he clearly enjoyed mingling with Britain’s élite and treasured every least sign of

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73 Kirwan, *MLA*, p.298.
74 Ibid., pp.279-80.
76 Kirwan, *MLA*, pp.300-301.
78 Ibid., p.16.
condescension. He relished being one of the few whom Lloyd George, then Chancellor of the Exchequer, invited to a family breakfast at Downing St, and was flattered when Sir Edward Grey, later Viscount Fallodon, sought his opinion on Australia’s defence policy. \(^8^0\)

As honorary secretary of the visitors, Kirwan was often called upon to speak on their behalf and appears to have impressed Grey when, replying to a toast, he visualised the Empire as a family of nations. Grey, quoting Kirwan, later took up the theme in his own ‘union of allies’ address to the Conference. \(^8^1\)

The threat of war was the one sombre note in an otherwise exhilarating occasion. Several British representatives were concerned enough about dominion attitudes towards the crisis to quiz Kirwan on the subject. \(^8^2\) After attending military and naval reviews at Aldershot and Spithead – the armada occupied eighteen miles of ocean – Kirwan thought Britain more than a match for Germany. \(^8^3\) It was left to Lord Roberts, the distinguished Anglo-Irish soldier, to sound the alarm by pointing to the interconnected nature of the industrialised world. Steam travel and wireless communication had brought the nations closer than ever before, so that ‘a shot fired in the Balkan Peninsula [could] produce an explosion which would change the fortunes of every remotest corner of the Empire’. \(^8^4\) Five years later, a shot fired in the Balkan city of Sarajevo exactly proved the accuracy of his prophecy.

Kirwan did not hurry home after the Conference. The travel bug had bitten and he remained abroad for several months before returning to Australia in the latter part of 1909. \(^8^5\) He was absent when Parliament resumed on 29 July and on 16 September belatedly applied through the agency of a colleague, Robert Donald McKenzie, for a further two months leave of absence. \(^8^6\) McKenzie, one of three litigants who would later sue Kirwan for libel, moved that he be granted leave for twelve consecutive sittings and, since the Council did not sit every day or indeed every week, this deferred the date of his expected return to the end of September. On Monday 11 October, however, he was still in Melbourne where he lunched with Alfred Deakin, \(^8^7\) back for his third and final stint as Prime Minister. The years since 1904 had been turbulent ones in Federal politics with six changes of government in five

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\(^8^0\) Ibid., pp.290, 282-83.  
\(^8^1\) Ibid., pp.290, 298.  
\(^8^2\) Kirwan, *Two Imperial Press Conferences*, p.13 and MLA, pp.287-90.  
\(^8^3\) Kirwan, *MLA*, pp.287, 279.  
\(^8^4\) Kirwan, *Two Imperial Press Conferences*, pp.11-12.  
\(^8^7\) Alfred Deakin, Note addressed to John W. Kirwan, inviting him to lunch, Kirwan papers, MS277.1/160, NLA.
years as Deakin struggled to hold together his liberal-protectionist alliance in the teeth of Labor’s growing ascendancy. He had returned to power for the second time in July 1905 only with the connivance of Labor leader, Chris Watson, but was forced to resign when Watson’s successor, Andrew Fisher, withdrew his support. Kirwan’s loyalties must have been stretched at lunch, for although he idolised Deakin, he was also friends with Fisher, whose nuptials he had attended in December 1901. He had been quick to congratulate the future Prime Minister on his election to the Labor leadership in October 1907 and cherished Fisher’s equally cordial reply.88

By 26 October 1909 Kirwan was back in Parliament, although he did not speak to any great purpose. He was present during debate on the Municipal Corporations Act Amendment Bill,89 when he consistently voted with the minority on clauses concerning hospital subsidies, bridges and council rates. He was against the first, opposed concessional charges on improved land because ratepayers would exploit the loophole by making minor alterations, but agreed that bridges should be sited at shire boundaries. On 10 November, he supported R. W. Pennefather’s motion to amend the Legal Practitioners Act90 and unsuccessfully urged the committee to visit the Goldfields before submitting its report on the District Fire Brigades Bill.91

The first real test of his state parliamentary career occurred the following year. On 16 September 1910, four months after the election, Premier Newton Moore, head of the factional liberal-conservative Ministerialist government, resigned for health reasons. Kirwan, who admired Moore’s ‘tact’, ‘shrewdness’ and ‘wonderful knowledge of men’,92 also approved his expansionist policies in opening up the wheatbelt and other undeveloped areas for settlement. Like Kirwan, Moore believed in the vital importance of the agricultural and goldmining industries. He boosted wheat exports by providing financial assistance to farmers through government loans and relaxing credit regulations at the Agricultural Bank. Best of all, from Kirwan’s point of view, he was a keen supporter of the railways and in his

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88 Kirwan, *MLA*, p.256. Among Kirwan’s papers in the National Library is a small double-leaved card, presumably a wedding invitation or thank you card, inscribed on the left side, Andrew Fisher, Margaret Jane Irvine, dated 31 December 1901, MS277:1/124, NLA. The collection includes a letter from Andrew Fisher to Kirwan, 31 October 1907, MS277:1/159, in which Fisher writes: ‘You, perhaps more than any other, know the main reason why I faced the position and had the honour of being yesterday elected Leader of the Federal Labor party in succession to a remarkably able man, [Chris] Watson. I am impressed with the responsibilities no less than the possibilities open to the man occupying my office’.
four and a half years as Premier authorised the building of 950 miles of track, of which 400 miles directly serviced the Goldfields.\footnote{David Adams, ‘Moore, Sir Newton James (1870-1936)’, \textit{ADB}, Vol.10, 1986, pp.567-69.}

Frank Wilson, Moore’s successor, was a different order of Premier. Kirwan regarded him as an astute businessman, but one who sorely lacked the ‘broad vision’ and ‘political acumen’ of his predecessor.\footnote{Kirwan, \textit{MLA}, p.239.} To Kirwan’s dismay, Wilson did not share his chief’s enthusiasm for railways. On the contrary, while Moore was in England earlier in the year, Wilson as Acting Premier\footnote{August 1910. Kirwan refers to Moore’s absence during early 1910 in ‘Bill – Norseman-Esperance Railway’, \textit{WAPD}, Vol.XLVI, 4 December 1912, p.4149.} was seen by members of his own government to weaken the case for the transcontinental by suggesting that the two states to derive the most benefit from it – Western Australia and South Australia – should bear the financial burden rather than the Commonwealth.\footnote{‘State Parliament. Address-in-Reply’, \textit{KM}, 12 August 1910, p.5 and ‘The Government Criticised’, \textit{KM}, 13 August 1910, p.6.} He was equally lukewarm on the Esperance extension and maintained in April that the line would not return a ton of additional freight annually.\footnote{‘Newspaper Libel Action’, \textit{KM}, 25 August 1911, p.5.}

The Moore-Wilson transition took place in an atmosphere of escalating tensions over the government’s legislative programme. Parliament had no sooner resumed on 28 July than a row erupted over plans to alter the state’s electoral map. Widely seen as a blatant attempt to prolong the life of an ailing administration, the controversial Redistribution of Seats Bill was hugely unpopular on the Goldfields where Labor held ten out of twelve seats in the Assembly, two of which, Dundas and Brown Hill, would be lost in the shake-up.\footnote{King, \textit{Voice of the Goldfields}, pp.76-77; Kirwan, ‘Bill – Redistribution of Seats’, \textit{WAPD}, Vol.XL, 18 January 1911, p.3075.} The \textit{Kalgoorlie Miner} highlighted the disparity. Midland, with 4400 electors, was to be given three representatives while Brown Hill and Ivanhoe, with a combined total of 4752, would be forced to amalgamate to merit one.\footnote{‘The Redistribution Scheme’, \textit{KM}, 5 July 1911, p.4.} Dundas, a staunchly anti-government seat within Kirwan’s own electorate, would be abolished, although, since the bill affected Lower House constituencies only, its loss would have no impact on his re-election prospects.

Wilson and his supporters attracted harsh criticism from within the government and outside it. Norbert Keenan, a Goldfields M. L. A., barrister and Attorney-General in the Moore Ministry, vociferously opposed the bill and resigned his Cabinet post on the strength of it.\footnote{Kirwan refers to it in the House, ‘Bill – Redistribution of Seats’, \textit{WAPD}, Vol.XL, 18 January 1911, pp.3077-78. Keenan, stating his reasons in a long letter to the press, resigned August 1910.} His reasons for so doing were given wide coverage in the \textit{Miner} and later endorsed in
Parliament by Kirwan.\textsuperscript{101} Henry Daglish, Wilson’s own Minister for Works, joined the chorus of disapproval\textsuperscript{102} while John (‘Happy Jack’) Scaddan, the Labor leader who would soon replace Wilson as Premier, provoked uproar in the House with a scathing indictment of government chicanery.\textsuperscript{103} As the year wore on ‘indignation’ rallies were held in Kalgoorlie and Perth, where local councillors, industry officials and trade unionists denounced the ‘shameless political jobbery’ threatening to ‘rob the fields’ of its fair share of parliamentary representatives.\textsuperscript{104}

The \textit{Kalgoorlie Miner} diligently monitored the rising tide of public anger, simultaneously fuelling it with anti-government propaganda.\textsuperscript{105} Kirwan was still writing occasional editorials,\textsuperscript{106} several of which attacked the three Goldfields Ministers – Connolly, Gregory and McKenzie – who he considered had betrayed their constituents by declaring for the bill. Compounding their offence was their treachery regarding the Esperance railway. Robert McKenzie, who in the lead-up to the May state election had accepted the Presidency of the Esperance Railway League, reneged after Wilson offered him a ministerial post in his Cabinet.\textsuperscript{107} Connolly and Henry Gregory, the Minister for Mines and Railways, also turned tail. In August, during a hasty and ill-timed visit to his constituency,\textsuperscript{108} Connolly was cornered by an angry deputation of railway leaguers but refused to commit himself beyond a grudging promise to take the matter up with the Premier.\textsuperscript{109} No doubt the disappointed deputies were among the irate letter writers who bombarded the \textit{Miner} with renewed demands for Separation.\textsuperscript{110} The clamour became so great that Acting Premier Gregory complained to

\begin{itemize}
  \item \textsuperscript{101} \textit{KM}, 3 August 1911, p.7; ‘The Ex-Attorney General and the Ministry’, \textit{KM}, 5 August 1911, p.6.
  \item \textsuperscript{102} ‘The Government Criticised’, \textit{KM}, 13 August 1910, p.6.
  \item \textsuperscript{103} ‘Redistribution of Seats Bill’, \textit{KM}, 16 December 1910, p.6.
  \item \textsuperscript{106} King, \textit{Voice of the Goldfields}, p.77. Whether he actually wrote any, all or none of the offending editorials, he surely had a hand in dictating them and, as editor-in-chief, retained the casting vote on policy, which he occasionally exercised to ventilate his views.
  \item \textsuperscript{107} ‘Newspaper Libel Case’, \textit{KM}, 24 August 1911, p.2.
  \item \textsuperscript{109} Ibid.
\end{itemize}
the metropolitan press, and an old feud revived between the Miner, the West Australian and the Daily News.111

Kirwan also expressed his disapprobation in Parliament, speaking against the Redistribution of Seats Bill during the Address-in-Reply.112 The fact that the bill affected only Lower House constituencies did not inhibit him, although since he regarded the ceremonial speechifying at the beginning of each new parliamentary term as ‘a waste of time’113 he refrained from his usual homily, merely professing his faith in the future prosperity of the fields and in the impartiality of the Ministry.114 But mild as they were, especially compared to his editorials, Kirwan’s remarks infuriated Connolly, who suspected him of irony.115 Still smarting from the drubbing he had received in the Miner, the Minister cavilled at Kirwan’s choice of words until the latter wondered aloud at his interlocutor’s comprehension. Nor was Connolly the only one to doubt Kirwan’s sincerity from time to time. During a later debate Joseph Francis Cullen, the Member for South-East Province, grudgingly conceded Kirwan’s ‘ingenuity’ in ‘implying what he did not say openly’.116

Political alliances were once again in flux. One of Kirwan’s supporters on this occasion was his old rival Jabez Dodd, now the Labor Member for South Province since successfully re-contesting the seat in May 1910.117 Winthrop Hackett appeared to have a bet each way, cryptically dismissing Connolly’s sniping as ‘irrelevant’.118 But the cordial relationship which had existed between Kirwan and Connolly since the 1908 election campaign, when Kirwan lauded the Colonial Secretary’s ‘brilliant victory’ and community spirit,119 was at an end. As head of the majority party, Connolly was also leader of the House120 and it was through him that Kirwan conveyed his dissatisfaction with the Wilson government. The antagonism between the two was evident on 18 January 1911, by which date the electoral bill had reached the Council where Connolly moved that it be read a second time. In

114 ‘Address-in-Reply’, WAPD, Vol.XXXXIII, 4 August 1910, pp.134-35 and ‘Bill – Redistribution of Seats’, Vol.XL, 18 January 1911, p.3076. Kirwan’s faith in the Goldfields was based in part on a Department of Mines’ report showing that, between 1908 and 1909, the number of wage earners there increased by 1,100, and was set to rise further with industry sources predicting higher employment rates. According to a partial breakdown of figures, this meant an additional 353 workers in East Coolgardie, 111 in Yilgarn and 62 in Dundas.
117 As discussed in Chapter 8, each of the ten Legislative Council provinces or seats had as many as three Members at any one time.
120 Ibid.
sepulchral tones, which a colleague later described as ‘dead calm, with black cloud effects’, Kirwan sought to counter Connolly’s motion by deferring the reading for six months. The amendment was defeated but not before Kirwan, rejecting the legislation as ‘contrary to…the principles of fair play and justice and equity’, had exposed its irregularities. Having debated a similar measure in Federal Parliament, he had a repertoire of arguments to range against it, from its architecture to its methodology.

By now, however, a new and personal element had entered the equation. Following a protest meeting at the Town Hall, Sid Hocking, co-owner of the *Miner* and now Mayor of Kalgoorlie, presided over a second and larger public gathering in Hannan St on Saturday 17 December 1910. At the meeting, attended by past and future Labor leaders, T. H. Bath and Philip Collier, the three Goldfields Members – McKenzie, Connolly and, Wilson’s second-in-command, Henry Gregory – who had foresworn themselves by voting for the bill were universally condemned. Councillors Mc Clintock and Cornell moved a resolution blasting the legislation as ‘a scandalously unfair and inequitable’ measure while Bath accused the government of sinking to ‘a depth of political degradation’ never before equalled in the history of the nation. It was Collier who delivered the most incendiary speech of the evening, however. To a chorus of approving cheers, jeers, laughter and accusatory cries of ‘Judas’, he upbraided the three Goldfields Ministers for ‘treachery’, cowardice and ‘political perfidy’. McKenzie, ‘a once-honoured man’, he singled out for special treatment. By severing his ties with the Esperance railway, said Collier, McKenzie stood self-convicted of ‘double apostacy [sic] and treachery’.

Monday morning’s *Miner* devoted nearly six full-length columns – almost an entire page – to the meeting while Kirwan himself dashed off an inflammatory editorial. Titled ‘Three Rotten Sticks’, the column appeared on 20 December and vilified McKenzie, Connolly and Gregory as ‘dishonest’, ‘morally crooked’, and guilty of ‘the blackest political treachery’. Much of its rhetoric was borrowed from Collier’s incendiary speech, as was its schema in specifically targeting McKenzie, a prominent local store-owner, former municipal councillor and friend of Sid Hocking, who came in for the harshest criticism.

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123 *KM*, 20 December 1910, p.4. King, in *Voice of the Goldfields*, says Kirwan wrote the editorial, p.77. However, Kirwan in his autobiography (p.233) took the time-honoured route and blamed a lead journalist.
124 Norma King, *Voice of the Goldfields*, pp.76-77. King further records that McKenzie owned the ‘Big Store’ on the corner of Hannan and Maritana streets and had allegedly used his ministerial muscle to fast-track a railway to a new goldfield at Bullfinch, in which he was rumoured to have shares.
Notwithstanding their political differences, Kirwan and McKenzie had also enjoyed an amicable working relationship: two years ago they had jointly submitted petitions from their constituents objecting to changes to the weekly holiday. Now, with all the bile of a spurned lover, Kirwan impugned McKenzie’s integrity, with a pointed reference to entrepreneurial parliamentarians who could not ‘expect to be trusted commercially when they [had] proved themselves utterly unreliable politically’.

In time-honoured fashion, Kirwan later denied writing the offending article, blaming a lead journalist, although as editor-in-chief he bore ultimate responsibility for the views expressed in the newspaper. The disclaimer did not save him or partner Sid Hocking from the wrath of the three Ministers, each of whom sued the Miner and its owners for libel in separate actions lasting almost a year. McKenzie, who had been singled out for special opprobrium, proved the most obdurate. Despite an apology published in March 1911, an offer to settle on 10 July, and an appeal before the Chief Justice on 4 August, the case of McKenzie v Hocking & Co. proceeded to trial, concluding in the nisi prius court, or court of original jurisdiction, on 25 August. Norbert Keenan K.C., the former Attorney-General who had resigned from Cabinet over the electoral boundaries dispute, was retained for the defence while Matthew Lewis Moss, a parliamentary colleague of Kirwan’s, represented the plaintiff. The defence relied heavily on documentary evidence to prove the accuracy of the offending editorial, producing newspaper reports and a letter from McKenzie to Thomas, an Esperance Land and Railway official – the same Kingston had promised to galvanise on Kirwan’s behalf in 1903 – in which McKenzie vowed as President of the League to ‘preach the gospel’. Faced with these proofs of his infamy, and a ‘searching’ cross-examination by Keenan, McKenzie finally admitted that he had indeed resiled from his original position on the Esperance railway. Judge and jury, however, agreed with prosecutor Matthew Moss who argued that the prestige and circulation of the Miner – 10,000

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125 ‘Personal Explanation’, WAPD, Vol.XXXIV, 3 December 1908, p.593. Petitions had been submitted by Kirwan and McKenzie from local retailers and wage-earners.
126 Kirwan, MLA, p.233.
127 Ibid.
130 Ibid. The appeal by the defendants was against an earlier order by Justice McMillan, precluding them from changing their defence.
136 Kirwan in My Life’s Adventure says the case was heard by a jury, p.233.
sales per day according to the Newsrunners’ Association – meant that the calumny received an equally wide distribution.\footnote[137]{‘Newspaper Libel Case’, \textit{KM}, 24 August 1911, p.2.} The \textit{Kalgoorlie Miner} was ‘unquestionably the most powerful organ on the Goldfields’, occupying the same status there as did the \textit{West Australian} in Perth.\footnote[138]{Ibid.} As such,

\[\text{[it] was not a paper which dealt with sensational wildcat articles, but…a daily paper with a great influence on the Goldfields, and the damage done was therefore so much greater. The article was an attack which went far beyond politics and dabbled in commercial spite.}\footnote[139]{King, \textit{Voice of the Goldfields}, p.77.}

The libel suits made a considerable dent in the finances of Hocking and Co. Sid Hocking estimated expenditure at £1000 a day before settlement, an astronomical sum for the time and substantial even by modern standards. On top of this, the court awarded McKenzie and Gregory £1000 each. Connolly, whose case had been heard in Albany, received £250.\footnote[140]{Ibid.} It was, however, a pyrrhic victory. Amidst howls of protest, the controversial Redistribution Bill was passed in August 1911, but at the state election on 7 October the Wilson government suffered a massive defeat. The three Ministers – McKenzie, Connolly and Gregory – lost their Cabinet positions,\footnote[141]{According to Legislative Council rolls from 1 November 1911 to 15 August 1912, McKenzie and Connolly retained their seats. ‘Legislature of Western Australia’, \textit{WAPD}, Vol.XLII, 27 June -15 August 1912.} and Gregory his seat. For McKenzie, there was an additional penalty. Either as a result of the adverse publicity, or the general economic downturn during the First World War, his business declined until the famous ‘Big Store’ was no more than a single furniture shop facing Maritana St.\footnote[142]{Ibid., pp.77-78.} Sid Hocking, who was elected Mayor in 1909, saw out his two-year tenure but did not renominate.\footnote[143]{‘Address-in-Reply’, \textit{WAPD}, Vol.XXXVIII, 4 August 1910, pp.141-53.}

Concomitant with the electoral divisions row, and intersecting it, was a second battle over the Esperance railway. Addressing the subject for the first time in State Parliament on 4 August 1910, Kirwan called it ‘the most burning question on the Eastern Goldfields’ before launching into a lengthy apologia on its behalf.\footnote[144]{Ibid., pp.77-78.} The Esperance line would combat centralisation, open up ‘good farming land’ and connect the Eastern Goldfields with its natural port while providing holiday access to an ideal coastal resort. He had visions of a health sanatorium being built there for the relief of women, children and all those suffering the effects of ‘a long dry, hot summer’ on the Goldfields.\footnote[145]{‘Address-in-Reply’, \textit{WAPD}, Vol.XXXVIII, 4 August 1910, p.146 and Kirwan, \textit{MLA}, p.232.} It would also, by encouraging
new settlement, act as a deterrent to the menacing ‘powers of the East’, by which he meant the Orient, and not his fellow Australians on t’otherside. This last was an argument advanced by Winthrop Hackett, another staunch supporter of the railway, during an earlier debate on a motion introduced by Connolly on 10 December 1902.\(^\text{146}\) Reading from the original *Hansard* transcript of the debate, and forgetting Hackett, Kirwan nominated Connolly, McKenzie and himself as the three foremost champions of the facility, reserving a special mention for Connolly whom he praised as ‘a loyal friend of the railway’.\(^\text{147}\) ‘He was not colonial secretary then’, interjected a sceptical and far-sighted Member.

In the event, the sceptic proved right. Already there were signs that Connolly was weighing the political wisdom of supporting the project, as his reply to the angry Esperance Leaguers on 25 August attested.\(^\text{148}\) ‘Things’, he told them, ‘had changed’. What in fact had changed, or was about to, was the Premier. Newton Moore, who formally resigned the following month, had been a friend of the railways; Frank Wilson, his successor, was not. Fearing the worst, a large Goldfields deputation of railway enthusiasts descended upon Perth to importune Moore on 5 August 1910.\(^\text{149}\) At its head was Robert McKenzie, President of the Esperance Land and Railway League and later chief litigant in the *Kalgoorlie Miner* libel suit. McKenzie had been elected to Parliament on the railway ticket\(^\text{150}\) and had promised, as President of the League, to ‘preach the gospel’. As he subsequently admitted under cross-examination by Norbert Keenan, however, he too had changed his mind after Wilson offered him a Cabinet position in his reconstituted Ministry.\(^\text{151}\)

Faced with these odds, Kirwan was unable to win any converts to the cause and ‘the subject so dear to his heart’\(^\text{152}\) was doomed to rise and fall at the whim of the government of the day. It was 1915 before the Coolgardie to Norseman line inched towards Salmon Gums, sixty miles north of Esperance, and 1927 before ‘the missing link’, Esperance to Norseman, was completed after ‘strenuous efforts’ on the part of its proponents.\(^\text{153}\) At the time Kirwan, believing that the majority of Western Australians backed the project, blamed conservative

\(^\text{149}\) ‘Address-in-Reply’, *WAPD*, Vol. XXXVIII, 4 August 1910, p.141. Moore was still Premier at this date.
\(^\text{151}\) Ibid.
 Members for the impasse. Walter Kingsmill typified the response, scoffing at Kirwan’s self-serving appeal to the ‘kindred’ agricultural industry and simulating surprise at his claims that the two communities – the Wheatbelt and the Goldfields – had always co-existed in a spirit of mutual goodwill. From Kirwan’s usual attitude and the opinions expressed in the *Miner* – ‘that famous paper on the Goldfields with which he has been so long and so creditably and so honourably associated’ – Kingsmill had concluded that relations between Kalgoorlie and the [south-west] coastal districts were rather tense than otherwise. Even Richard Pennefather, Kirwan’s friend, showed more animation when talking about the Wyndham meat freezing works than the Esperance railway and would promise only to give the project ‘a fair and candid deliberation’, should it come before the chamber in a legislative form. Only after the railway was finally built did Kirwan concede that it was not as popular outside the Goldfields as he originally affected to believe.

Kirwan’s credibility suffered a further blow as a result of the libel suit, the sequel to which was played out in the House later that year. In scenes reminiscent of the old Kirwan-Forrest grudge matches, a feud erupted between Kirwan and Matthew Moss, the barrister and parliamentarian who had represented McKenzie at trial. The occasion was a debate on mining subsidies, but the discussion degenerated when Kirwan challenged Moss’s figures and Moss retaliated by reciting in exhaustive detail the monetary assistance expended on the mines over the past ten years. Sniping between the pair took up the entire session – Walter Kingsmill later declared it ‘a duel, not a general engagement’ – and ended only when another Member moved for an adjournment, but not before Moss, in a veiled reference to the defamation case, paid tribute to his good friend, Henry Gregory, the former Minister of Mines who had lost his seat in the recent election. He also accused Kirwan of ‘always apologizing and excusing himself’, even while giving offence. After this, the gloves were well and truly off. Kirwan, whom Moss judged ‘a very capable debater’, was not always in command of his temper when his goals were jeopardised and Moss appeared to take a perverse delight in crossing him. A fortnight after the earlier

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155 Ibid., p.140.
156 Ibid., p.147.
157 Ibid., p.155.
160 Ibid., p.587.
161 Ibid., p.583.
quarrel, Moss moved to exclude Goldfields tenements from the Workers’ Homes Bill, a measure aimed at providing cheap housing loans to wage-earners, and two days later tried to shift discussion on ‘the highly contentious matter’ of the Norseman-Esperance railway from the start to the close of business. Each took the other to task on points of order but, after a further altercation in which Kirwan warned Moss that ‘he would watch him closely’, the exasperated President, Henry Briggs, ruled both Members out of order.

Kirwan, however, had found new friends in the Scaddan Labor government which swept to power in a landslide victory on 7 October 1911, paradoxically winning 34 out of 50 Legislative Assembly seats in an election fought under Wilson’s gerrymandered boundaries system. Like Kirwan, the new Colonial Secretary, John Michael Drew, was a newspaper man – he owned the *Geraldton Express* – and a sturdier ally than the traitor Connolly. To Kirwan’s delight, he early indicated that he would brook no nonsense from Moss and steadfastly resisted his attempts to vary the Order of the Day and obstruct the Workers’ Homes Bill, although Moss succeeded in raising the salary threshold, thereby restricting the number of beneficiaries. The feud between the pair spilled into the following year as Kirwan pronounced himself ‘perfectly satisfied and very well pleased’ with the way the new Ministry was taking care of business, prompting Moss to brand him ‘a socialist’. Kirwan did not trouble to deny the accusation. ‘Socialism’, he opined, was merely ‘a matter of degree’.

In fact, Kirwan’s association with Labor had old roots. The Goldfields was, after all, traditionally a Labor stronghold. Coolgardie was the site of the first Trades and Labor Congress, held in April 1899. Kirwan had spoken at the Congress and been officially and unanimously thanked by the organisers for ‘the services he [had] rendered to Unionism and the Workers’. If his 1903 campaign posters were to be believed, he was also credited by


then Secretary of the Goldfields Trades and Labor Council, Mr Lobstein, with having helped ‘secure the return of Labor Members’ at state elections.\textsuperscript{171} Given his sympathy with the movement, one might have expected him to join the Party, if not during the 1901 Federal ballot, at least in 1908. The relationship was, however, as ambivalent as his retort to Moss. True to his Burkeian ideals, he refused to take the Party oath, believing that to do so would compromise his principles; and although he admitted in Parliament that he had supported the Scaddan Opposition during the October 1911 election, he added the rider that, like many others, he had been actuated, not by loyalty to Labor, but by disillusionment with the Wilson government.\textsuperscript{172} He remained proudly, stubbornly, non-aligned, a ‘non-party’ man, first, last and foremost. As he said on a later occasion, ‘at any rate I am not a mere tool of any party’.\textsuperscript{173}

Notwithstanding these reservations, Kirwan enjoyed a cordial relationship with the Scaddan Ministry. He endorsed its legislation on industrial reform and affordable housing\textsuperscript{174} and, in turn, the Scaddan government supported Kirwan’s pet project, the Esperance railway. The only major source of disagreement between them was the Land Tax Bill, which Kirwan vehemently opposed, and the Royal [Agricultural] Show holiday. The holiday meant Parliament would adjourn briefly mid-week and elicited a grumble from Kirwan about the vast distances travelled by Members from remote areas. For twenty years, whenever Parliament was sitting, he himself made a 750-mile return rail journey from Perth to Kalgoorlie every weekend to put the paper to bed.\textsuperscript{175}

On 2 December 1911, Kirwan turned forty-five. The milestone capped a tumultuous year, starting with the electoral boundaries uproar and progressing to the defamation trial and the quarrel with Moss before culminating in the election of the Scaddan ‘goldfields government’.\textsuperscript{176} Amidst the furore, and the constraints on his time, Kirwan managed to stay in contact with old friends, writing to Hugh Mahon on 15 June 1911 to recommend a mutual acquaintance, Richard Pennefather, for the position of Judge of the Northern Territory.\textsuperscript{177} Mahon had been ill and Kirwan, in an attempt to cheer him, informed him that he and ‘Paddy’ Lynch, another old Goldfields’ comrade,\textsuperscript{178} had ‘framed a photo’ of their absent friend which had appeared in a recent edition of the \textit{Miner}. The real purpose of the letter,
however, was to entreat Mahon to have ‘a few words’ with Prime Minister Billy Hughes on Pennefather’s behalf. Evidently, the wound inflicted by Mahon’s readiness to campaign against Kirwan during the 1903 Federal election had healed, although there had been further ructions between the pair. Generously, Kirwan had congratulated Mahon on his 1904 ministerial appointment as Postmaster-General, but the relationship was tested a few years later in 1907 when, under Irving’s stewardship, the Kalgoorlie Miner ‘went for’ Mahon in a series of critical articles. Kirwan disavowed prior knowledge of the ambush. In Melbourne at the time, he professed himself ‘disgusted and annoyed’ at the attacks and, speculating that they originated with erroneous telegraphic reports, wired the Miner to desist. As his colleagues had begun to realise, however, Kirwan could not always be trusted to speak plainly and since the subject matter of the editorials – Mahon’s fiscal policy – was the same issue on which Kirwan had sought to advise him three years before, one wonders if they were in fact payback for Mahon’s earlier defection.

Kirwan seldom ended his letters to Mahon without enquiring after his friend’s wife and children and, at the age of 45, he may have felt the time had come to settle down himself. Less than a year after the Pennefather appeal, Kirwan was married to Teresa Gertrude, daughter of Timothy Francis Quinlan and his wife Teresa, née Connor. The Quinlans were a prominent Irish Catholic family. Timothy Quinlan, for many years Speaker in the Legislative Assembly, and his sister Lucille had been orphaned in early childhood soon after arriving in the colony with their parents from Co. Tipperary. They had been raised by Joseph Thomas Reilly, the Irish-born journalist and founding editor of the Catholic West Australian newspaper, the Record. Lucille had followed in her foster-father’s footsteps as a writer while Timothy established himself as a shopkeeper and later hotelier – he leased the Shamrock Hotel in Perth from prosperous Toodyay merchant and pastoralist, Daniel Connor, whose daughter Teresa he subsequently married.

The courtship had not run smoothly, however. In the midst of it, Gertrude (the family used her second name to distinguish her from her mother) fled to Sydney, forcing her suitor to pursue her. They wed on 2 May 1912 in a Roman Catholic ceremony at St Patrick’s Church, Church Hill, Sydney. At 24, the bride was nearly half her groom’s age, although

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179 Kirwan to Kingston, draft reply to telegram, MS277:1/47, NLA.
180 Kirwan to Mahon, 29 April 1904, Mahon Papers MS937:398, NLA.
181 Kirwan to Mahon, 2 October 1907, Mahon Papers, MS 937:162, NLA. The articles criticised Mahon’s fiscal policy, an issue on which Kirwan had also taken him to task in 1904.
182 Peggy Kirwan in conversation with the author, 21 January 2010.
183 General Register Office, N.S.W., Marriage Certificate, No. 4501. Note the bride’s mother’s maiden name is shown as O’Connor. Like many Irish families, the O’Connors used O’Connor/Connor
whether from vanity, by accident or for some other reason – symmetry, perhaps, or poetry – this was shown in the official record as 42. By 1915, the couple had made their home at 62 Ward St, Piccadilly, a suburb of Kalgoorlie, and Kirwan’s first permanent address in many years.

The year of his marriage was memorable for another reason. In 1912, at the insistence of Winthrop Hackett, Kirwan was appointed to the inaugural, 18-man Senate of the embryonic University of Western Australia. The University was Hackett’s dream and in 1904 he had been instrumental in guiding through Parliament an Act endowing the institution. A logo – a swan rising from the water – and the motto – ‘Seek Wisdom’ – had been chosen, but the name still eluded them. According to Kirwan, Hackett inclined towards the convention that universities take the name of the nearest capital city, whereas Kirwan wanted an eponym reflecting the institution’s popular aspirations. After all, he argued, the people of the Goldfields would also be contributing to its construction and should feel as if they had a stake in it.

One wonders if Hackett ever repented of sponsoring Kirwan’s appointment. The two men were opposites in many ways. Hackett had an artist’s love of natural beauty and was prone to bucolic enthusiasm for flowers, waterfalls and other pleasant rustic scenes. Kirwan, while he could appreciate a splendid landscape, was motivated by more practical considerations and had more than once chastised his city colleagues for ‘wasting’ large sums of money, not to mention quantities of precious water, on prettifying metropolitan parks and gardens. These differences surfaced in debate on a future site for the university in September that year. There were three possible locations: the first at Crawley, the second in the Parliament House-Observatory grounds, and the third in West Subiaco. Hackett and most of his fellow Senators favoured the Crawley site, but Kirwan and a large minority opposed it for reasons of inaccessibility and health. Kirwan himself preferred another venue on the edge of King’s Park. Speaking on a motion by J. F. Cullen, he supported the proposal that the Senate exchange the Crawley estate for land of a corresponding value at a high elevation in King’s Park. His suggestion horrified Hackett who regarded the reserve as a treasure trove of native flora and was distraught at the potential environmental damage.

interchangeably, with some members of later generations opting permanently for the simpler form. Source: Tony Quinlan, in conversation with the author, 11 March 2008.

184 Post Office Directory 1915.
185 Kirwan, MLA, pp.249-50.
The two found themselves at odds as Kirwan voiced his preferences in the Council. Mindful of public opinion, he cited petitions and architectural reports which rejected Crawley as a suitable venue. One submission, from intending law students, complained about the distance from the city and metropolitan areas and the increased time and expense in travelling to such a remote campus. Another, signed by a large group of medical practitioners, warned of the health risks associated with the low-lying environs of the campus. Hackett, who had published some of the documents in the *West Australian*, now contradicted their validity. On one point the Senators were agreed. At least 100 acres were needed both to satisfy present requirements and provide for future expansion. This ruled out the Observatory site which, even with the resumption of land between Wilson and Hay Streets, would yield only 45 acres besides having to accommodate Parliament House, various public works buildings and a high school. Kirwan and his young wife had honeymooned in the eastern states where they had visited several universities.\(^\text{188}\) He was impressed by the large public parks attaching to the institutions in Melbourne and Sydney and keen to emulate their example.

For all the promise that it seemed to betoken, the year ended on a low note for Kirwan with the defeat in December of the Norseman-Esperance Railway Bill.\(^\text{189}\) The bill had the blessing of the Scaddan Labor government, and had been staunchly championed in the Upper House by John Drew, the Colonial Secretary, and in the lower chamber by William Dartnell Johnson, the Minister for Works.\(^\text{190}\) Kirwan summarised the affirmative case. His arguments must have been so familiar to his adversaries by now that they could probably have recited them for him, but he battled stoically on and, while fending off jeers from Moss and his cronies, painstakingly traced the chronology of the project from its origins in 1887 to the present. The review raised more than a few ghosts.

Kingston, who had been such a staunch advocate of the railway, was remembered; and even Forrest was pressed into service as one who had acknowledged the benefit of the railway by capping cartage rates. Memories of the Separation movement must have surfaced momentarily for, mindful of the advice of absent friends, he employed a tactic which had been helpful during the Federation campaign. The Esperance extension, he informed the House, had attracted considerable attention in the Eastern States and in England where, on

\(^{188}\) Ibid., p.1542.
\(^{190}\) Ibid., pp.4146-47.
12 February 1903, the London Chamber of Commerce had unanimously resolved in favour of its construction.

The main obstacle he had to overcome, however, was an adverse report from the Railway Advisory Board. After a cursory tour of the region, partly completed at night, the Board’s officers had played into the hands of the railway’s enemies by refusing to endorse the line. In a lengthy, concentrated and closely reasoned analysis of the report, Kirwan endeavoured to counter its effects by talking up the farming prospects of the region and offering alternative documentation. His speech spanned two consecutive sittings and lasted well into the night, but in the end his efforts were in vain. Moss dismissed it as ‘ancient history’\textsuperscript{191} while Wittenoom found it amusing that the railway inspectors had conducted their investigation at night. ‘Perhaps it was moonlight’, he quipped.\textsuperscript{192} Commending Drew and Kirwan for their advocacy, James Cornell, who two years before had taken an active part in belabouring ‘the three broken sticks’, was moved to observe that the opposition had not even treated the matter seriously enough to raise any pertinent objections. No railway, he said, had been promoted ‘so consistently or placed so prominently before the public’ in the history of the country, but the only arguments advanced by its adversaries had been ‘put forward in the lightest and most airy manner’.

A superstitious man might have seen in the defeat of the bill an augury of the future, but Kirwan was not superstitious. Once, alone late at night in the offices of the \textit{Port Augusta Dispatch}, he had heard noises in the typesetting room and, on going to investigate, had seen machinery and other equipment moving as if animated by an invisible force.\textsuperscript{193} If the experience gave him a few bad moments, he never let on and, in recalling the incident years later, claimed to have accurately identified the cause of the phenomenon as an earthquake. There would be emotional tremors enough in the days ahead.

\textsuperscript{191} Ibid., p.4147.
\textsuperscript{192} Ibid., p.4150.
\textsuperscript{193} Kirwan, \textit{MLA}, p.36.
Chapter 8

War and Peace

The years 1913 to 1926 marked the end of Kirwan’s time as an active Member of Parliament. In 1926 he was elevated to the position of President of the Legislative Council and effectively opted out of the decision-making process.

While still he could, he pursued the issues that were important to him: health, education, the economy, social welfare, electoral reform and regional development. Under this last he sought to shore up the dwindling fortunes of the gold-mining industry, counter the perils of centralisation and bring to fruition his pet project, the Esperance Railway. The commencement early in 1913 of work on another suspended but long-cherished scheme – the transcontinental railway – must have gladdened his heart, although it was his old enemy Forrest, and not Kirwan, who received the kudos.

Nationally, the period was one of the most turbulent in Australian political history, as repercussions from the First World War and the 1916 Easter Rising in Dublin forced a re-examination of beliefs and precipitated a near-fatal haemorrhage within the Labor Party.

Kirwan’s position on these issues was dictated by his Imperial loyalties. He was an unashamed apologist for the allied war effort – at Hughes’s request he expanded the Miner’s coverage of the conflict – urged a ‘yes’ vote in the 1916 conscription referendum, and endorsed repatriation programs for returned servicemen and their families. By contrast to his close friend and erstwhile ally, Hugh Mahon, whose incendiary speeches in defence of the Irish Republican cause led to his expulsion from Federal Parliament, Kirwan was perplexed by the Easter Rising and the ‘Troubles’ that flowed from it. On a visit home in 1920 he was shocked by the level of civil unrest and aghast at the naivety of a young Nationalist Volunteer who candidly – and foolishly in Kirwan’s opinion – advertised his republican sympathies.

As a Catholic, however, Kirwan’s response was not entirely cut-and-dried. Unswerving in his fidelity to the Crown, he was at once embarrassed by his countrymen’s treachery and sensible of Britain’s uneven treatment of Unionist and Nationalist paramilitaries, as his bitter denunciation of Edward Carson and the Ulster Volunteers demonstrated. His conservative Catholic pieties were also to the fore in Parliament where he opposed measures relaxing the divorce laws.
Kirwan’s own marriage might best be described as strained, owing largely to his wife’s deteriorating mental health. The couple had four sons in as many years, the youngest, twins, one of whom died at birth. Shortly after, Gertrude suffered a complete nervous breakdown and was eventually institutionalised.

Possibly, his wife’s frailty weighed with him when accepting in 1923 the less demanding position of Chairman of Committees. However, another factor was his mounting frustration at the obstructionist party political machinations of the Upper House and his own relative impotence as an independent. Three years after his appointment as Chairman, he was elected President of the Council, resigning from the U.W.A. Senate shortly afterwards.

Although he continued to write the occasional editorial for the Kalgoorlie Miner, he gradually withdrew from its affairs, but retained his interest in journalism through the Empire Press Union, travelling to Canada in 1920 and home to Ireland afterwards. With his domestic life in disarray, travel, the old stimulant, was increasingly to become a distraction and a consolation.

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On 15 February 1913, Gertrude gave birth to the couple’s first child, a son, John Daniel.1 The infant’s names – John after his father and Daniel for the maternal great-grandfather, Daniel Connor, who founded the family fortune – commemorated an almost dynastic union, but beneath the apparently calm surface tensions simmered. Less than a fortnight before her son’s birth, Gertrude and one of her uncles, another Daniel Connor, lodged papers in the Supreme Court contesting the right of the trustees to sell off portions of the Connor estate.2

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1 Denis Agar Richard Kirwan and John Waters Kirwan, Pedigree of the Kirwan Family, 1939.
2 State Records Office of Western Australia, Memorials, Book XIX, No.1459. The estate was substantial and included town lots in central Perth and Fremantle as well as land in Subiaco and Toodyay. In addition to his other property, Daniel Connor on 21 April 1879 had acquired the lands and hereditaments of John Septimus Roe from his heir, James Brown Roe. Daniel Connor Snr died on 12 January 1898, leaving his estate equally divided between his six children. On the death of his daughter Teresa Quinlan, née Connor, her shares passed to her eight children, but since the children were minors, their father, Timothy Quinlan was appointed to the family trust. The other trustees were Daniel Connor’s widow, Catherine, her son, Michael O’Connor, a Perth doctor, and Teresa’s brothers and sisters, Bernard Maurice Connor, Daniel Connor, Monica Hayes and Angela Murphy. There were other applications to the Court over the years to vary the trust, once on 28 November 1907 when a ‘Memorandum of Agreement to Compromise’ was lodged to secure for the children of Teresa and Timothy Quinlan an equal 1/6th share in residual property outside the Perth-Fremantle area; and again on 6 December 1907, to discharge from the estate the sum of £1800 (in monthly instalments of £150) for the testator’s widow, Catherine Connor. The trust was dissolved on 16 September 1926 when the youngest of the Quinlan children – Kathleen Mary – attained her majority. Soon afterwards, on 28 September 1926, an ‘Indenture of Conveyance’ was lodged by which the Roe hereditaments were sold to Florence Wittenoom for the sum of £4100. Catherine Connor (née Conway) died 30 December 1915. Tony Quinlan, in conversation with the author, 11 March 2008, advised that some members of
The dispute pitted Gertrude against her father Tim Quinlan who, as trustee for his minor children, had established himself as a powerbroker within the large and quarrelsome Connor-Quinlan clan.3 Under Tim’s stewardship, the family had entered into a partnership with Thomas Ahern to demolish the old Shamrock Hotel on Hay St,4 making way for a grand new department store (Aherns), a hotel (the Savoy) and shopping arcades connecting Hay, Murray and Barrack Sts. To finance the development, it was necessary to liquidate other assets, but as was to be the case on subsequent occasions, the shareholders disagreed on the way forward, hence Gertrude’s injunction. Kirwan appears to have taken a close personal interest in the affair, enlisting his friend Norbert Keenan as his wife’s legal representative.5

February also heralded the birth of another cherished dream: the transcontinental, now more popularly styled the Trans-Australian, railway. On 12 February 1913, five months after Governor-General Lord Denman had broken the earth at Cathedral Hill, Port Augusta,6 work on the western head of the line finally got underway with a sod-turning ceremony at Kalgoorlie.7

Kalgoorlie for its part entered enthusiastically into the spirit of the occasion with the formation in January of a committee to oversee the festivities. As a committee member and editor-in-chief of the town’s biggest newspaper, Kirwan had a finger in both pies, helping draft the official program and secure government funding (he telephoned the Premier’s department to verify the grant8) while guaranteeing saturation coverage in the Miner.9 On the ‘great day’ itself, a leading editorial (presumably written by Kirwan) emphasised the crucial role of the Reform League and the ‘Separation for Federation’ movement in uniting the country:

What the goldfields did for West Australia and Australia in furthering Federation should not be forgotten when we are to-day celebrating one of the splendid results of that union.10
The festivities, lasting two days, got under way with the arrival at 10.15 a.m. of a special train bearing Prime Minister Andrew Fisher, who was to officiate.\footnote{Trans-Australian Railway Celebrations. Yesterday’s Ceremonies, *KM*, 13 February 1913, p.2.} Accompanying him were Senator George Pearce, Minister for Defence; Charles Frazer, Post-Master General and the man who had replaced Kirwan as Federal Member for Kalgoorlie; and Thomas Bath, deputizing for Premier Scaddan, who was then on a state visit to London. Neither the Governor-General nor the Minister in charge of the project, King O’Malley, had made the trip across. O’Malley was said to be electioneering, although Fisher, when taxed with his errant colleague’s whereabouts, replied cryptically that he ‘could scarcely credit’ it.\footnote{Mr Fisher Interviewed, *KM*, 12 February 1913, p.4.}

Despite these conspicuous absences and a strike by disgruntled construction workers,\footnote{Trans-Australian Railway. Labour Difficulty, *KM*, 14 February 1913, p.6.} the town was arrayed in its best. Not even the sad news of the deaths in the Antarctic of Capt Robert Falcon Scott and his team could dampen the general mood, although tributes to the late explorers were offered at various public gatherings.\footnote{Prime Minister’s Speech, *KM*, 13 February 1913, p.2 and ‘The Official Banquet’, *KM*, 13 February 1913, p.3.} School children were given a holiday,\footnote{State School Holiday, *KM*, 12 February 1913, p.5.} flags and decorative banners festooned the main streets, brass and pipe bands paraded at full blast, and the local cadet corp lined up for a military review.\footnote{Kalgoorlie Arrangements, *KM*, 12 February 1913, p.5.} After a municipal welcome on the balcony of the Palace Hotel the official party was escorted to the chosen site\footnote{Ibid. The *Miner* located the site ‘...a minute’s walk from the northern gate of Victoria Park, Kalgoorlie, easily found by going along Broad Arrow Road to the first street on the left’.} where a crowd of about 10,000 watched as Prime Minister Fisher hefted a clod of red Kalgoorlie earth into a barrow, wheeled it along a plank and tipped it out. For his pains, he was presented with a ‘chaste’ gold-bladed miniature navvy’s shovel, bearing the rather verbose inscription: ‘Commonwealth of Australia. Presented to Andrew Fisher, Prime Minister. Turning the First Sod of Kalgoorlie to Port Augusta Railway at Kalgoorlie on February 12 1913’.\footnote{Presentation of Memento, *KM*, 13 February 1913, p.2.}

The celebrations continued with a full program of functions from formal banquets to a mayoral garden party, even a VIP tour of the mines.\footnote{Trans-Australian Railway Celebrations. Visit to Golden Mile, *KM*, 14 February 1913, p.6 and Kalgoorlie Arrangements, *KM*, 12 February 1913, p.5.} At luncheon, both Lord Forrest and his old adversary the late Charles Cameron Kingston were honoured along with F.C.B. Vosper,\footnote{Official Luncheon, *KM*, 13 February 1913, p.2.} another stalwart champion of the railway. Vosper, who died in 1901, had set his face against the Federal cause when the eastern leaders refused to write the railway into the
constitution. Forrest was again lionised at a banquet hosted by the Prime Minister later that evening, although the Kirwans may not have been there to see it. Their names were on the official invitation list, but with the birth of their son imminent it is unlikely that they attended and they do not appear on the roll of notable arrivals, who included Senators Lynch and Needham and their wives, Paddy Hannan and Hugh Mahon, M.H.R.\(^1\) In fact, the question of whether wives should be invited at all had provoked a minor ruckus in Perth a few days previously when the Lord Mayor let it be known that he would not attend the event in protest at the omission of his wife’s name from the guest list.\(^2\) Fremantle councillors were also disappointed when, due to time constraints, the Prime Ministerial entourage was obliged to cancel a visit to the town.\(^3\)

There were other controversies. A recent survey had revealed that on its present course, the railway would run 12 miles north of Randalls, instead of through the mining settlement as originally planned. Since the railway was considered essential to the development of the field, Kirwan and his old friends, Senator Patrick Lynch and leaseholder William Reside (better known locally as the poet Jules Raeside) joined Attorney-General T. Walker to petition Postmaster-General Charles Frazer to re-route the line.\(^4\) A Goldfields man himself, Frazer was sympathetic but, as he was merely deputizing for the absent O’Malley, could not commit himself beyond offering to submit the petitioners’ views. To Frazer also fell the task of resolving the wages dispute which had halted work on the railway,\(^5\) an outcome he achieved by promising the aggrieved workers a meeting with the Chief Engineer.

Railways were much on Kirwan’s mind that year. When Parliament resumed in June, he expressed his disappointment at his colleagues’ rejection of the Esperance-Norseman Railway Bill which had twice come before the House.\(^6\) Singling out one or two Members from the agricultural districts, he alternately attacked and cajoled, mocking Joseph Cullen (South-East Province) who advocated an east-west line running through Grass Patch, instead of the north-south extension. He had higher hopes of Ephraim Clarke (South-West Province) for whose benefit he trotted out the old arguments in favour of the line:\(^7\) it would open up new territory, increase the state’s wealth and population, even by providing a common cause

\(^1\) *KM*, 12 February 1913, p.2.
\(^2\) ‘Mr Fisher Interviewed’, *KM*, 12 February 1913, p.4.
\(^3\) ‘Fremantle Disappointed’, *KM*, 12 February 1913, p.4.
\(^7\) Ibid.
heal political differences. He also applauded the Scaddan Labor government for its initiative in introducing the legislation, signalled his support for its absentee land tax reform, and hailed the Premier’s recent trip to London, where he had successfully secured a £2,000,000 loan at lower rates than his South Australian counterpart.

But Kirwan had come not merely to praise but to blame. The targets of his ire were opposition Members who posed as independents while colluding against the government. Matthew Moss, an old adversary, received a tongue lashing but the thrust of the speech was directed at former Ministers of the defeated Wilson administration – now as ‘dead as Julius Caesar’ sneered Kirwan (inaccurately as it transpired) – who had latterly roused themselves from sleep to obstruct Labor reforms. What Kirwan’s remarks called attention to, however, was the shifting parliamentary landscape, the catalyst for which had been Scaddan’s historic 1911 electoral win. Prior to this, the Legislative Council could accurately have been described as non-partisan, but this changed as Labor’s supremacy in the Assembly exacerbated inter-House rivalry, forcing previously unaligned liberal and conservative elements to band together for their own survival. It was effectively the birth of party politics in Western Australia, for although most non-Labor Members continued to regard themselves as independent, they became progressively less so, hence Kirwan’s diatribe. Notwithstanding his own much-vaunted claims to autonomy, Kirwan’s Labor sympathies had not gone unnoticed, with Joseph Cullen mischievously enquiring if he was a party member. ‘I was returned’, began Kirwan. ‘By the Liberals’, quipped James Cornell. ‘To support measures not parties’, finished Kirwan.

If Kirwan hoped that the magnanimity of the recent Federal visitors would serve as an example to their state counterparts, he was due to be disappointed. On 9 December 1913, a new bill dealing with the Esperance Railway was again rejected by the Upper House at its second reading. Adding insult to injury, Charles Sommers, a metropolitan Member, disputed Kirwan’s oft-repeated argument that the people of the Goldfields were clamouring for the extension. The Esperance Railway, he contended, was Kirwan’s ‘particular baby and he [was] afraid to drop it’.

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28 Ibid., p.104.
29 Ibid., pp.93,90. An editorial in the Miner used a similar analogy during the Trans-Australian railway celebrations, unfavourably contrasting Members of the Legislative Council to their Federal counterparts and likening them to so many ‘molluscs’ and sluggards, see ‘Our Federal Visitors’, KM, 14 February 1913, p.4.
The obduracy of the Legislative Council on this issue forced the Scaddan Government to re-think its strategy. One of the stumbling blocks they faced in presenting it to a hostile Upper House was its close identification with the Goldfields. Time and again, Kirwan in his speeches on the subject pleaded its benefits for all sections of the state, only to have his opponents accuse him of trying to drive a wedge between the agricultural and gold-mining communities. On the contrary, Kirwan protested, the miners had only the best interests of the farmers at heart and had consistently supported initiatives that would aid their friends in the agricultural districts. Metropolitan Members, however, feared that competition with Esperance Port would harm the existing Perth-Fremantle trade route.

To obviate the difficulty, the architects of the new bill changed its name and altered its scope. Formerly known as the Norseman-Esperance Railway Bill, it was introduced to the Legislative Assembly on 30 October 1913 by Scaddan’s Minister for Works, William Dartnell Johnson, under its revised heading, the Esperance Northwards Railway Bill, and presented as an ‘agricultural measure’. One suspects that Kirwan, with his close affiliations to the Scaddan Ministry, may have been privy to the plot since, when the bill came before the Council for its second reading in December, he was conversant enough with government policy to ‘sell’ the new deal on the party plan. At half the distance of the original, the new railway, stopping ‘60 miles north of Esperance’, could not be regarded as a Goldfields conduit but would operate as ‘an agricultural railway pure and simple’.

Initially, the ploy did not appear to work. The fact that the extension stopped short of the Kalgoorlie-Norseman track did not fool the Councillors who again rejected the bill. Despite this, it remained on the government’s parliamentary agenda. Kirwan, giving notice of its re-scheduling in July 1914, foreshadowed the battle ahead by attacking his ‘old friend’, Hal Colebatch, a vocal critic of the scheme. The bill came once more before the Council in December when it was amended and referred to committee for further consideration. On 22 December 1914 the committee reported on it without further alterations and it was on its way, although there would be further delays before the legislation was finally enacted.

33 See also ‘Albany-Denmark Railway Extension. Point of Order’, WAPD, Vol.67, 8 February 1923, p.3109. Kirwan in connection with this project explains the thinking behind the Esperance-Northwards Railway Bill.
The year 1914 got off to an ominous start with the death on 13 January of Goldfields identity, John Philip Bourke, the one-time teacher, prospector and journalist, better known to readers of the *Kalgoorlie Sun* as the poet, ‘Bluebush’. Like his contemporary, ‘Dryblower’ Murphy, with whom he is often compared, he captured the pioneering spirit of the age in sturdy, rhythmic verse that spoke to a new generation of increasingly confident, independent and politically conscious working men and women. At the Catholic burial service in Boulder, he was farewelled by the Mayor and most of the leading journalists of the region.\(^{37}\) Kirwan and Milton Harvey, one of his sub-editors, represented the *Miner*.\(^{38}\)

That year also marked the end of Kirwan’s inaugural six year term in Parliament. Legislative Council elections were organised differently from those of the Lower House. As David Black explains, the ten provinces or seats were represented by three Members, each of whom served a maximum term of six years before retiring in rotation on 21 May every other year.\(^{39}\) In May 1914, it was Kirwan’s turn to face the people, and late autumn saw him on the hustings, addressing rallies at which he promoted himself as ‘an advanced democrat’ and ‘non-party man’\(^{40}\) who had neither broken a pledge nor deviated from his original platform. The lessons from his 1903 defeat had evidently gone home and he was better organised, with his own campaign committee. Notices in the *Miner* advised his supporters of meetings to assist the candidate.\(^{41}\)

Help was forthcoming from another quarter. Kirwan’s chief rival for the seat of South Province was Lyon Johnston, the Liberal candidate, but at the eleventh hour a new contender named A. A. Horan put himself forward as a Labor man. The response from Labor officials was swift and decisive. In a circular dated 30 April A. E. Green, Secretary of the Eastern Goldfields branch of the Australian Labor Federation, repudiated Horan as a Labor candidate and instructed members to ‘make this [matter] widely known’.\(^{42}\) The *Westralian Worker*, the official Labor organ, divulged the reason shortly afterwards. On 26 January the Goldfields Council of the Australian Labor Federation (A.L.F.) had resolved not to oppose Kirwan’s re-election.\(^{43}\) The decision, opined the *Worker*, constituted a ‘great compliment’ to

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40 ‘Mr Kirwan at South Province’, *KM*, 15 May 1914, p.4.
42 ‘South Province Election’, *KM*, 11 May 1914, p.4.
43 ‘Election Notices. South Province Election. Mr Kirwan’s Candidature’, *KM*, 13 May 1914, p.6. The source was Frank Kelsall, a prominent unionist and former employee of the *Miner*, then a linotype operator at the *Westralian Worker*. The *Miner* published Kelsall’s letter in full.
Kirwan, the only non-Labor politician in Western Australia to be so honoured, and reflected his long-term affiliations with the party. For the same reason, the Goldfields Trades and Labour Council had chosen not to contest his candidacy in the first Federal elections, with the result that he had been returned ‘chiefly by Labor votes’, only to lose to Labor candidate Charles Frazer three years later. Kirwan’s conduct in the aftermath of his defeat, his refusal to wreak revenge upon his former allies while continuing ‘to advocate the claims of the working class’, had stood him in good stead with the party hierarchy.

Several Labor members also campaigned on his behalf. Frank Kelsall, a prominent unionist and former employee of the *Miner*, and the source of the *Westralian Worker*’s report, praised Kirwan’s ‘manly principles and straightforward dealing’ while Labor M. L. C. James Cornell told an audience at the South Kalgoorlie Institute on 14 May that the A.L.F.’s decision had been unanimously endorsed by all 40 Labor Members of Parliament.44

Fearing the outcome for its candidate, Lyon Johnston, the Goldfields Liberal League began distributing scurrilous circulars about Kirwan, prompting Cornell and Boulder Councillor G. H. Rainsford to leap to his defence.45 Other speakers recalled Kirwan’s championship of the alluvial miners, Federation and the labour movement itself.46 In what had become a campaign ritual, the rallies traditionally ended with a vote of confidence in the candidate. The election on Saturday 16 May fully justified their faith. Figures published in Monday morning’s *Miner* showed Kirwan leading Johnston by 1177 votes.47 The final count was Kirwan 1665 (73%), Johnston 487 (21%) and Horan, the Labor candidate repudiated by his own party, 123 (5%).48 Compared to the 1908 poll, Kirwan had increased his majority by 628 (17%) votes while the number of enrolments had also increased by 117.49 Although, as David Black observes, Legislative Council elections tended to be uncompetitive,50 Kirwan faced further challenges from Labor candidates in 1920 and 1926 but won conclusively both times, capturing around 60% of the vote.51 Sitting Members generally had the edge over newcomers and, due either to familiarity or popularity, or both, Kirwan had then been the

44 ‘Mr Kirwan at South Province’, *KM*, 15 May 1914, p.6.
46 ‘Mr Kirwan at South Province’, *KM*, 15 May 1914, p.4.
48 ‘Legislative Council Elections’, *KM*, 19 May 1914, p.4 and Black, *Legislative Council of Western Australia: Membership Register*, p.87.
49 See ‘Legislative Council Elections. Latest Results of Polling’, *KM*, 15 May 1908, p.6 and Black, *Legislative Council of Western Australia: Membership Register*, pp.62, 87 and 111. In 1908, 3333 people were enrolled. Kirwan, with 1037 votes (56%), enjoyed a 233 lead over Dodd with 804 votes (44%). In 1914, 3450 people were enrolled.
51 Black, *Legislative Council of Western Australia: Membership Register*, pp.111, 136.
incumbent for 12 and 18 years respectively. He was returned unopposed in 1932 and 1938 and, when his term next expired in May 1946 after a two year delay due to the war, did not seek re-election.\textsuperscript{52}

Six weeks after the May 1914 election, Kirwan gratified his friends in the trade union movement by voicing his approval of Federal Labor’s new tariff reform.\textsuperscript{53} Under the existing system, manufacturers and employers enjoyed high profits by reason of the protective duties or tariff barriers which enabled them to monopolise the market. Labor’s ‘new protection’ aimed at redistributing the tax burden so that workers and consumers received a share of the benefits. Fisher, who had lost office on 31 May 1913, was soon to return to power at the head of a reinvigorated Labor Government after routing Joseph Cook’s short-lived minority Liberal administration.

But while Labor’s fortunes in the east were on the rise, in the west they were beginning to falter. With a comfortable 16 seat majority (33 to 17), Scaddan easily controlled the Legislative Assembly, only to be consistently outmanoeuvred in the Council by the Liberals and their conservative ‘non-party’ allies.\textsuperscript{54} Kirwan pointed out that in the three years since Labor had won office, the Council had scuttled more than 30 ‘most important’ bills on topics ranging from industrial reform to public works.\textsuperscript{55} This was in stark contrast to the many ‘bulky’ measures which it had speedily passed during the Wilson years. Of the bills introduced by Scaddan’s Ministers, only a few had managed to get through, and these had been amended to such an extent that they no longer embodied government policy. The situation had become so untenable that Scaddan had signalled his intention of reinning in the Council by legislating to give the government the power of veto.\textsuperscript{56} Kirwan and the Miner applauded the proposal, adding that if the Veto Bill was also rejected, the Premier should hold a referendum.

The battle for control of the Council led to frequent clashes between Kirwan and Hal Colebatch, an old friend since their days together on the Miner, when Colebatch had temporarily edited the newspaper. Despite their political differences, the two continued friends after Colebatch’s 1912 election to the chamber where they often exchanged courteous banter; but as the Liberal offensive intensified, Colebatch, whom many regarded

\textsuperscript{52} The author is grateful to David Black for drawing attention to this point.
\textsuperscript{54} Ibid., pp.65-67.
\textsuperscript{55} Ibid., pp.64-65. He names several of them (pp.61,66): the Traffic Bill, the Irrigation Bill, Public Works Committee Bill (rejected three times), Electoral Districts Bill, and the Initiative and Referendum Bill.
\textsuperscript{56} ‘Legislative Council Reform’, \textit{KM}, 23 April 1914, p.4.
as unofficial opposition leader, and Kirwan, self-appointed government spokesman, found
themselves increasingly at loggerheads. The conflict became personal after Colebatch, in a
ninety-minute tirade, blasted the government’s entire legislative program over the past three
years, eliciting a stinging rebuke from Kirwan who accused the ‘Liberal champion’ of
fanaticism and ignorance. As Kirwan saw it, Labor had won office, but was denied power
by a hostile minority representing one-third of the electorate which sought to usurp the
democratic process by unilaterally rejecting government bills. He ended with a profession
of faith in the embattled Scaddan Ministry which, if he did not always agree with it, had
‘more at heart the true interests of the people of Western Australia than any Government
who have ever been in power in this State’.

Three issues exemplified Liberal ‘fanaticism’ in Kirwan’s mind. The first was
opposition resistance to the Mines Regulation Bill which sought to improve the working
conditions of miners, many of whom were dying of phthisis or tuberculosis, the same disease
which had claimed the life of Kirwan’s mother. Kirwan considered the bill a humanitarian
measure, but the Liberals had twice dismissed it on the grounds that mine owners would
have to pay the cost of implementing the regulations. Colebatch was taken severely to task
by Kirwan who labelled his rejection of the bill ‘cruel and unjust’ and ‘a shame and a
scandal’. He reasoned that the mines were returning enormous dividends and could easily
afford ‘a little extra expenditure’ to relieve the health risks for workers.

A second and weightier matter concerned the Electoral Districts Bill, designed to
redress the political imbalance between city and country. Fair representation had been a
hobby horse of Kirwan’s from his first days on the Goldfields, when had agitated for more
seats for remote communities to counteract the centralising influence of coastal electorates.
Paradoxically, Colebatch, the ‘champion of centralisation’, shared Kirwan’s views that
distance from the capital and not population size should determine electoral boundaries but
effectively destroyed the bill by successfully amending it in favour of conservative voters in
the agricultural districts.

57 de Garis, ADB, Vol.8, pp.64-65.
59 Ibid., p.67.
60 Ibid., pp.59-67.
61 Ibid., p.65.
62 Ibid., p.65.
63 Ibid., pp.60-61.
The episode put Kirwan in mind of the notorious 1911 Wilson gerrymander – that ‘monstrous outrage on fair play’ – which excited in him such feelings that he could still barely ‘talk about it and keep calm’, although he managed to do so long enough to point a salutary lesson on the power of public opinion.66

The biggest source of disagreement between Kirwan and Colebatch, however, was the Esperance Railway.67 No matter what the government did to make the scheme more attractive, the opposition blocked it at every turn. To arguments that the railway would open fertile new territory, the Liberals retorted that the land in question was barren; and yet, if a Goldfields Member were to express doubts about agricultural yields, he would be howled down.68 Unlike other Liberals who had given the proposal ‘generous support’ – Winthrop Hackett, Walter Kingsmill, Cuthbert McKenzie, Charles Piesse and Edward McLarty69 – Colebatch, fearing that the railway would eventually link up with the Goldfields and divert trade from Perth-Fremantle to Esperance, had shown nothing but ‘extreme hostility’ to the line. Frustrated at every turn, Kirwan welcomed members of the newly formed Country Party who evinced a more co-operative stance on the tariff (they opposed it) and decentralisation (they supported it), and predicted that they would either absorb the Liberals, or exercise an improving influence over their policies.70

Before the month was out, however, a larger crisis loomed. The Balkan troubles, which for so long had threatened global conflagration, erupted into open warfare and on 4 August 1914 Britain and its dominions entered the conflict.

The First World War ushered in one of the most turbulent periods in Australian political history. In the east, Irish Catholic reaction to the 1916 Dublin Easter Rising would split the country and the Labor Party on the conscription issue and result in the resignation of Prime Minister Billy Hughes, his re-emergence at the head of a new political party, and four years later the expulsion from the Commonwealth Parliament of Hugh Mahon. Western Australia, though geographically remote from these upheavals, would not remain untouched as Labor members like Patrick Lynch and James Cornell left the Party to join Hughes’s Nationalists. Several Members including Cornell, Dr Athelstan Saw,71 and Robert McKenzie,72 one of the

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66 Ibid., Kirwan is referring to the political avalanche which routed the Wilson government in the wake of its contentious 1911 Redistribution of Seats Bill.
67 Ibid., p.64.
68 Ibid., pp.62-63.
69 Ibid.
70 Ibid., pp.60, 63-64.
72 ‘Leave of Absence’, WAPD, Vol.LII, 24 November 1915, p.2662. Mention is made of him being sent
plaintiffs in the *Miner* defamation suit, enlisted and were sent overseas on military service. Subiaco Labor M. L. A. Bartholemew Stubbs was killed in action.\textsuperscript{73} In the eleven months from 27 July 1916 to 28 June 1917, the government changed hands three times.

At first, it was largely business as usual for the state’s legislators, although the war was seldom far from their thoughts. In September 1914, Kirwan supported a government amendment to relax home loan re-payment terms for workers.\textsuperscript{74} The clause was passed and Kirwan was instrumental in defeating a further motion by Charles Sommers to abolish the concession in peacetime. The effects of the war might last many months after the cessation of hostilities, reasoned Kirwan, adding that widows ought not to be deprived of the benefits of the new measure. He also approved an amendment to extend the advantages of arbitration legislation to ‘unorganized’, or non-union, workers.\textsuperscript{75} The amendment had originated in the Assembly, which had forwarded it to the Council with a message seeking its assent to various clauses. Voicing his support for the proposal, Kirwan professed himself a keen advocate of arbitration, and regretted that some sections of the Labor Party appeared to be losing faith in the system. The Council again proved disobliging, however, and the amendment was defeated 14 to 7.

It was the season for elections. On 5 September 1914 Kirwan’s ‘good friend’,\textsuperscript{76} Federal Labor leader Andrew Fisher, was returned for his third and final term as Prime Minister, following the first double dissolution election in Australian political history. Western Australia, too, went to the polls on 21 October for a state general election in which the Scaddan Labor Government was returned, albeit with a vastly reduced two-seat majority.\textsuperscript{77} During his campaign, Scaddan had placed the Esperance Railway at the forefront of his public works program\textsuperscript{78} and in January 1915 the scheme came once more before the Legislative Council.\textsuperscript{79} On the 12\textsuperscript{th} of the month, Colonial Secretary Drew moved to suspend Standing Orders until the bill had passed all its stages.\textsuperscript{80} The following day it entered its

\begin{itemize}
\item \textsuperscript{74} ‘Bill – Workers’ Homes Act Amendment’, *WAPD*, Vol.XLIX, 2 September 1914, pp.1002-07.
\item \textsuperscript{75} ‘Bill – Industrial Arbitration Act Amendment’, *WAPD*, Vol.XLIX, 15 September 1914, p.1297.
\item \textsuperscript{76} Kirwan, *MLA*, p.170.
\item \textsuperscript{78} Ibid. Kirwan says here that Scaddan placed the Esperance Railway in the forefront of his public works program during the 1914 election campaign.
\item \textsuperscript{79} Ibid., pp.562-75.
\end{itemize}
second reading when supporters touted it as ‘an agricultural railway’.81 ‘Don’t you believe a word of it!’ scoffed Sir Edward Wittenoom who surmised that its main purpose was to provide a trade route between the Goldfields and South Australia.82 He added a little peevishly that if people chose to farm in a district without a railway they should ‘put up with the consequences’, but was prepared to award each of the 62 settlers in the region a £1000 grant to relocate.

It was a lively debate, to judge from the conduct of Members who twice provoked the President into issuing admonitions against interjecting and ‘walking about’.83 Wittenoom and Hal Colebatch emerged as the chief antagonists, with Wittenoom receiving a further reproof for ‘imputing motives’ by alleging that ‘the Esperance railway proposal was brought forward [because of] a certain member who came from Kalgoorlie’.84 There was, however, another incentive. A recent bumper harvest in Esperance had strengthened the case for land settlement and, by extension, the railway.85 The last hour of a lengthy evening debate was monopolised by the main combatants, Colebatch and Kirwan, disputing each other’s interpretation of government statistics on grain yields from farms in the area in their attempts to prove the viability or otherwise of the line.

Still, there were encouraging signs that the tide was beginning to turn. Kirwan claimed that slightly over a third of Liberal Members in the Assembly – six out of sixteen – and several Country Party Members had voted for the bill.86 Government reports, including one from the Railway Advisory Board, were favourable and, despite Colebatch’s quibbles, farm returns looked promising. The press, too, was on side: Kirwan averred that, with the exception of two or three country journals, notably the *Northam Advertiser*, newspapers throughout the state had ‘pronounced themselves… in favour of the Esperance railway’.87 Faced with these odds, the opposition took refuge in delaying tactics. Colebatch continued to oppose it on economic grounds. Citing the war, the government’s failed public works ventures and precarious state finances, he argued that the time for constructing a railway was even less opportune than at any previous period.88 On that basis, Wittenoom moved that the debate be adjourned for six months,89 but Kirwan, worried about possible absentees, pushed

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82 Ibid., pp.562-75.
83 Ibid., pp.562-67.
84 Ibid., p.566.
85 Ibid., p.567.
86 Ibid., p.579.
87 Ibid.
88 Ibid., pp.567, 577.
89 Ibid., p.564.
hard for an immediate vote on the subject while all Members were present. One key supporter was already missing from the lists. Edward McLarty, nursing ‘a shocking bad knee caused by a severe kick from a horse’, tendered his apologies in a letter which Kirwan dutifully read to the chamber.

Despite Kirwan’s best efforts, the Council resolved by a narrow nine to six majority to adjourn the debate until the next sitting and the scene was thus set for the final stage of the drama. After two further debates on 20 and 26 January 1915, Members finally voted by a ten to six majority to give the project the go-ahead. Wittenoom withdrew his amendment to defer the reading for six months, but other Members did their best to retard the process. After its second reading, the bill went into committee where, at the eleventh hour, Charles Sommers moved to defer construction of the railway until the completion of ‘all other lines at present authorised’. The amendment was vigorously resisted by John Drew, the Colonial Secretary, who argued that the clause would force the government ‘to hang up the Esperance railway’ indefinitely while less important or superfluous lines were completed, simply because they had been surveyed or authorised by Parliament. He could not recall a single instance in which a similar clause had been added to a bill. Sommers then moved to suspend construction until the completion of four wheatbelt lines, but even some opponents of the scheme thought this was taking matters too far. William Patrick, who had voted against the railway, considered it unsporting to hobble the government when ‘a substantial majority’ had assented to the proposal. He refused to interfere further, while Ephraim Clarke declared that ‘the Bill had been fairly won’. Walter Kingsmill, ‘in fairness to settlers and people on the land’, signalled his intention of supporting ‘an agricultural railway’. Archibald Sanderson went so far as to congratulate Kirwan on the result, describing the passing of the bill as ‘a personal triumph for him’. Faced with these odds, Sommers eventually capitulated, the bill was reported without amendment and all seven clauses were adopted.

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90 Ibid., p.575.
91 Ibid., pp.576, 80.
95 Ibid., p.850.
96 They were: Wyalkatchem (now Wyalkatchem)–Mt Marshall, Wagin-Bowelling, Kukerin–Lake Grace, and the Bolgart Extension, all located in the wheatbelt region east of Perth.
100 Ibid., p.852.
The Miner, hailing it as the ‘consummation of many years’ ceaseless work’ and a boon for ‘struggling settlers’, celebrated with a bold four column spread, one for each of the four votes which had secured the victory.\textsuperscript{101} Kirwan, speaking for the people of Esperance, expressed their appreciation of the Council’s decision, but pointed out that they had been waiting 20 years: the survey, which had been completed nearly 15 years before, was the oldest in the state. Two months later, on 14 March, the Kirwans welcomed their second son, Edmund Francis, named after both Kirwan’s brother and his ill-starred uncle, Yellow Edmund, who had lost the family fortune. Shortly afterwards, on 26 March, Parliament adjourned for a four month recess.

The second session of the Ninth Parliament commenced on 29 July 1915,\textsuperscript{102} albeit in melancholy circumstances. During the recess, two former Councillors – Thomas Frederick Outridge Brimage and George Randell – and one sitting Member, Douglas George Gawler, had died and debate on the Governor’s speech was delayed while colleagues delivered the eulogy.\textsuperscript{103} Brimage was a Goldfields man and Kirwan spoke of his fidelity and his popularity. Gawler, a Liberal metropolitan Member with whom he had often disagreed politically, he rated as a gentleman and a model parliamentarian. For him, Kirwan quoted Tennyson, one of his favourite poets.

The next item was the ceremonial reply to the Governor’s speech. One indication of the high regard in which Kirwan was held by the Scaddan administration was his selection for the honour of moving the Address, traditionally a privilege conferred by the government of the day on a senior backbencher or trusted independent who can be relied upon to justify its legislative program.\textsuperscript{104} Kirwan had his job cut out. With state debt at a five year high due to the government’s ambitious socialist agenda, Scaddan desperately needed funds to service the loans, but the war-time suspension of the London money market – the customary resort for cash-strapped colonial governments – severely curtailed his options. His only remedy was to raise revenue the old-fashioned way, but his unpopular Land and Income Tax Bill, scheduled for its second reading later in the session, faced an uphill battle through an increasingly hostile Parliament.

\textsuperscript{103} ‘Obituary’, WAPD, Vol.LI, 29 July 1915, pp.5-7.
\textsuperscript{104} Paul Grant, Clerk Assistant (Committees), Legislative Council, Parliament House, Western Australia, in an email to the author, 14 September 2009 and Chris Hunt, Usher of the Black Rod, Legislative Council, Parliament House, Western Australia, in emails to author, 11 and 17 September 2009. The mover and seconder of the Address are later presented to the Governor.
Kirwan’s valiant defence revealed the gravity of the situation, but it also showed the extent to which the war forced him to modify his policies. Ordinarily opposed to taxes of any kind – in December 1912 he had tried to block land and income tax legislation on a technicality\(^{105}\) – he was now prepared to wink at increases as well as two more ‘objectionable’ economies which the government had been compelled to adopt after encountering resistance to its fiscal program. These were to lift railway rates and cut hours for public servants.\(^{106}\) Due to Liberal obstructionism in both the weakened Lower and the intransigent Upper Houses, Scaddan had become so bewildered that, in announcing the economies, he had pleaded with the opposition to suggest an alternative. Kirwan defiantly renewed the challenge, and from rude Joseph Cullen came the ominous retort: ‘Create a new Administration’.\(^{107}\)

Another issue on which Kirwan equivocated, and the nearest he came to criticising the government, was state trading. The establishment of state-owned industries was a major plank in the Scaddan Government’s platform and had been busily pursued, resulting in a sawmill at Manjimup, a dairy farm at Claremont, a quarry at Boya, a farm tools factory, brick and ship works, as well as the purchase of hotels and public utilities such as the Perth trams and South Perth ferries.\(^{108}\) But ‘state socialism’, as Scaddan called it, proved a bone of contention with opposition Members who seldom lost an opportunity to accuse the government of extravagance and financial mismanagement: Hal Colebatch unsuccessfully sought to block the purchase of the trams.\(^{109}\) Kirwan had mixed feelings on the subject.\(^{110}\) Although ‘not wildly enthusiastic’ about collusion between government and the corporate sector, he conceded the merit of ventures like the purchase of public transport facilities and other ‘developmental works’, arguing that while they were not expected to show an immediate profit, they were still ‘a source of direct gain to the community’.\(^{111}\)

The war temporarily checked any enthusiasm he might have had. In his own words he was ‘almost the only member’ of the Legislative Council to oppose the controversial Wyndham meat freezing works planned for the north of the state on the grounds that the government should husband its resources for the war effort.\(^{112}\) Scaddan refused to listen,

\(^{107}\) Ibid., p.10.
however, embarking on a course that would ultimately bring down his administration. Against departmental advice, he accepted a loan from London financier S. V. Nevanas to build the plant, plunging the state further into debt when the scheme failed and Nevanas demanded compensation.\footnote{Black, \textit{The House on the Hill}, p.100 and J. R. Robertson, ‘Scaddan, John (1876-1934)’, \textit{ADB}, Vol.11, 1988, pp.526-29.} In an era renowned for its descent into factional politics,\footnote{Black, \textit{The House on the Hill}, p.99.} Kirwan lamented the futile speechifying and petty parliamentary squabbles that cleft the chamber at such a time, with ‘the fate of the Empire…in the balance’.\footnote{‘Address-in-Reply’, \textit{WAPD}, Vol.LI, 29 July 1915, p.8.} He hoped the present session would be of short duration, and admonished Members to occupy the interval recruiting, fund-raising, helping the Red Cross, and assisting ‘those noble ladies’ who, under the leadership of Lady Barron, the Governor’s wife, were tending to the sick and wounded.\footnote{Ibid., p.11.} In austere mood, he also supported bills to regulate the horse-racing industry.

Kirwan did not get his wish for a short session. Despite a fairly lack-lustre program, Parliament remained sitting until 26 November. Economic reform proved the most contentious item as the government’s Land and Income Tax Bill entered its second reading on 25 August.\footnote{‘Bill – Land and Income Tax’, \textit{WAPD}, Vol.LI, 25 August 1915, pp.391-95 and ‘Address-in-Reply’, \textit{WAPD}, Vol.LIII, 26 September 1916, p.205.} Kirwan proposed two adjustments. The first, a cost-cutting measure recycled from his Federal parliamentary days, was to avoid unnecessary duplication by standardising or co-ordinating Commonwealth and State government services. He abhorred waste and was constantly looking for ways to save money. The second was to abolish the ‘manifestly unfair’\footnote{‘Bill – Land and Income Tax’, \textit{WAPD}, Vol.LI, 25 August 1915, p.393 and ‘Legislative Council News’, \textit{KM}, 19 November 1915, p.4. As the Bill stood, shareholders would be taxed at the same rate as higher income earners in other sectors, but pay more because they did not qualify for exemptions that were available to other taxpayers. Kirwan considered it ‘manifestly unfair’ to modest investors whose company dividends might constitute their only source of income, but his main concern was for the small local mining companies which would be taxed at the same rate as the big overseas conglomerates.} tax on dividends which saw small investors in local mining companies taxed at the same rate, but denied the same exemptions, as richer shareholders in other corporate sectors. He was assured by the Colonial Secretary, John Drew, that he would place the matter before the government for future revision. With August marking the first anniversary of the war, Kirwan also saw fit to ask Drew if the government would frame a resolution ‘expressing the desire of the people of Western Australia to place all resources at the disposal of Great Britain’.\footnote{‘War between Britain and Germany’, \textit{WAPD}, Vol.LII, 3 August 1915, p.32.} The health and safety of mine workers, whom Kirwan called the ‘aristocracy of unionists’, was another crucial issue: he voted to amend the Mines
Regulation Act, giving inspectors greater powers to prosecute derelict or careless mine owners.\textsuperscript{120}

Between debates, Kirwan, a prolific letter writer, busied himself with correspondence, travel and journalism. Hearing that his old Federal leader, Sir George Houstoun Reid, was engaged in writing his memoirs, he offered on 28 August to send Reid some notes, for which Reid professed himself grateful as he ‘never kept diaries and [was] fearfully lazy’.\textsuperscript{121} Despite Kirwan’s assistance, however, \textit{My Reminiscences}, published in 1917 shortly before Reid’s death, proved ‘rambling, disconnected and dull’.\textsuperscript{122} Reid’s successor as High Commissioner, fellow Scot Andrew Fisher, afforded a more exciting opportunity when he resigned on 30 October 1915 and announced his intention of travelling overland along the transcontinental railway before taking up his appointment in London.\textsuperscript{123} Fisher’s ‘old parliamentary friend, Kirwan’\textsuperscript{124} was invited to meet him at the western end of the 100 mile trek, and having applied through James Cornell for leave of absence from 24 to 26 November,\textsuperscript{125} set out with four cars, four companions, an Aboriginal tracker and a brace of camels to wait at Ooldea,\textsuperscript{126} the scene of Kirwan’s later meetings with that ‘charming, cultured Irish lady’, Daisy Bates.\textsuperscript{127} The \textit{Miner}, apprised of progress by Kirwan in telegrams and a telephone call from the 392-mile station, posted daily bulletins, including an account of the camp-site revels which followed their arrival at the western railhead on 28 November and an interview with Fisher on the day of his departure from Kalgoorlie.\textsuperscript{128}

One of the subjects Kirwan and Fisher discussed on the way back to Kalgoorlie, where a hero’s welcome awaited them, was the war.\textsuperscript{129} Both thought the Gallipoli campaign begun in April that year would be successful and Fisher predicted that the fighting would be over by

\textsuperscript{121} Reid to Kirwan, 2 October 1915, Kirwan Papers, MS277: 1/161, NLA. Reid refers to Kirwan’s letter of 28 August. See also Reid to Kirwan, 22 January 1916, thanking him for leader article, Kirwan Papers, MS277: 1/162, NLA; also Reid to Kirwan, undated letter inviting him to lunch in Melbourne, possibly 1904-05 after his defeat or 1909 en route to Britain for the first Imperial Press Conference, MS277: 1/194-95, NLA.
\textsuperscript{122} W. G. McMinn, \textit{ADB}, Vol.11, p.354.
\textsuperscript{123} ‘High Commissioner Elect. Trans-Australian Trip’, \textit{KM}, 3 November 1915, p.4.
\textsuperscript{124} ‘Mr Fisher as an Overlander’, \textit{KM}, 1 December 1915, p.2.
\textsuperscript{126} For a full account of the expedition, see Kirwan, \textit{MLA}, pp.257-60. Kirwan’s companions were John Darbyshire, Supervising Engineer, Kalgoorlie; Inspector James Grill Bonny, H. Sheehan, District Mechanical Supervisor; and A. W. Lawrence, Acting Traffic Superintendent.
\textsuperscript{127} Kirwan, \textit{MLA}, pp.269-72.
\textsuperscript{129} Kirwan, \textit{MLA}, p.258.
the spring of 1916. As events were to show, the northern spring of 1916 was to prove a fatal date in Australian political history, although the source of the cataclysm would be found in far-off Ireland. On Easter Monday, 24 April, a small disorganised band of Irish revolutionaries seized strategic sites in Dublin and declared their independence from Britain. Despite the last minute confusion of orders which prevented a wholesale rising, the rebels held out against superior Crown forces for eight days and were only finally routed when the British gunboat, the *Helga*, began shelling the city.

The *Miner*, like the majority of Australian journals, was outraged by the ‘disgraceful proceedings’ and anxious to fix the blame on a handful of ‘base specimens’, as indeed were the many Irish-Australian organisations who, over the next week, filled newspaper columns around the country with affirmations of loyalty to King, Empire, and John Redmond, head of the Irish Parliamentary Party. In conservative Western Australia, the condemnation was led by Archbishop Patrick Clune who regarded the revolt with ‘deep regret…even shame and abhorrence’.

But in the midst of all these protestations could be heard a dissenting voice. From the grounds of St Mary’s Catholic Church in Melbourne, Archbishop Daniel Mannix launched a blistering assault upon those he saw as the real culprits, the British Government, Unionist Sir Edward Carson and his Tory allies. As stories emerged of British military excesses – the drawn-out executions of the leaders, the tragic romance of Joseph Plunkett, the murder of civil rights activist, Francis Sheehy-Skeffington – other voices joined the growing chorus of disapproval. Archbishop Kelly of Sydney was found to agree with his brother prelate; John Dillon mounted a passionate defence of the rebels in the Commons; and the *Miner*, having denounced Carson and his loyalists, revealed that many of the gallant freedom fighters were writers and intellectuals.

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The shock waves from this event were to split the country and the Labor Party as combatants rallied behind two politically opposed behemoths. Ablaze with Imperial zeal after his successful diplomatic mission to London, Paris and the Western Front, Labor Prime Minister Billy Hughes defied many in his own party to campaign for compulsory military service. He was contradicted by Mannix who, revolted by British tyranny, urged Irish Catholics to resist the call to arms. On 28 October 1916, the nation went to the polls to settle the question in a plebiscite.\footnote{138} The result, by a narrow margin, was a defeat for Hughes whose leadership now hung in the balance. Caucus convened on 14 November to consider the matter, but when it became clear that members meant to expel him, Hughes and 23 of his colleagues marched from the room before the vote could be taken.\footnote{139} Watching from afar, the \emph{Miner} hoped for a reconciliation between the warring factions, but it was not to be.\footnote{140} The breakaway group later merged with the opposition to form a new political combination – the National or ‘Win the War’ Party – although two of Hughes’s Ministers, King O’Malley and Hugh Mahon, who had signalled their intention of voting against their former leader, resigned rather than serve in his reconstructed Cabinet.

Western Australia was one of the three states to support conscription. The \emph{Miner} preached ‘compulsion’, with bold headlines urging a ‘yes’ vote; and Kirwan was so intent on the outcome that he took the unusual step of affixing his name to the four editorials he wrote, admonishing people to do their ‘duty…in the best interests of our gallant Australian troops’.\footnote{141} It was Kirwan at his hyperbolic best. Construed in highly charged, emotional language, and plentifully punctuated by exclamation marks and other rhetorical devices, the articles appealed to readers’ patriotism, assuring them that ‘the cry for help is distinct’ and reminding them that ‘Australians had never yet refused to lend a hand to a mate in distress’.\footnote{142} German atrocities against ‘priests, nuns and virtuous girls’ were also made much of in an attempt to rouse people’s fear and loathing of the enemy. His only consolation after the referendum was that the rancour which had tainted the campaign in the east had not soured local sentiments. Despite Mannix’s objections, Victoria and Tasmania had also returned a ‘yes’ vote, although their combined efforts were not enough to carry the day. By then, however, Kirwan had other more pressing matters to worry about.

\footnote{138}{‘Vote Today and Vote Yes’, \textit{KM}, 28 October 1916, p.4.}
\footnote{139}{‘Caucus Sensation. Mr Hughes And Followers March From Room’, \textit{KM}, 15 November 1916, p.4.}
\footnote{140}{‘Federal Politics’, \textit{KM}, 21 November 1916, p.4.}
\footnote{141}{‘Last Saturday’s Referendum’, \textit{KM}, 30 October 1916, p.4. See also the editorials ‘Yes or No’, \textit{KM}, 26 October 1916, p.4, ‘Vote Yes To-morrow’, \textit{KM}, 27 October 1916, p.4, and ‘Vote To-day and Vote Yes’, \textit{KM}, 28 October 1916, p.4 and ‘Vote To-day and Vote Yes’, \textit{KM}, 28 October 1916, p.4.}
Since the October 1914 election, the Scaddan Ministry had been clinging precariously to power by a two seat majority. In the space of a year, however, it had the misfortune to lose both seats. The first reversal took place in extraordinary circumstances: in January 1915 Joseph Gardiner, the Labor M.L.A. for Roebourne, inexplicably walked out of Parliament. Labor lost the November by-election. It also managed to alienate its only wheatbelt Member, Bertie Johnston, who began voting with the opposition after Scaddan reneged on a promise to reduce the price of Crown land. Following the Nevanas affair, Johnston, too, resigned, returning to Parliament as an Independent in January 1916. Conditions were now ripe for a ‘sudden death’ no-confidence motion. It soon came. On the afternoon of 25 July 1916, as the Premier pursued the case for supply, opposition leader Frank Wilson moved that ‘the House do now adjourn’. The motion, which was carried by four votes, effectively wrested control of Parliament from the government and amounted to a ‘want of confidence’ in the Scaddan Ministry. Kirwan, who had accurately predicted the outcome in the Miner, was on hand to interview Scaddan immediately after the spill and obtained the intelligence that the Premier would see the Governor in the morning. At this stage, Scaddan still hoped to salvage the situation by calling a fresh election, but when Governor Sir Harry Barron ‘regretted’ that he could not agree to a dissolution of Parliament, Scaddan was obliged to tender his resignation. Wilson was invited to form a new government. Next day, the Legislative Assembly sat for only four minutes. Prayers were said, then Scaddan rose to advise the House of the result of his appeal to the Governor and his subsequent resignation before adjourning Parliament until the following Tuesday. Kirwan, who had temporarily donned his journalist’s hat in the interests of the Miner’s readers, could extract no additional statement from him other than a promise that he would speak fully at a later date.

At least initially, the conscription crisis did not have as severe an impact on remote Western Australia as it did in the east, largely because the Labor leadership chose to regard the matter as a conscience vote. Thus, in the referendum campaign, Scaddan declared for

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145 ‘Political Gossip’, KM, 26 July 1916, p.3. The report says only that Scaddan was ‘seen immediately after the House rose by a Miner representative…’, but the unnamed journalist must have been Kirwan. ‘Scaddan Ministry Resignation Submitted. Dissolution Refused’, KM, 27 July 1916, p.4. Newspapers of the day reported that Scaddan had asked for a dissolution of Parliament, although as David Black explained to the author, ‘there is no provision whatever in the Western Australian State Constitution for a…dissolution of both houses [of Parliament]. The Legislative Council is never dissolved, merely prorogued’. The Western Mail, however, advised its readers that the Governor had the legal authority to grant ‘a dissolution of Parliament’ at the request of a defeated Premier, ‘The State Parliament’, 21 July 1916, p.31. See also ‘State Politics’, West Australian, 5 July 1916, p.6, ‘Crisis in the West’, the Adelaide Advertiser, 26 July 1916, p.6 and ‘Mr Scaddan’s Request for a Dissolution Refused’, Brisbane Courier, 27 July 1916, p.6.
 compulsory military service while his deputy, Philip Collier, lobbied against it. In the interval, Scaddan, who had lost his seat of Canning in the ministerial by-election of 19 August, was without a constituency, and frantic backroom negotiations were needed to provide him with one. The solution was found when John Thomas Lutey, the Labor incumbent for Scaddan’s old Goldfields seat of Brown Hill-Ivanhoe, was persuaded to resign without being sworn in, allowing Scaddan to contest the October by-election. But it proved a short term compromise. During the 1917 Federal election campaign Hughes and new Labor leader, Frank Tudor, re-opened the conscription debate, leaving Scaddan in the invidious position of supporting Hughes rather than Tudor. A month before the 5 May election, which delivered a landslide victory for Hughes, Scaddan resigned, forming the National Labor Party and eventually obtaining a berth with the Lefroy Government. George Taylor, one of the first Labor members to enter the State Parliament, and James Cornell, who shortly before his defection had been selected as a delegate to the forthcoming Federal Labor Conference in Melbourne, joined the exodus.

Ironically the split also cut short the life span of Wilson’s Centralisation (Liberal) government. Another, and vexed, issue on the Goldfields was the Esperance railway. This came to a head in the run-up to the Coolgardie by-election, triggered by the sudden unexpected death on 13 July of the sitting Labor Member, Charles McDowall, from Bright’s Disease. A week before the 12 August poll Wilson, who was no friend of the railway, tried to make political capital out of it by claiming in an interview with the West Australian that a Liberal Government had begun it. Suspicious, Kirwan decided to call the Premier’s bluff, firing off a reply-paid telegram on 7 August asking Wilson for an assurance on the future of the project. Wilson’s response, slamming the scheme, was enough to discourage

148 KM, 19 August 1916, p.4.
149 Kirwan, MLA, p.246.
150 ‘Federal Labor Selection Ballots’, KM, 18 November 1916 p.5. The date of the conference was 4 December.
152 ‘Death of Mr M’Dowall. A Sudden End’, West Australian, 14 July 1916, p.8. McDowall, a former Coolgardie Municipal Councillor (elected 1901) and Mayor (elected 1904), died suddenly at his home in Ord Street, West Perth, on 13 July 1916.
the hardiest optimist, but since it was not received until the 15th – three days after the by-election – it did not appear in the Miner until 17 August. Kirwan, alerting voters to the Premier’s duplicity the day before the poll, need not have worried. Coolgardie electors proved as fly as their new Premier and Labor candidate George Lambert easily won the seat. Railway enthusiasts were not so fortunate. By the time Parliament resumed on 22 September 1916, work on the line had been halted pending an enquiry.

Angered by Wilson’s perfidy, and determined to expose it, Kirwan tackled the Premier during the Address-in-Reply. His antipathy to Wilson flaring with his oratory, he pronounced the railway a ‘vital matter’ to the people of Coolgardie; prophesied that it would eventually be built ‘in the interests of decentralisation’; and condemned the government for seeking to ‘crush the hopes and embitter the hearts of as brave and fine a set of pioneering settlers as any part of the Commonwealth ever produced’. The economy and the mining industry added fuel to the fire. Government spending, the war, and loan repayments had drained the state’s coffers and Kirwan, for whom fiscal responsibility was a fundamental tenet in business as in politics, was genuinely alarmed. But in haranguing Wilson Kirwan had an ulterior motive. As leader of the opposition Wilson had regularly harassed Scaddan about the deficit. Now the situation was reversed, Kirwan enjoyed calling Wilson on the subject and demanding from him the same accounting that he had required of Scaddan. The mining industry was another sore point. By this date, it was no longer the money-spinner it had once been – several Members of the new administration referred to it as ‘a dying industry’ – although Kirwan, believing that there were still more ‘auriferous regions’ waiting to be developed at Ravensthorpe, Dundas and the Kimberley, urged the government to support it. Although he thought Wilson hopelessly out of his depth in financial matters, and doubted his intentions towards the Goldfields, he nonetheless hoped that he would

Coolgardie electors and others would be glad if you would kindly say whether you favour construction of the line between the head of the Esperance-Northwards railway and Norseman, so that the project that you point out was begun by your party may be completed’.

160 Ibid., p.203.
161 Ibid., p.208.
countenance Scaddan’s attempts to exempt gold-mining income from the Federal tax on war profits.

The only glad tidings Kirwan could find in an otherwise gloomy prognosis was the appointment of his ‘old journalistic colleague [and] comrade’ Hal Colebatch as Colonial Secretary. Colebatch’s predecessor, John Drew, was praised for his sincerity, but in congratulating Colebatch, Kirwan spoke warmly of the ‘old ties of friendship’ between them which ‘no political differences could sever’.

Wilson, however, was not long in office. The no-confidence motion which had toppled Scaddan had been won with the help of Country Party Members, but Wilson’s new allies proved fickle. The tension between the two camps became so fraught that at one stage Wilson tendered his resignation to the Governor. It was not accepted, but after Hughes’s landslide win in the May 1917 Federal election, Wilson came under pressure to form a Nationalist Party at state level. In an uncanny re-enactment of Hughes’s exodus from the Labor Party, Wilson and his supporters stormed out of a Caucus meeting when it became clear that members of the new state Nationalist Party planned to replace him as leader with Henry Bruce Lefroy.

Lefroy became Premier on 28 June 1917, but his incumbency was not the panacea for which Kirwan hoped. A poor disciplinarian, presiding over a fractious and disorganised crew, Lefroy proved no more adept at solving the financial crisis than had his predecessors. Kirwan, comparing it unfavorably with the Scaddan Government regularly expressed his ‘want of confidence’ in the new administration.

If one feature of Lefroy’s Government irked Kirwan more than another it was the erratic parliamentary schedule which operated during his Premiership. To allow retiring Members time to prepare for the May biennial elections, Parliament usually sat in the latter half of the year, seldom before June. Country representatives with large, remote constituencies to canvass were peculiarly reliant on this arrangement and especially put out by Lefroy’s departure from it. The fourth session of the ninth Parliament, lasting just thirteen days from 19 July to 1 August 1917, was followed late in the season by an extended six month session, beginning on 20 November and described by the Colonial Secretary Hal Colebatch as

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165 Ibid., p.78.
167 Black, The House on the Hill, p.138. Members seeking re-election were obliged to ‘retire’ before contesting their seats.
‘extraordinary [for] the time of year’. Kirwan, who had been returned uncontested in May 1916, was not directly affected, but he and Dodd had promised Sgt Cornell, then fighting at the front, that they would campaign on his behalf. With six weeks to go, and Parliament about to adjourn for Easter, Kirwan and Charles Sommers urged a sympathetic Colonial Secretary to ensure that Parliament rose in good time, but when, in a 25 March interview with the *West Australian*, the Premier indicated that it was business as usual, Kirwan successfully moved that the House adjourn one month before the forthcoming elections and two months prior to all future polls. Cornell, returning in June in time to celebrate his electoral victory, did not forget to thank Kirwan who had campaigned tirelessly on his behalf in the interim.

Sitting hours continued to be a bugbear, however. Kirwan, weary from his regular 800 mile round trip from Kalgoorlie to Perth and back, entreated Members to conduct business in a timely fashion so that their country colleagues could catch the weekend train home. His pleas coincided with a distressing interval for the Kirwans. On Christmas Eve, 24 December 1917, Gertrude had given birth to twin boys, Cecil Edward and Francis, one of whom (Francis) died shortly after delivery. A keen horsewoman, and an accomplished pianist who had taken lessons from Eileen Joyce’s teacher, Gertrude had always been regarded by her family as a trifle ‘fey’ and her playing, while technically proficient, struck one relative as cold. She did not cope well with pregnancy, suffering what would now probably be diagnosed as post-natal depression after the births of her children but was then designated ‘psychosis’. The death of her brother Lt Harold Quinlan in June 1918 and a traumatic riding accident several years later accelerated her decline. By the time her youngest son

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173 ‘Complimentary Social to National Labourites’, 4 June 1918, Kirwan Papers, MN591: PR520 O/S C17, BL.
174 ‘Adjournment – Special’, *WAPD*, Vol.57, 11 April 1918, p.1313 and ‘Sitting Days and Hours, Additional’, *WAPD*, Vol.57, 21 May 1918, p.1645. See also ‘Sitting Hours’, *WAPD*, Vol.63, 8 December 1920, p.2177. He recommends the formation of small working parties or ‘conduct of business’ committees to vet documents before debate, particularly when ‘extraordinary measures’ are to be rushed through.
176 Telephone interview with Peggy Kirwan, 21 January 2010.
177 ‘Death of Lt Harold Quinlan’, newspaper article, 27 June 1918, Kirwan Papers, MN591: PR520 O/S C17, BL.
178 Telephone interviews with Cecil’s widow, Peggy Kirwan, 13 September 2000 and 21 January 2010;
was nearing secondary school age, her condition was so poor that her husband and her brother, Dr Daniel Quinlan, had her sectioned. Whilst this was for the era the orthodox response to mental illness, it is impossible not to recoil from the emotional scenes which must have accompanied the afflicted woman’s forcible removal from her home, or to view Kirwan in any but an uncharitable light as, however regretfully, he divested himself of his socially embarrassing wife and the domestic tribulations of caring for three young boys. Cecil is said to have witnessed his mother being led screaming from the house. Shortly afterwards, he and his brothers were shipped off to an English boarding school. Obviously, their father’s public responsibilities were not to be sacrificed on the altar of family piety. Gertrude spent the rest of her long life in a series of Catholic nursing facilities, the last seven years at Mt St Emilie’s Home, Kalamunda, run by the Sisters of St Joseph of the Apparition. Kirwan dutifully visited her during his lifetime. She died on 19 October 1966, seventeen years after her husband.

The last years of the war were marked by fierce fighting and heavy casualties abroad, and a plummeting economy at home as unemployment, drought and the trade slump took their toll. Kirwan, who thought the recession ‘the all-important question…overshadow[ing] everything else’, preached government cutbacks, but resented it when Lefroy took a razor to the Goldfields. Reluctantly, he accepted retrenchments in the ailing mining industry, opposed a new freezing plant in Fremantle, endorsed higher interest rates and, although he rebuked the Treasurer for so doing, justified to his disgruntled electors the unpopular decision to revoke subsidies to the Fresh Air League which sent Goldfields children to the seaside. Although he thought its administrators wasteful and biased towards the agricultural

Tony Quinlan, 11 March 2008; and Jocelyn Summerhayes, 7 May 2010. Although reluctant to speak of Gertrude’s infirmity, both Peggy and Tony attributed the cause to a riding accident in which the horse bolted, racing several miles along Adelaide and St George’s Terraces to Malcolm St in West Perth. Gertrude was said to be physically unhurt but the shock delivered a last fatal blow to her already fragile mind and she never recovered. Whether this is true or a merely a cover story for what was then a more shameful condition can by this date only be conjectured. An O’Connor relative, Jocelyn Summerhayes, contends that the Quinlans lived in the shadow of hereditary madness, of which Gertrude’s ‘baby blues’ were symptomatic. Cecil was said to be a young boy at the time of his mother’s committal. The only direct reference occurs in a letter from Arthur R. Holbrook, dated 30 July 1932, in which the writer offers Kirwan belated congratulations on his recent knighthood, and expresses his sorrow at ‘Lady Kirwan’s illness’, Kirwan Papers, MS277: 1/182, NLA.

districts – and monopolised a sitting to say so – he grudgingly approved the annual review of the Industries Assistance Act, created in 1915 to aid primary producers. Increasingly exasperated with it, he would later demand that the Board be dismantled. For the present, having modified or abandoned many of his own principles in deference to the ‘abnormal conditions’ imposed by the war, he was incensed when, in August 1918, the Governor in his customary address maintained that the government was doing all in its power to foster the mining industry. The ‘audacity’ of this ‘great wealth of words’ in service to ‘a great poverty of ideas’ stung Kirwan who reproved His Excellency for announcing policy instead of confining himself to a recital of facts.

Kirwan’s mounting frustration with the Lefroy Government and, to an extent, with Parliament itself was in stark contrast to the authority he exercised as editor-in-chief of the Kalgoorlie Miner. Divested of the Scaddan alliance, he cut a lonely figure in Council but was guaranteed a captive audience at the Miner, where he could, if he so chose, write his own script. It was always in this role that he proved most effective, as he demonstrated once again when responding to Prime Minister Hughes’s recruitment drive. The defeat of the second conscription referendum in December 1917, the carnage on the Western Front, and a fall in enlistments had prompted Hughes to engage the press in an attempt to boost national morale and bolster troop numbers. A letter from Hughes’s secretary, Percival Edgar Deane, dated 9 April 1918 and expressing ‘the Prime Minister’s appreciation’ of the Miner’s efforts in ‘re-creating the war spirit’, confirms that Kirwan was one newspaper owner he did not approach in vain.

Fired by the same Imperial loyalties, Kirwan and Hughes were equally committed to winning the war; but unlike Hughes, whose patriotism was said to exceed his judgement, Kirwan showed greater compassion for the rank and file. During the second Wilson government, he sought to extend the Legislative Council franchise, then reserved for property owners, to returned servicemen. He supported repatriation schemes, particularly

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190 Percival Edgar Deane to Kirwan, 9 April 1918, Kirwan Papers, MS277:1/167, NLA. The letter also refers to an earlier communication from Kirwan to Hughes’s office on the 25th [March?] .
those which helped ex-soldiers settle on the land or go prospecting, and urged the
government to streamline the application process.193 Behind the scenes, he gave to military
charities such as the Blind Soldiers and Sailors Appeal, launched by an old friend, (Sir)
Arthur Pearson, who, recalling a ‘Sunday at Frensham’ during the first Imperial Press
Conference, expressed his regrets at the death the previous year of that ‘good fellow’,
Winthrop Hackett.194

In September 1918, Parliament was notified of another death. On the 2nd of the
month,195 while en route to London, Lord Forrest had died at sea after a recurrent illness,
thought to have been caused by the removal of a ‘rodent ulcer’ three years earlier.196 Kirwan
had long ago made his peace with Hackett, ‘the classical scholar’197 from Kirwan’s putative
alma mater, Trinity College, Dublin,198 who died on 19 February 1916. But Forrest, the
bluff, blunt man of action, was a different order of being. Although in his later reminiscences
Kirwan always accorded him the respect due his achievements as pioneer explorer, Premier
and Federal Minister, his early resentment of Forrest endured to the end.199 As late as 25 July
1917, he found himself having to defend Federation against charges that it was responsible
for the recession.200 The speech inevitably culminated in an attack on Forrest, whom he
blamed for the first Federal tariff. Kingston, the Minister who had been actually in charge of
the tariff, was not mentioned.

Lefroy’s resignation on 17 April 1919 cleared the way for Kirwan’s friend, Hal
Colebatch, to become Premier. But Colebatch, the first and only incumbent to govern from
the Legislative Council, also enjoyed the shortest tenure. On 17 May, one month to the day
of his accession, he was forced to resign following violent clashes between police and
striking waterside workers on Fremantle’s Victoria Quay. (Sir) James Mitchell, his
successor, was a man after Kirwan’s own heart.201 Born the same year, the two shared a
passion for regional development, and Mitchell, while keen to open up the wheatbelt, did not
neglect the Goldfields. Kirwan, who appreciated his employment relief initiatives, admired what he saw as his statesmanship and vision.

After the political turmoil of the past four years, Mitchell’s appointment ushered in a new era of stability and co-operation. For Kirwan personally it meant an end to exile. With Colebatch in charge of Education and Health, and Scaddan’s return from the political wilderness as Colonial Secretary and Minister for Railways – and Industries, Woods and Forests in the reconstructed Mitchell Cabinet of 25 June – he could once more count on a sympathetic hearing. Conservation was becoming a political issue and one in which he interested himself, cautiously approving the previous Ministry’s forest management policy\(^{202}\) and voting in November 1921 to site the tea rooms at Pt Walter at least 100 yards from the foreshore.\(^ {203}\) The government’s new environmental sensitivity won it few converts on the Goldfields, however, where the once prosperous settlement slipped further into recession. In August 1919, striking timber workers temporarily brought the woodlines to a halt\(^ {204}\) while the competition for jobs led to rioting in Kalgoorlie between returned servicemen and Italian labourers later in the year. Hughes’s wartime moratorium on the export of base metals, intended to control the manufacture of munitions and preserve the national economy, further hampered local mining companies. Kirwan hoped the ‘grossly unjust’ prohibition against overseas sales would be lifted as soon as practical. The news that the wife of Edward Irving, Kirwan’s number two at the \textit{Miner}, had succumbed to the Spanish influenza pandemic then sweeping Western Australia\(^ {205}\) was a personal sadness, and prompted Kirwan to promote the benefits of inoculation during Question Time.\(^ {206}\)

In the parliamentary recess of 1920, Kirwan headed to Canada for the second Imperial Press Conference, leaving Liverpool on 19 July aboard the C.P.O.S. steamer \textit{Victorian} and arriving in Sydney, Nova Scotia, on the 27\(^ {\text{th}}\).\(^ {207}\) Parliament, originally prorogued from 19 December 1919 to 17 February 1920, did not resume until 5 August,\(^ {208}\) coincidentally the day on which the Conference convened in Ottawa. It thus transpired that Kirwan missed

\(^{202}\) Bill – Forests’, \textit{WAPD}, Vol.59, 3 December 1918, pp.1305-08. Kirwan supported attempts to manage and preserve the forests for future generations but drew the line at assigning extraordinary powers to a ‘Forest King’ or Conservator, who might contravene the interests of other industries.

\(^{203}\) ‘Bill – Permanent Reserve (Point Walter)’, \textit{WAPD}, Vol.64, 8 November 1921, pp.1526-27.


\(^{205}\) King, \textit{Voice of the Goldfields}, p.90.


\(^{207}\) Kirwan, \textit{Two Imperial Press Conferences}, pp.26-87. Kirwan says they arrived in Nova Scotia on 27 July. It is not known if Gertrude accompanied him but, given her frequent bouts of depression, it seems unlikely. She may already have been hospitalised. Tellingly, she is not mentioned either in Kirwan’s account of the conference or in newspaper reports.

most of the fourth session and, due to the extended prorogation, did not have an opportunity to apply for leave of absence. After the Conference, which kicked off with a ‘brilliant banquet’ in Montreal on the 4th, the 60 male delegates, their wives and a lone female journalist, Miss Billington, toured the country for several weeks in luxuriously appointed special trains. Kirwan then went on to Ireland. He did not leave Canada till the 11th of September, sailing aboard the Empress of Britain and berthing at Liverpool on the 22nd of the month.

Ireland, however, proved something of a shock to the system. Kirwan, marvelling at Canada’s climate, its scenery, hotels and hospitality, above all, its decentralised town planning system, concluded that Australia should have based its constitution on the Canadian, rather than the United States, model. Ireland, riven by guerrilla warfare as Republicans and the infamous Black and Tans fought for control of the country, was an affront to his Imperial sensibilities. Kirwan, appalled by the ambushes, the raids, the damage to property and the prevailing air of lawlessness, was particularly affected by the plight of the gentry and the ruin of their ‘beautiful demesnes’, which as symbols of the hated usurper were subject to frequent attacks by the Republicans. But although he saw first hand the destruction wreaked by the Tans and himself had a couple of narrow scrapes – on one occasion while staying in Dublin he snapped up his window blind to peer into the street and found himself staring down the barrels of a dozen British rifles – he refused to blame the Imperial government for the impasse, and his experiences only served to reinforce the lesson that the ‘friends of British rule’ suffered as much as their enemies. In a Dublin bookshop, he tried in vain to dissuade a young I.R.A. recruit from joining the insurgents, arguing that ‘a handful of ill-trained and ill-equipped’ men could not hope to defeat a nation which ‘had humbled to dust the majesty of the German Empire’.

It is possible that Ireland was the reef on which the already rocky friendship between Kirwan and Mahon finally foundered. Kirwan saw Irish devolution as an ‘Empire question’, telling the House on 8 December that the ‘troubles’ were a family disagreement.

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209 He was present in December for debates on several bills, including the Meekatharra Railway (14 December), Divorce Act Amendment (17 December), Land Tax and Income Tax (17 December), and General Loans and Inscribed Stock Act Amendment (22 December).


212 J.W. Kirwan, M.L.C, ‘A Fortnight in Ireland: Before the Treaty and After’, West Australian, 1 June 1927, p.10. In this article, Kirwan gives the date of his Irish sojourn as August 1920 but in Two Imperial Press Conferences, he says the delegation left Britain 19 July and remained in Canada until September.

213 Their correspondence appears to have petered out by this date.
between ‘sister islands’’. The recently completed 1921 Anglo-Irish Treaty which partitioned
the country he depicted as an ‘honourable’ initiative, brokered by ‘broad-minded, far-seeing,
and generous’ men (by whom he meant Lloyd George and the King, and not de Valera or
Michael Collins whose unreasonable demands for a republic had threatened the peace
conference). The Miner echoed these views, only relenting after the death of Collins
who, in ratifying the Treaty, famously and accurately predicted that he had signed his own
death warrant. Mahon, roused to fury by the death on 24 October the previous year of
Terence McSwiney, Lord Mayor of Cork, while on hunger strike in Brixton Prison, had
sealed his political fate in equally spectacular fashion. At an Irish Ireland League meeting in
Melbourne on 7 November 1920, he launched a savage attack against the ‘bloody’ British
Empire and its ‘accursed despotism’ before leading the motion for an Australian republic.
The inflammatory oration gave a vengeful Prime Minister Billy Hughes the chance he had
been seeking since Mahon’s betrayal in 1916. Four days later Mahon was expelled from the
Federal Parliament, the only Australian political representative to be cashiered. Since its
editor-in-chief was still overseas at the time, the Miner contented itself with reporting the
facts without comment.

In the same year that Ireland suspended hostilities with Britain, the Australian
Constitution was once more under review. Western Australia, in Kirwan’s book ‘the spoilt
child of Federation’, had continued a vocal critic, prompting the Commonwealth to
announce that it would consider amendments at a new National Convention. As a
preliminary step, the Assembly on 27 September ‘messaged’ the Council seeking a joint
select committee to examine the effects of ‘the Federal compact’ on the state’s finances and
industries. Kirwan, relishing the opportunity to narrate yet again ‘the story of Western
Australia’s entrance into the Federal Union’ and his own part in it, supported the
resolution. At the time he believed it was better to resolve doubts rather than allow them to
fester. However, when in October the following year Frederick Baglin moved for a

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215 ‘The Irish Conference’, KM, 26 October 1921, p.4 and ‘The Irish Settlement’, KM, 10 December
1921, p.4.
216 ‘Civil War in Ireland. Death of Mr Michael Collins’, KM, 24 August 1922, p.5 and ‘The Late General
218 ‘Parliamentary Sensation’, KM, 10 November 1920, p.4 and ‘Mr Hugh Mahon M.P.’, KM, 11
November 1920, p.4.
219 ‘Resolution – Federation and the State’, WAPD, Vol.64, 27 September 1921, pp.917-26 and ‘The
referendum on whether Western Australia should remain in the Federation, he was extremely vexed and tried unsuccessfully to quash the motion.221

Since his first hesitant appearance on the hustings in 1898, Kirwan had matured into a ‘skilled debater’,222 fluent rather than eloquent, earnest rather than witty, and with a decided gift for cogent, if often impassioned, argument. The West Australian placed him in the ‘first rank’ of parliamentary speakers,223 but his growing absorption in committee work left less time for the exercise of this talent. Between 1919 and 1923, he was appointed to the House,224 Printing,225 and the busy Standing Orders committees,226 as well as the Royal Commission on State-Commonwealth relations.227 A handful of issues engaged him in the interim. He continued to agitate for more aid for the mining industry, whose economic decline he thought beyond the combined abilities of the Premier, his Ministers and the opposition to remedy (he suggested they convene a panel of experts as the Imperial Parliament had recently done).228 He opposed tax increases, blaming government over-spending, not lack of revenue, for the state’s parlous financial situation and paying tribute to Labor Members in the Lower House for their fiscal responsibility in resisting the measure.229 He ‘warmly’ congratulated Scaddan, now Minister for Mines in the reconstructed Mitchell government, on his fresh initiative in combating the ‘terrible ravages’ of miner’s phthisis,230 endorsed Mitchell’s reform of the industrial arbitration system,231 and despite reservations about changes to the electoral map cheered Hal Colebatch with a rousing ‘Hear! Hear!’ when he moved to redress the city-country disparity by reducing quotas for ‘outlying areas’.232 As a ‘back-block’ representative himself, Kirwan had never agreed with same-size electorates, contending that other factors such as distance from the city should be taken into account.233 His motion to amend the bill on these lines was rejected.

224 ‘Committees this Session’, WAPD, Vol.60, 5 August 1919.
225 ‘Committees this Session’, WAPD, Vol.67, 9 November 1922 – 8 February 1923.
as was his proposal to give the Council the same power as the Assembly in ordering the redistribution of seats. But on 17 December 1920, he successfully blocked an amendment to relax the divorce laws, claiming that it was tantamount to ‘sanctioning free love’. The new bill, modelled on the English Act, would have granted an immediate decree nisi, or quickie divorce, on the grounds of desertion but Kirwan, who ‘very much disliked’ the legislation, imposed a five year waiting period.

His uncharacteristically erratic parliamentary schedule in 1922 betokened further problems in his own marriage. Five times on 12 and 24 January, 6 and 12 September and 20 December he applied for leave of absence. On the fifth and last occasion he returned to the Goldfields to welcome Canadian Trade Minister, James A. Robb and his wife at the start of their official state visit. But the reason for his other absences can only be guessed at. It is possible that Gertrude’s faltering health was a factor. Within a year he had accepted an appointment as Chairman of Committees for the Upper House and, in 1924, after twelve years service, he resigned from the University Senate. Around the same time he began scaling back his duties at the Kalgoorlie Miner – the last editorials to which he put his name had been during the conscription campaign of 1916 – although he retained his shares in the newspaper until shortly before his death.

Kirwan’s election as Chairman, or Deputy President, of the Legislative Council at 5.50 p.m. on 1 August 1923 all but ended his active parliamentary career. While occupying the chair he could no longer speak, except to mediate debates and administer Standing Orders during ‘Whole House’ sittings when Members refine the various clauses of the bills. Before he took up his new duties, however, there was one outstanding matter which he was determined to see through to the bitter end. Amongst the first to congratulate him was his old comrade, James Cornell, who was confident that Kirwan’s early experiences in the Federal

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236 ‘Canadian Cabinet Minister’, KM, 20 December 1922, p.4. Kirwan, who confirmed the presence at the 1920 Imperial Press Conference of most of ‘the leaders of Canadian public life’, probably met the Robbs there, see Two Imperial Press Conferences, p.49.
237 Simpson, ADB, Vol.9, p.615.
238 Jack Hocking, OH184, BL, p.8.
239 ‘Chairman of Committees, Election’, WAPD, Vol.68, 1 August 1923, p.60.
240 Christopher John Hunt, Usher of the Black Rod, Legislative Council, Parliament House, Perth, 6000, in an email to the author, 12 September 2009. On such occasions the President vacates his chair and the Chairman moves to his own seat at the table between the two clerks. During second readings, when Members discuss policy and the purpose of the legislation, the President resumes his chair. Although the Chairman cannot take part in debates, he may do so on surrendering the chair to one of his deputies or another Member.
Parliament as well as his long state career would stand him in good stead. The following day, Kirwan and Cornell, together with Labor leader Phil Collier, John Lutey and other members of the deputation, petitioned the Premier to unite the Esperance and Norseman railways. To obtain parliamentary assent to the scheme back in 1913, advocates of the Esperance extension had had to alter the legislation so that the railway stopped short of connecting with Norseman. Hope of some day completing the project had survived, however, and the time was now considered right for a fresh bid. Premier Mitchell promised that he would do all he could.

The return on 16 April 1924 of a Labor Government, headed by Phil Collier, coincided with improved economic conditions – there was a record harvest in 1925 – and Kirwan took full advantage of the mood of heightened optimism to push his favourite subject. Railways for isolated regions were once again on the agenda. He advocated lines from Salmon Gums to Norseman, Waroona to Lake Clifton, and recommended the problematical and sluggish Esperance-Northwards extension be taken over by a Railways Commissioner. Goldfields and metropolitan water supplies were, as they had always been, another key issue. But these were to be the subjects of his last speeches.

The sudden resignation on 5 August 1926 of Sir Edward Wittenoom, who had presided over the chamber for the past four years, dramatically altered the course of Kirwan’s parliamentary trajectory. In a letter read by the clerk, Wittenoom gave no explanation for his sudden decision, although he later told the West Australian that age (he was then 72), the strain of office, and the interests of his constituents had weighed with him (he did not mention the loss of his first wife three years earlier or his re-marriage in December 1924). He would retain his North Province seat and, for the convenience of the House and to allow it time to choose a successor, proposed stepping down ‘at the expiration of the 9th inst.’ On the day following, 10 August 1926, Kirwan was elected President of the Legislative Council, a position he would occupy for the next 20 years, making him the longest serving President to date. The appointment, which assigned him a purely executive role in regulating parliamentary procedure, silenced ‘the skilled debater’ once and for all. Friends joked that it

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had been made for the express purpose of shutting him up,\textsuperscript{244} but, as a gift from his peers, bestowed in recognition of outstanding service, it was also a measure of his popularity. The \textit{West Australian}, too, approved, solemnly proclaiming that its choice reflected as much honour on the Council as it did the incumbent.\textsuperscript{245} But if his elevation to the Presidency accorded him the social status he had always secretly craved, it also effectively robbed him of the power he had exercised as tribune of the people and editor-in-chief of the \textit{Kalgoorlie Miner}. The \textit{Miner}, too, was much reduced in circumstances, literally shrinking in size after the war, partly due to world-wide paper shortages,\textsuperscript{246} but partly, too, from the absence at the helm of its most talented editor. Deprived of Kirwan’s leadership, the \textit{Miner} ceased to be as radical or politically motivated as it had been in the Golden Days, and became what it once had been and afterwards remained, an obscure regional newspaper in an outflung, provincial town.

\textsuperscript{244} Telephone interview with Cecil’s widow, Peggy Kirwan, 13 September 2000.
\textsuperscript{246} Kirwan, \textit{Two Imperial Press Conferences}, pp.26-87.
Chapter 9

Epilogue: Last Post¹

The last phase of Kirwan’s parliamentary career (1926-46) proved as challenging as any that had gone before it. For all but three years of his Presidency (1930-33), Labor monopolised the Treasury benches, putting the Council on notice that its days as the refuge of the propertied classes were numbered. Reform of the chamber had been a Labor objective since the Scaddan administration and was vigorously pursued under its hegemony. Consequently, relations between the two Houses plummeted as Members of the Lower repeatedly contested the authority of the Upper, trying by divers means to break its power of veto. In the 1920s, most of these disputes centred on the Council’s right to insist on amendments to money bills,² but in the 30s and 40s the Council itself was the target,³ with successive Labor governments threatening to dismantle the chamber altogether.⁴

The battle for control of the Upper House brought out all the latent conservatism in Kirwan’s soul as, setting aside the radical notions of his earlier years, he fought to shore up its privileges. In this he was largely successful, often fending off hostile measures by interpreting Standing Orders in such a way as to prevent absolute or constitutional majority support.⁵ Although many of his rulings were challenged, few were overturned and he was often forewarned of dissenting motions, for which he regularly expressed his thanks.⁶ The word most frequently used to describe Kirwan in this period was ‘courteous’. Notwithstanding the conflict between the two Houses, he performed his duties with punctilio, earning the plaudits of press and parliamentarians alike for his scholarship, legal acumen and ‘gentlemanly brand of politics’.⁷

¹ The author only realised after the event that the title echoes a chapter heading in Frank Crowley’s Big John Forrest. No colonisation was intended.
³ Ibid., pp.439, 441.
⁴ Phillips, Speakers and Presidents, p.51.
⁶ Phillips, Speakers and Presidents, pp.50-51.
⁷ ‘They Can’t Dislike Him’, newspaper article supplied by Michael Kirwan, Limerick, possibly from the Tuam Herald, c.April-May 1935, since it refers to Kirwan’s imminent return to Australia following the Royal Jubilee celebrations. See also ‘Current Comment’, West Australian, 12 August 1926, p.10.
When it is recalled with what passion he berated the obstructionist tactics of non-Labor Councillors in the Scaddan era, it is difficult to reconcile this dignified, if reactionary, figure with his younger, fierier alter-ego. But then the times demanded caution and restraint, and Kirwan had always been a man of his time. The Great Depression of 1929, the Secession crisis which followed it and the Second World War dented people’s confidence, heralding an era which has been described as ‘the high water mark of conservatism’ (1924-47).

Of course, he may simply have reverted to type. The newspaper proprietor, small businessman and employer, descendant of a long line of Irish landlords, evidently shared compatriot Edmund Burke’s belief in the civilising influence of property ownership. Certainly, he did his level best as President of the Upper House to preserve its exclusive franchise.

There were signs that Kirwan’s transformation – some might say apostasy – had begun much earlier. As Chairman of Committees in 1924, he had signalled his new allegiance by presiding over changes to Standing Orders aimed at bringing the Legislative Council in line with the Federal Senate. Admittedly, this was not the first attempt by Parliament to revise the rules by which it operated. Plans for a joint Standing Orders Committee had been formulated in the summer of 1906-07 but had come to naught after the Upper House refused to compromise. Consequently, the Council’s own committee unilaterally resolved to adopt ‘the language of the Federal Senate’, a decision which gave it greater latitude in interpreting the Constitution. One revision in particular struck at the heart of inter-House relations: under the terms of Standing Order No.244, the Council reserved the right to press requests for amendments. Although somewhat of a pyrrhic victory, after Labor Premier Daglish secured a resolution in the Assembly refusing to abide by the revised regulations, the Council’s revolt also put Parliament on notice that the financial ascendancy of the Lower House could no longer be taken for granted, and that, in the opinion of the Council, any parallels between it and the House of Lords were spurious.

The new Standing Orders Committee of 1924, headed by Kirwan, kept faith with its predecessors. Introducing the changes in a formal motion, he observed that ‘the analogy, if ever any existed, between the Legislative Council and the House of Lords certainly does not

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12 Ibid., p.435.
exist any longer’. The new model was the relationship between the Senate and the House of Representatives. One of the new regulations, Standing Order No.240, authorised the Council to press amendments and to request a conference on bills which it was constitutionally not permitted to amend. During Kirwan’s Presidency, this right was often hotly contested in the Lower House, where Speaker Thomas Walker argued that the Assembly had the final say on money bills; so much so that on more than one occasion Members of both Houses threatened to lodge an appeal with the Judicial Committee of the Privy Council, although the suggestion was never subsequently acted upon. Kirwan, however, held to his 1924 declaration, and although many of his decisions were challenged, few were successful, and pressing requests did not cease during his term of office.

As well as executing his presidential duties, Kirwan continued his writing career and might well be considered the most prolific author in the state’s parliamentary history. To this period belong his three books – *The Financial and Economic Structure of Australia* (1931), *An Empty Land* (1934), and his autobiography, *My Life’s Adventure* (1936) – as well as the commemorative pamphlets, *Two Imperial Press Conferences* (1921) and *A Hundred Years of the Legislative Council of Western Australia, 1832-1932*. Several of these – *A Hundred Years of the Legislative Council of Western Australia, Two Imperial Press Conferences, and An Empty Land* – started life as newspaper articles. He often recycled material. Some passages in his autobiography repeat word for word anecdotes related in talks to the Western Australian Historical Society, of which he was a member and to whose quarterly journal he contributed regularly. The list of publications is prodigious and

16 Ibid., p.49.
includes both Australian and overseas newspapers and periodicals, among them, the *Kalgoorlie Miner*, the *West Australian*, the *Sunday Times*, *The Times*, the *Empire Review, Nineteenth Century*, the *Australasian Journalist*, *The British, Australian and New Zealander* and *Review of Reviews*. Many of his papers for the W.A.H.S. were about his early impressions of the Goldfields and its pioneers. A recurrent theme was the ‘romance’ of that era. Looking back nostalgically to those days, he saw it all through ‘a halo of romance’. The important role of the *Kalgoorlie Miner* in the Federation movement was ‘a romance of the press’. Similarly, the idea of ‘adventure seeking individuals going off…into trackless, foodless and waterless wilds’ excited his imagination. It was, he wrote, ‘a venture into the unknown’ and all the more heroic for the ‘glorious uncertainties’ associated with it. At the same time, he saw his job as a journalist ‘to record the exact truth’, not always clear-cut when witnesses disagreed about the order of events, and often jotted down the details verbatim, ‘during the actual telling…as it came from the narrators’.

By contrast, his reports for the British press were generally earnest promotional pieces, aimed at luring immigrants to Western Australia. Others, like his gushing tributes to Earl Grey, first Viscount Fallodon, and U.S. President Herbert Hoover (who as a young mining engineer spent two-and-a-half years on the Goldfields), were profiles of leading statesmen he had met. But too many of these later works, from his account of the Imperial Press Conferences to *An Empty Land* and *My Life’s Adventure*, were little more than exercises in name-dropping; self-serving attempts either to write himself vicariously into the pages of history by association with the movers and shakers of their day or to bring himself to the

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notice of the establishment. Like Disraeli, he often distributed his literary effusions to a favoured few, usually high-ranking officials such as Sir Harry Brittain, 28 Ronald Munro-Ferguson, Viscount Novar and former Governor-General of Australia (1914-20), 29 and Billy Hughes, 30 each of whom received a copy of Two Imperial Press Conferences and wrote graciously in reply. Increasingly, as he aged, he seemed to regard social success, rather than his achievements as a journalist or politician, as the measure of his worth.

One symptom of this was his growing fascination with his ancestry. Around the time of the First World War, when the ghosts of militant Kirwans stirred, he contributed articles about his illustrious forebears to the West Australian and the Tuam Herald. 31 He and a cousin, Denis Agar Kirwan, later drew up elaborate genealogical charts, 32 tracing their origins back down a distinguished line to Milesius, the mythical father of the Irish race. Ireland continued to haunt his dreams but it was the Ireland of Yellow Richard for which he yearned. After a further trip home in March 1927, he wrote sorrowfully in the West Australian about the decline of the gentry, and the ‘agony and loss’ of lives and property suffered by his countrymen during the Troubles. 33 With the fighting ended, and the Free State government embarked upon the task of reconstruction, he could finally find something to admire in the youthful energy, ‘air of business’ and ‘excellent’ parliamentary conduct of the former revolutionaries, although he remained critical of the ‘boastful’ de Valera and his Republicans who refused to take the oath of allegiance. Nor was he enthusiastic about the push to enshrine Irish as the official language of the embryo nation. In some ways, it was easier to avert the gaze from the disturbing present, which he did by writing about John Boyle O’Reilly and the Fenians, whose dramatic escape from Fremantle in 1869 formed the subject of a three-part series in the Western Mail over the 1937-38 Christmas-New Year break. 34

28 Sir Harry Brittain to Kirwan, 2 March 1921, MS277: 1/170, NLA, thanking Kirwan for the ‘perfectly excellent little booklet...of the Press Conference’ and approving the ‘splendid idea’ of coupling the first and second conferences to give a sense of their importance ‘as a collective whole’. Brittain was the Conferences’ prime mover and chief organiser.
29 Ronald Munro-Ferguson, Viscount Novar, to Kirwan, 15 April 1921, MS277: 1/171, NLA.
30 Billy Hughes to Kirwan, 11 May 1921, MS277: 1/173, NLA. Thank you note.
32 Denis Agar Richard Kirwan and John Waters Kirwan, Pedigree of the Kirwan Family.
34 Sir John Waters Kirwan (President of the Legislative Council), ‘Fenian Prisoners in Western Australia’, Western Mail, 23, 30 December 1937 and 6 January 1938, pp.10-11.
Travel was another mode of evasion and a further source of material and, with Parliament generally in recess from December to July,35 he had ample opportunity to indulge it, the more so as the years passed and his wife’s absence freed him from domestic constraints. However, he usually contrived to give his jaunts a semi-official stamp, vowing on the eve of his departure aboard the S. S. Anchise on 27 December 1928 to do his utmost to promote the interests of the state abroad, especially by encouraging investment in the mining and agricultural industries.36 His work for the Empire Press Union and its sister organisation, the Empire Parliamentary Association,37 answered this need and, as a founding member of both bodies, he became a fixture at conferences, travelling to Melbourne for the third in the press club series in September-October 1925.38 Like the two previous conventions held in London and Canada, the Melbourne gathering was widely and influentially patronised and culminated in an extended tour of the country, but it was to be Kirwan’s last. Having relinquished his stake in the Kalgoorlie Miner, he did not attend the fourth session in London in 1930 (the Miner was represented by S. E. Hocking),39 although he remained active in the E. P. A. In 1926, on his appointment as President of the Legislative Council, he automatically became head of the local chapter of the Empire Parliamentary Association and soon after hosted an international gathering of the organisation in Perth.40 He was one of only two Australian delegates to attend the 17th and 18th International Parliamentary Commercial Conferences. The 17th plenary session of the Conférence Parlementaire Internationale du Commerce was to be held in Prague in 193141 and since Kirwan, who had been knighted the year before,42 was already in London for his investiture, he was deputed by cablegram to represent Australia at the event. Two years later, in 1933, he attended the 18th session in Rome where he met Mussolini and the King of Italy, had an audience with the Pope, and grudgingly acknowledged the oratorical skills of Herman Goering, then President

Kirwan, MLA, pp.357-58.
40 Kirwan, MLA, pp.317-18.
41 Ibid.
42 Warrant from King George V, for the Investiture of John Waters Kirwan as Knight Bachelor, Kirwan Papers, MNS91: 5170A/1, BL.
of the Reichstag and leader of the German delegation. Wary of the fascists, and discomfited by Il Duce’s stony gaze at the opening ceremony, he nonetheless found the social Mussolini more approachable than his public persona and, when asked for his impressions of Italy, flattered the dictator by praising the country’s new air of prosperity.

Domestic happiness continued to elude him, however. War hero and fellow newspaper proprietor Col. Sir Arthur R. Holbrook, offering on 30 July 1932 mingled congratulations and condolences on Kirwan’s knighthood and ‘Lady Kirwan’s illness’, suggests a possible date for Gertrude’s institutionalisation.44 But her deteriorating health had spelt the end of family life a few years previously. A housekeeper, Mrs Stewart, formerly a cleaner at the Kalgoorlie Miner, was installed to run his home, and the boys, who had been attending Christian Brothers College, were sent to boarding school in England: John Daniel and Edmund, then 14 and 11 respectively, in 1927, after a brief stint at Hale to qualify them for entry to Downside, Cecil, the youngest, in September the following year. St Gregory’s, Downside, a Benedictine college near Bath in Somersetshire was popular with the Catholic elite in Western Australia. Kirwan was presumably an old Gregorian, as was Norbert Keenan whose son Patrick (‘Patsy’) was a slightly older contemporary of the Kirwan boys and their O’Connor-Quinlan cousins.

Thereafter, Kirwan’s trips abroad grew more frequent. From 1927, when his eldest sons were enrolled at Downside, until 1935, the King’s Jubilee, he spent the first half of every year in Britain, attending his conferences, visiting the boys,50 holidaying with his sister,
Lydia, and her family in Ireland, and lunching in London with his high society chums, notably the Marquis and Marchioness of Salisbury,51 and John Jacob Astor V, the wealthy and influential owner of The Times.52 Kirwan had scraped their acquaintance at the press conferences over the years, and Salisbury had also headed the British delegation to the 1926 Empire Parliamentary Association convention in Perth.53 Astor while at the 1925 Melbourne conference had been awarded an honorary university degree, and Kirwan, always eager to be of service, had thoughtfully sent him press cuttings of the ceremony, for which the future first Baron Astor of Hever had professed himself suitably grateful,54 hence (possibly) the luncheon invitation. Returning to Australia in May 1927, Kirwan made a brief excursion to Canberra for the opening of the new Parliament House, and a reunion with former Federal colleagues such as the irrepressible Billy Hughes, whom he found ‘as bright and cheery’ as ever.55

Although he liked to justify his overseas tours as business trips, Kirwan had long been convinced of the health benefits of travel and, prone to colds and respiratory illnesses himself, had recommended it to his old friend, Hugh Mahon, after the latter’s elevation to the Federal Cabinet.56 His own expeditions typically followed periods of great stress, as was the case in 1906, for example, when he embarked on a world tour after his shock Federal defeat. The same pattern, repeated throughout his life, reached its peak during his Presidency, his almost fugal wanderings coinciding with periods of personal loss and intense inter-House rivalry: the deaths of his father-in-law Tim Quinlan on 8 July 192757 and his good friend Senator Ned Harney in May 1928,58 his wife’s committal, and the money bills saga, fell during one of these intervals. However, the biggest challenge of Kirwan’s Presidency was yet to come.

51 James Edward Salisbury, 4th Marquess, Hatfield House, Hatfield, Herts, to Kirwan, 31 January 1927, inviting Kirwan to lunch Friday at 21 Arlington Street, Kirwan Papers, MS277:1/178, NLA. Salisbury advises Kirwan that he had just heard from the Lord Great Chamberlain and was ‘not surprised to learn that we had been successful’ (at what remains unclear).
52 John Jacob Astor to Kirwan, 17 February 1927, inviting Kirwan to an informal lunch on 23 February at Painting House Square, Kirwan Papers, MS277:1/179, NLA. Another letter from John Jacob Astor, Hever Castle, Kent, to Kirwan, 27 December 1925, Kirwan Papers, MS277:1/177, NLA, in which Astor professes gratitude for press clippings of conferment of an honorary degree ceremony during the 1925 Imperial Press Conference held in Melbourne.
53 Kirwan, MLA, pp.317-18.
54 Kirwan to Hugh Mahon, 29 April 1904, Mahon Papers, MS937: 162-65, 398, NLA.
55 Kirwan, MLA, p.209.
56 Kirwan to Hugh Mahon, 29 April 1904, Mahon Papers, MS937: 162-65, 398, NLA.
58 ‘Death of Mr E. Harney’, West Australian, 20 May 1928, p.5.
Contemporaneous with the long-running feud between the Houses was the Secession movement, spearheaded by newspaper proprietor and M.L.A., James MacCallum Smith. MacCallum Smith was an old business associate of Sid and Percy Hocking: the trio had been partners in Coolgardie, where they ran the weekly *Goldfields Courier* and its afternoon daily, the *Golden Age*, but separated in 1894 after Sid suggested transferring operations to Kalgoorlie.\(^59\) The Hockings, having bought the weekly *Western Argus*, started the *Kalgoorlie Miner* the following year; MacCallum Smith went on to establish the Goldfields’ first Sunday newspaper, the *Sun*, edited by Hugh Mahon, before buying the *Sunday Times* in Perth in 1901.\(^60\) Six years later the formerly Federalist *Sunday Times*, tapping into a groundswell of public disaffection, began agitating for Western Australia to secede from the Commonwealth. In 1926, the year Kirwan became President of the Legislative Council, MacCallum Smith and his cohorts formed the Secession League to lobby for separation, but while the economy remained buoyant throughout the 1920s, the movement failed to gain much ground.\(^61\) This changed in October 1929 with the Wall St crash, harbinger of the Great Depression. Western Australia, heavily reliant on primary production, was hard hit by the worldwide slump in trade as the closure of its traditional markets sent wheat and wool prices plummeting and unemployment soaring. A state election in April 1930 signalled voter anxiety: the Collier Labor Government was ousted and James Mitchell returned at the head of a Nationalist-Country Party coalition.

It was against this background that the Dominion League formed in May 1930 to secure Western Australia’s release from the Federal compact of 1900. Co-founded by Keith Watson, and aided by MacCallum Smith at the *Sunday Times*, the non-partisan League quickly attracted popular support. A Federal Government announcement in June, defending its protectionist policies but refusing to subsidise farmers, provoked widespread outrage and earned it the enmity of the powerful W.A. Chamber of Commerce and Primary Producers Association, both of which threw their collective weight behind the League.\(^62\) There had been similar rumblings during Prime Minister Stanley Bruce’s controversial 1927 visit to the state, when he flatly rejected pleas for assistance from mining industry representatives, provoking hecklers and attacks in the press.\(^63\) Kirwan, who had hosted a private lunch for the

\(^59\) Jack Hocking, OH184, BL, p.2.
\(^60\) Donald Grant, ‘Smith, James MacCallum (1868-1939)’, *ADB*, Vol.11, 1988, pp.651-52.
\(^62\) Ibid.
\(^63\) ‘Aid for Gold Mining Industry. Deputation to Prime Minister. Request for Immediate Assistance. Decided Reply in Negative’, *KM*, 8 July 1927, p.4 and ‘Prime Minister’s Tour. Mr Bruce
Prime Minister at Parliament House on 9 July,\textsuperscript{64} dashed off a soothing, diplomatic letter but Bruce’s reply, in which he wished rather peevishly for ‘greater recognition’ of the usefulness of the Commonwealth, showed that he was only half mollified.\textsuperscript{65} By 1931 this seemed a forlorn hope as the increasingly influential League brought pressure to bear upon a vacillating Premier to initiate proceedings for a referendum.

The Secession Bill, introduced in November 1931, passed smoothly through the Lower House, but encountered stiff resistance in the Upper chamber, where attempts were afoot to scuttle it. During its second reading on 2 December – coincidentally, Kirwan’s 65\textsuperscript{th} birthday – lawyer Alf Kidson sought to bring the debate to a premature close by moving ‘that the question be now put’.\textsuperscript{66} The resulting division split the chamber down the middle (12 Ayes and 12 Noes), leaving Kirwan, as President, with the casting vote.\textsuperscript{67} After half a dozen Members had spoken, Kirwan called a sudden halt to the debate to deliver his ruling. In a brief statement he said that, if he voted with opponents of the bill, the legislation would not go forward; therefore, although it was contrary to ‘his personal opinion’, he would cast his vote against the motion ‘to give a further opportunity’ for considering the bill.\textsuperscript{68} Kirwan then ruled that ‘the principal question, “That the Bill be now read a second time”, must be put forthwith, without further discussion’. Again the vote was tied, prompting Kirwan to state ‘as before, and in accordance with the recognised parliamentary practice, I give my vote so that the House may have opportunity for further considering the matter. I vote with the Ayes, so the question passes in the affirmative’.\textsuperscript{69}

It must surely rank as an extraordinary piece of synchronicity that twice in his lifetime, once at the beginning and again at the end of his parliamentary career, Kirwan should find himself assigned a crucial role in determining the constitutional future of his adopted state. Although on each occasion he appeared to adopt a diametrically opposite stance, championing Federation in 1899-1900 and Secession in 1931, his motives proceeded from

\textsuperscript{65} ‘Stanley Melbourne Bruce to Hon. John Waters Kirwan at the Weld Club, 31 August 1927, Kirwan Papers, MS277:1/180-181, NLA.
\textsuperscript{67} Ibid.
\textsuperscript{68} Ibid.
the same democratic source. Years of fighting for marginal causes at Federal and State level had reinforced his belief that Parliament existed to serve the people, not monopolies or selfish interests. As it happened, the bill which he strove so valiantly to save was withdrawn after the Council incurred the wrath of the Lower House by amending it beyond all recognition. However, Kirwan’s intervention ensured that the measure survived long enough to generate a second bill, which was eventually enacted in December 1932. The referendum, as the *West Australian* observed, was thus saved by the casting vote of the President.  

One wonders if Kirwan ever repented of his decision, for the referendum, held on Saturday 8 April 1933 simultaneously with the state election, did not deliver the outcome which he might have wished. It was preceded by a robust campaign which threatened to re-open old wounds sustained during the original Federation agitation. Distinguished visitors like former Prime Minister Billy Hughes and Senator George Pearce, recruited to talk up the Federalist cause, were cheered in Kalgoorlie but hooted in Fremantle and Bunbury. The *Kalgoorlie Miner* was, of course, on the side of the angels, pledging community loyalty to the national union and admonishing its readers to ‘Vote No for Secession, Vote Yes for Convention’. 

Much to the chagrin of the *Miner*, which had confidently predicted a Federalist victory, the Secessionists carried the day. So strongly did West Australians feel about the matter that a record 91% turned out to vote, with a 68% majority opting to withdraw from the Commonwealth. As shock succeeded sensation, the results of the state election revealed that the Mitchell coalition, which had facilitated the referendum, had suffered a cataclysmic defeat. Labor, which had thrown in its lot with the Federalists, was restored to power, the same avalanche which swept Phil Collier into office for his second stint as Premier costing Mitchell, Scaddan and two other coalition Ministers their seats.

The people of Western Australia having declared for Secession, the new Collier Government now found itself in the invidious position of giving effect to a decision which it did not support. To this end, a delegation consisting of James MacCallum Smith, former Attorney-General M.L. Moss, Keith Watson, and West Australian Agent-General Hal

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71 ‘Mr Cornell’s Message’, *KM*, 8 April 1933, p.3.
73 *KM*, 8 April 1933, pp.2-4, 9.
74 ‘Mitchell Ministry To Be Returned’, *KM*, 8 April 1933, p.4.
75 ‘Secession Issue. Big Majority for Yes’, *KM*, 10 April 1933, p.4.
Colebatch was despatched to London to petition the Imperial Parliament to revoke the constitution. News of the referendum had quickly filtered through to the British press, although reactions were mixed: the *Manchester Guardian* regurgitated standard ‘groper grievances; the *Daily Telegraph* attributed the result to the Federal policy of high tariffs; and the *Financial Times* reassured investors that the Commonwealth Government would not endorse the verdict. In the event, this proved correct. Four years later a joint committee of the two Houses of the Imperial Parliament rejected the petition on the grounds that it could not act without the approval of the Australian Commonwealth.

After the strain of the Secession crisis, Kirwan resumed his travels. On 9 May 1932, he joined the Minister for Lands, C. G. Latham, on an official tour of the North-West, lasting two months and covering nearly 6000 miles by train, car and steamer. Fascinated by the landscape, its natural resources and pioneering history, but appalled by its commercial neglect, Kirwan expressed his concerns in two articles for *The Times*. These were the basis of a polemical treatise, *An Empty Land* (1934), in which Kirwan recommended that tropical Northern Australia (an area stretching from the Kimberley in the west to Queensland in the east) be administered as a separate state.

*An Empty Land* was favourably received by the British audience, for whom it was specifically designed, but largely ignored locally. The *West Australian* acknowledged receipt of its copy in its 23 June list of new books, but did not deign to review it while the *Kalgoorlie Miner*, much reduced in size and scope, was dumb on the subject. However, *The Times*, which had published Kirwan’s feeder articles the previous year, called it ‘the most authoritative account’ of the subject; the Melbourne *Argus* filed two articles commending its ‘genial humor’ and ‘readable as well as informative’ narrative, and the scholarly Irish quarterly *Studies*, noting the author’s many references to compatriots George Fletcher Moore, the Duracks, John Boyle O’Reilly, and Daisy Bates, pronounced it a

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well-produced…excellently illustrated…very interesting and attractive account’ of early Australian settlement.\(^8^4\) Since its chief object was to stimulate British capital investment, it was bound to win approval in Imperial circles, one of whose functionaries, Sir Edward John Harding, Permanent Undersecretary of State for Dominion Affairs, wrote on 3 December from Downing Street, praising Kirwan’s ‘most vivid…and interesting account of [his] travels’.\(^8^5\) Sir Clement Kinloch-Cooke, editor of the Empire Review, who had evidently seen the earlier articles in The Times, was intrigued enough to commission an essay on government policy on the north, whereupon Kirwan wrote to his old friend and colleague, Senator George Foster Pearce, seeking a copy of the Prime Minister’s recent statement.\(^8^6\) The two men had corresponded for many years, at least since the First World War when Kirwan performed the ‘many acts of kindness’ for which the beleaguered Defence Minister afterwards thanked him.\(^8^7\)

The sudden death in November 1934 of another old friend, Jack Scaddan, interrupted these agreeable pursuits. Kirwan, who had worked closely with the former Labor Premier, was a pall bearer at the funeral.\(^8^8\) Did he also have a hand in facilitating negotiations between the Secessionists and the Dominion Office? Through his membership of various organisations – the Imperial Press and Parliamentary Associations, for example, and the prestigious Carlton Club\(^8^9\) – Kirwan was acquainted with many of the leading statesmen of his day and adept, as The Times acknowledged, in the ‘conduct of those non-official relations’\(^9^0\) which greased the cogs of international diplomacy. These contacts proved useful when, in London in March 1935 to watch his eldest son, John Daniel, compete in the King’s

\(^8^5\) Sir Edward John Harding to Kirwan, 3 December 1934, Kirwan Papers, MS277:1/183-84, NLA. Harding, a prominent British civil servant, was from 1930-39 Permanent Undersecretary of State for Dominion Affairs. On leaving the Dominions Office, he was appointed High Commissioner to South Africa, a post he held from 1940-41.
\(^8^6\) Kirwan to G.F. Pearce, 13 September 1933, George Foster Pearce Collection, MS1927:3/1248, NLA, and reply from Pearce to Kirwan, 29 September 1933, George Foster Pearce Collection, 1927:3/1247-48, NLA.
\(^8^7\) G.F. Pearce to Kirwan, 17 January 1919, Kirwan Papers, MS277:1/168, NLA. On this occasion, Pearce asks Kirwan ‘to drop a word in the ear of some of the members of the National Federation’ in connection with the forthcoming Federal election.
\(^8^8\) ‘Mr J. Scaddan Dead’, West Australian, 22 November 1934, p.21 and ‘Funeral this Morning’, West Australian, 23 November 1934, p.26.
\(^8^9\) Carlton Club Secretary Mary Sharp and Archivist Dr Alistair Cooke in emails to the author on 14 and 16 August, 2, 6 and 14 September 2010 advise that Kirwan’s name appears in pencil on a 1932 list of members, from which it is deduced that he was an ‘honorary’ member. This is corroborated by a later annotated list from 1 February 1934, which bears the legend ‘honorary member’ next to his name. His son, John Daniel, became an ordinary member in 1935.
Cup air race, he was invited to the Royal Jubilee celebrations where he was much in demand as a speaker. Accompanied by his wife’s sister Mrs Geoffrey McIntyre, he also spent a day at Chequers with Prime Minister Ramsay MacDonald and his family. On 18 March, ten days before the Chequers visit, Kirwan had hosted a luncheon at the Carlton for Secessionists MacCallum Smith and Keith Watson. At the time, the Secession deputies, who had carried the petition to London, were finding it difficult to gain the ear of the Imperial authorities. In fact, they would wait two years to be heard. Kirwan’s luncheon, to which he also invited Sir Edward Harding and Malcolm MacDonald of the Dominions Office, may have been a bid to speed up the process by putting the interested parties in touch with one another. But if so it got off to a rocky start. Harding, sensing an ambush, stipulated that it ‘best…be a social affair’, to which end he proposed bringing his wife and combining the engagement with another Kirwan had scheduled. Apprised of this caveat, MacCallum Smith declared himself ‘glad the ladies were coming’ and promised not to embarrass his host or his other guests ‘by any unseemly discussion on Secession’.

In 1936, Kirwan published his autobiography, My Life’s Adventure, that strangely non-reflective, anecdotal memoir, more remarkable for its portraits of famous personalities than for any insights into the author’s own thoughts and feelings. This sleight-of-hand escaped the West Australian which treated it to a generous review on 18 July, describing it in language borrowed from the publishers as ‘more frankly autobiographical’ than its predecessor and predicting that it would be among ‘the season’s best sellers’.

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91 ‘Sir J. Kirwan Has ‘Plane in King’s Cup Race’ and ‘Plane Crashes in Garden’, newspaper articles, Kirwan Papers, MN591: PR520 O/S C17, BL. Unhappily for John Jnr, who appears to have inherited his father’s adventurous spirit but not his prudence, the race came to a sudden inglorious end when he crashed his Hendy Heck light plane into a Feltham suburban garden, injuring himself, his two crew members, and temporarily imprisoning the householder’s elderly mother in an outhouse.
92 Kirwan, MLA, p.359. See also ‘They Can’t Dislike Him’, newspaper article supplied by Michael Kirwan, Limerick, possibly from the Tuam Herald, c.April-May 1935, since it refers to Kirwan’s imminent departure following the Jubilee celebrations.
94 James MacCallum Smith, Western Australian Secession Delegation, Savoy House, Strand, to Kirwan, 8 March 1935, Kirwan Papers, MS277:1/188, NLA.
95 Sir Edward James Harding, Dominions Office, Downing Street, to Kirwan, 6 and 8 March 1935, Kirwan Papers, MS277:1/185,187, NLA, and Malcolm MacDonald to Kirwan, 11 March 1935, Kirwan Papers, MS277:1/189, NLA.
96 Sir Edward John Harding, Dominions Office, Downing Street, to Kirwan, 6 March 1935, Kirwan Papers, MS277:1/185, NLA.
97 James MacCallum Smith, Western Australian Secession Delegation, Savoy House, Strand, to Kirwan, 8 March 1935, Kirwan Papers, MS277:1/188, NLA.
Melbourne Argus was the first to announce its imminent arrival in May while The Times Literary Supplement, if a little bemused by its ‘not too serious recollections’, found something to like in its depictions of early colonial life. To capitalise on these promising prognostications, London publishers Eyre and Spottiswoode released in the same year a second edition of An Empty Land while Kirwan, as he had done prior to the 1934 book, attempted to whip up local interest with an appetiser in the West Australian on the genealogical history of Sir James Stirling.

While the fragile European peace held, Kirwan was once more on the move, travelling to Sydney in 1938 for the Empire Parliamentary Association’s 150th anniversary conference and visiting a Fairbridge Farm school with one of the British delegates, barrister and politician, Col. J. J. Llewellin. But the Second World War which erupted the following year was to touch him in ways that he could not have imagined. On Sunday 11 July 1943, his second son, Edmund Francis, who had suspended his medical studies at Cambridge University to join the Royal Air Force, was killed in a flying accident in Scotland.

The loss of ‘poor Edmund’, closely followed by the death of Kirwan’s sister, Lydia (‘dear Lyddy’), ‘cut like a knife’ he wrote on 14 January 1944 to his bereaved brother-in-law, Bob. Despite it, Kirwan recovered sufficiently to fight one last battle in the Legislative Council. The challenge arose in 1945 when the Labor Government, in a further attempt to humble the chamber, introduced a raft of measures seeking a referendum on the question of whether to retain the Council ‘as a constituent part of the Parliament’ and, if so, whether to modify its exclusive franchise. Although at least one of his rulings was successfully appealed after a message from the Assembly, Kirwan’s interventions scupped plans for Labor control of the Upper House and secured his position as the only truly independent President in the history of the Parliament. But age and grief had taken their

103 Melbourne Argus, 21 January 1938, p.3, photograph showing Kirwan greeted British delegates during their stopover in Fremantle via Oronsay.
104 Article on Colonel Llewellin in the British, Australian and New Zealander, 15 June 1939.
105 The Commonwealth War Graves Commission gives the date of his death as 11 July 1943. He is buried at Leuchars Cemetery, Fifeshire.
106 Kirwan to Robert Kirwan, 14 January 1944, supplied by Lydia O’Halloran, great-granddaughter of Lydia Kirwan.
107 Phillips, Speakers and Presidents, p.51.
108 Ibid.
toll. ‘I sometimes feel I am no longer in the flower of early youth’, he confided wryly to Bob, signing himself ‘your affectionate brother, Jack’. A year later, in January 1946 he announced his retirement, resigning his seat and his office in May that year.\textsuperscript{109}

Kirwan did not long survive his retirement. Deprived by illness, death and alienation of the companionship and affection of wife and sons – Cecil, the youngest, was the only one of the three boys to settle in Perth during his father’s lifetime\textsuperscript{110} – he led an increasingly lonely existence at the Savoy Hotel,\textsuperscript{111} formerly owned by Gertrude’s maternal grandfather, Daniel Connor. In 1946, the year he surrendered the Presidency, he enjoyed a brief celebrity as an historical figure in Katharine Susannah Prichard’s novel, The Roaring Nineties, a fictionalised account of the alluvial rights dispute,\textsuperscript{112} but anxious about his legacy, wrote to the author to refresh her memory of the Federation campaign. Prichard’s tactful reply, in which she warmly thanked Kirwan for his advice and praised the ‘literary distinction’ of his own work, seemed more calculated to propitiate wounded feelings than anything else.\textsuperscript{113}

The following year brought better news as Sir John obtained his much wanted elevation to the rank of Knight Commander of St Michael and St George (K.C.M.G.),\textsuperscript{114} but gazing dolefully at his many honorifics in the weeks before his death he was heard to say that they had proved at the last poor company.\textsuperscript{115} At 6.30 a.m. on 9 September 1949, three months shy of his 83\textsuperscript{rd} birthday, he died of a coronary occlusion due to arterial disease at St John of God’s Hospital, Subiaco, and was buried the following day in the Catholic section of Karrakatta Cemetery.\textsuperscript{116} The West Australian, acknowledging the passing of a prominent citizen, led the tributes with a resume of his distinguished career; Premier McLarty praised one of the state’s ‘outstanding personalities’; Hal Colebatch mourned a ‘firm friend’ and ‘ideal journalist’;\textsuperscript{117} and the usually restrained Times dubbed him the ‘prophet of Western Australia’.\textsuperscript{118} Parliament itself, where for so long Kirwan had held sway, registered its loss a
week later with a Motion of Condolence in which Chief Secretary H.S.W. Parker farewelled ‘a very great and dear friend’.119

Despite these encomiums, in death as in life Kirwan was destined to remain a restless presence. Relations with his wayward eldest son, then living in England, had been tense since John Jnr scandalised his father and Perth gossips by conducting an extra-marital affair with a local socialite. The liaison destroyed his own marriage which ended ignominiously in the divorce courts.120 Kirwan, doting father that he was, blamed his daughter-in-law for ‘deserting’ her faithless spouse; his son he forgave, appointing him one of three executors of his Will and joint legatee with his younger brother, Cecil Martin, of his estate, valued at £20,729, 6 shillings and 11 pence.121 But a parting gift showed the tenor of his thoughts. In his keeping at the time of his death were the famous Fontenoy rosary beads and the duelling rapier which had saved his great-grandfather Yellow Richard’s life and converted the Kirwans to the Catholic faith. Thinking perhaps to effect a similar transformation in the life of his errant son, and in a last poignant gesture of reconciliation, Kirwan bequeathed Yellow Richard’s artefacts to John Daniel ‘in the hope that he will value them as they were valued by those of the family who possessed them in the past’. For many years the rapier was exhibited in a private house in Dublin until reclaimed by John Daniel’s widow, Mary, and brought cumbersomely back to Perth. Though the blade is broken, the beads black with age, and none lays claim to the spent patrimony of the Kirwans of Woodfield, the family continues through the female line.

120 Telephone interviews with Mary Kirwan and Peggy Kirwan, 13 September 2000.
121 Probate Registry of the Supreme Court of Western Australia, Last Will and Testament of Sir John Waters Kirwan, 1202/1949. The other two executors were Kirwan’s brother-in-law Dr Daniel Alphonsus O’Connor Quinlan and a Claremont businessman, Edgar Dukes.
Conclusion

At the end of his autobiography, *My Life’s Adventure*, Kirwan, in an open invitation to young British migrants, lists the qualities needed to succeed in the new land. Australia, he avers, affords excellent opportunities for advancement, but the man who would prosper must be ‘thrifty and hard-working’, patient, energetic, industrious, persistent, self-reliant and ‘anxious to win through’.1

The John Waters Kirwan who emerges from this study possessed all these qualities, and more besides. A 22-year-old journalist on arrival, with nothing to recommend him but his talent, he was intensely ambitious, and through ability, determination and sheer effort, rose from obscurity to a position of prominence as newspaper proprietor, politician and eventually President of the Western Australian Legislative Council.

Behind the successful public man, however, was a complex individual, shaped by the contending forces of privilege and poverty. By birth he belonged to the Irish gentry, but grew up in exigent circumstances due to his father’s poor business acumen. The family moved often, establishing a pattern that was to recur throughout his own life and fostering the insecurities which would govern it. Ever solicitous of his health, he suffered from a mild form of hypochondria, wrote and travelled compulsively, and never spoke of his childhood or, indeed, of his life before coming to Australia. The premature deaths of his mother and two infant brothers sealed off that phase of his existence from further examination and, although fascinated by his illustrious ancestors, he was silent about his own parents, his absent mother, his improvident father. Forced to earn his keep, he grew up early and, after his father died and his elder brother Edmund left for Australia, found himself at the age of 21 guardian of his youngest sister, Lydia. Religion and an interrupted education imposed further restrictions and influenced his choice of vocation. As a Catholic with few formal qualifications, he lacked the old school tie network by which the sons of the Protestant Ascendancy traditionally advanced and, denied the orthodox route of military or judicial preferment, opted for journalism.

For the rest of his days, Kirwan would be torn between these two worlds and their competing values. His working class sympathies, refined in the democratic churn of frontier politics, made him a radical, but family pride inclined him towards the Big House. A staunch Anglophile, he was never happier than when hobnobbing with his aristocratic chums, and

yet he belonged neither to the ruling classes nor to the proletariat. He remained an outsider, a loner, a maverick.

But if the consciousness of his reduced station fed his insecurities, it also drove him to excel. For all his democratic precepts, he longed for recognition from the ‘great and the good’ whose company he courted, hence his often fawning tributes to powerful men. Enamoured of his noble ancestry and eager to restore the family fortunes, he relished the honorifics and privileges that came his way, in particular, the title ‘honourable’, conferred for life in 1901, and his two knighthoods. He revelled in being Sir John and, having sired four sons, three of whom survived to adulthood, once boasted, inaccurately as it happened, that there would always be a Sir John Kirwan to continue the line. In fact, while the patronymic survives among older branches of this once prolific clan, the male line of the Woodfield Kirwans is all but extinguished.

Kirwan made his name on the Goldfields of Western Australia as the crusading editor of the *Kalgoorlie Miner*, the small regional daily which he transformed into one of the most influential organs in the colony. Fresh from his triumph in South Australia, where as editor of the *Port Augusta Dispatch* he had earned a public commendation from the Premier, Charles Cameron Kingston, he brought to his new office formidable gifts, being at once a ‘born politician’ and a highly effective communicator, sensitive to the needs of the young, energetic and impatient mining community and fearless in championing their causes, the most significant of which were the 1898 alluvial rights dispute and the Separation for Federation agitation (1899-1900). Initially dismissed as a comic turn by Forrest and his supporters, the protest gained momentum through a blistering press campaign, spearheaded by Kirwan at the helm of the *Kalgoorlie Miner*. The success of this audacious bluff in compelling a prevaricating Forrest into holding a referendum on the vexed question of national union reflected Kirwan’s ‘able advocacy’ and catapulted him onto centre stage. Swept into public office by popular acclaim, he won the Federal seat of Kalgoorlie on a Free Trade ticket and headed for Melbourne where he seemed poised on the cusp of a brilliant parliamentary career. Despite his early nervousness at the prospect of entering the ‘Parliament of the Talents’, he executed his new duties as conscientiously as he had his editorial responsibilities, and quickly earned a reputation as an articulate, if passionate and vociferous, presence during debates. In an environment where long hours, an ambitious

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2 Ibid., p.159.
3 Telephone Interview with Peggy Kirwan, 21 January 2010.
4 Hocking, OH184, BL, p.6.
legislative schedule and sheer tedium took their toll of many more seasoned campaigners, Kirwan could boast one of the best attendance records of any Federal Member, and while fighting tirelessly for his own constituents was not afraid to exceed his remit, visiting Victorian factories to observe first-hand the ‘sweating’ conditions which prevailed there. Such devotion to duty, coupled with his heroic captaincy of the Separation for Federation movement, distinguished him in the eyes of his peers and singled him out as a coming man. Befriended by Deakin and Kingston, he was selected by Speaker Sir Frederick Holder as one of his deputies, appointed to the Elections and Qualifications Committee which mediated electoral disputes, and served on the 1902 Select Committee on the Bonuses for Manufactures Bill, as well as the 1903-04 Royal Commission which succeeded it.

From this promising beginning, one might have predicted great things for John Kirwan. Had he stayed the course, he might in time have obtained a Cabinet position, rising through the ranks to take a tilt at the Prime Ministership as his friends Andrew Fisher and Billy Hughes did in their turn. The departure in September 1903 of Barton, whom he despised, and the ascension of Deakin, whom he admired, would have presented the ideal opportunity. But it is precisely at this point that Kirwan’s career trajectory began to decay. After two-and-a-half years in the Commonwealth Parliament, he lost his Federal seat in the December 1903 election and never re-contested it.

Why did he meekly accept the verdict and walk away? In the absence of any direct response from Kirwan himself, one can only suppose that he found the prospect of a non-Labor candidate securing a Federal seat in a Labor stronghold too daunting and did not want to risk a second failure. But to that objection there was an equally obvious solution: find another seat or seek endorsement as a Labor candidate. This last Kirwan absolutely refused to do since it would have meant subordinating his will to that of the party. A Burkean to the core, he prized his independence too highly to ‘pawn his conscience to a caucus’.

His stubbornness on this point is curious, especially given his political sympathies with the trade union movement. He was present at the birth of the Labor Party in April 1899, when he addressed its inaugural Congress in Coolgardie, and later supported the reforms of the Scaddan Goldfields Government; yet it was as a nominee of the Newton Moore Ministerialist (Liberal) government that he entered the Legislative Council in 1908. A
staunch Catholic who sought to tighten the state’s divorce laws, he was also allegedly a Freemason, not from conviction but for political and commercial gain.\(^5\)

The picture that begins to emerge is that of a man determined to ‘win through’ at all costs and yet, while he showed stamina, courage and resolve, he was essentially an ineffectual Federal parliamentary performer. Partly, this was due to the composition of Parliament itself where a Protectionist-Labor alliance maintained a precarious hold on government, and where Kirwan, as a junior member of the Free Trade Opposition, was doomed by the weight of numbers to see his own political goals sidelined. But partly it was due to his volatile nature, inherited perhaps from his duelling Irish ancestors. Frustrated by his inability to obtain concessions for the ‘back-block pioneers’ whom he represented, he frequently lost his temper, subjecting the chamber to angry, impassioned tirades which earned him the disapprobation of all sides of the House. Sir William Lyne spoke for many of his colleagues when, after one such exchange, he regretted the ‘great deal of feeling’\(^6\) which Kirwan had injected into the debate, and even the deputy leader of his own party, Sir William McMillan, had occasion to reproach him. In an otherwise decorous Parliament, he was no respecter of rank and often lectured his seniors on their ‘lamentable ignorance’\(^7\) of the West. He was sarcastic towards Barton and offended Sir John Quick so deeply that the aggrieved Member for Bendigo wrote privately to remonstrate with the brash young upstart.

While these effusions did him no service, one thing caused him irreparable harm. His long-standing hostility towards Forrest, though gratifying to Kingston who shared Kirwan’s contempt for the former West Australian Premier, won him few friends and exposed him to ridicule in some sections of the press. Fiery Goldfields editor Jack Drayton, who detested ‘Curwan’ as heartily as Kirwan did Forrest, chose the week of the election to pillory him in the Adelaide \textit{Critic} and the Kalgoorlie \textit{Sun}. Although Kirwan demanded and obtained a public apology from one of the newspapers (the \textit{Critic}), the incident, the third in a series of unfortunate events when even the weather turned traitor, may well have tipped the balance of the election against him. The sequel, played out in a skirmish between the two on the streets of Boulder, showed how seriously he regarded it.

After the constant drama of life in Melbourne, much of it self-generated, Kirwan may have decided that the honour of being a Federal Member was more trouble than it was worth.

\(^5\) Telephone interviews with Peggy Kirwan, 9 and 21 January 2010.
Certainly, he complained often enough about government inefficiency, long sittings, the forced pace of business, and the monotony of parliamentary procedure, in particular, the wasteful practice of rescheduling debate on the same issue whenever the Minister in charge didn’t like the outcome. The vast distance between Western Australia and Victoria, the cost of relocating temporarily to Melbourne while keeping a weather eye on his newspapers from the far side of the continent, may have further dampened his enthusiasm. Lending credence to this theory is the shift in loyalties which marked the second half of his political career. When after a five year hiatus, he revived his parliamentary aspirations it was to the State legislature that he turned his gaze, and in the ‘gentleman’s club’ of the Upper House rather than on the factory floor of the Lower that he staked his claim.

It is hard to escape the conclusion that, by thus removing himself from the rough and tumble of Federal politics, Kirwan was not purposely burning his bridges, putting the prospect of a national career forever out of reach. He had no way of knowing, then, that his old seat of Kalgoorlie would fall vacant in 1913 on the death from pneumonia of the usurper Frazer; or that his judgement of Barton, who abandoned the Prime Ministership for a seat on the High Court bench, becoming in Kirwan’s opinion a mere cipher, might one day serve as his own epitaph. For though his term in State Parliament was to be long and distinguished – 38 years as the Independent Member for South Province, 20 of them as President – it was also unspectacular and largely unregarded. Denied a place at the Federal table, he retreated to a legislative backwater as far from the national capital as possible, and while his former colleagues stalked the corridors of power, immersed himself in the parish pump politics of the day. Moreover, although he fought as passionately as ever for his pet causes – the Esperance railway, for instance – he made little headway. At least in his early years in State Parliament, his incendiary temperament cost him allies, but so, too, did his proud independence. Stubbornly maintaining his Burkeian autonomy, he held aloof from the new political combinations that had come to monopolise the formerly non-partisan Upper House. His co-operative relationship with the Scaddan Labor government (1911-16) further isolated him so that, increasingly marooned in a hostile Liberal-dominated chamber, he found himself as impotent as before. Ironically, while his later conservatism soured his relations with the Left, it may well be that his most satisfying parliamentary period was as President, when he fought to preserve the hegemony of the Legislative Council.
Privately, as well as publicly, Kirwan encountered further disappointments. Indeed, it has been said that the great tragedy of his life was his unhappy marriage\(^8\) to a neurotic, mentally unstable young woman, half his age, who bore him four sons and then conveniently retired from domestic duties to spend the remainder of her long years shut away like the first Mrs Rochester; conveniently, because Kirwan, as his late bachelorhood attests, was a natural Benedict and often away from home, even during the births of his children.\(^9\) While this solitary streak might be seen as another symptom of his motherless estate, it had more to do with his overweening ambition and single-minded pursuit of social acceptance. More at ease in the exclusively masculine domain of clubs, conference rooms and parliamentary chambers, he evinced a courtly, old-fashioned, idealised view of women but had little time for, or need of, them, and seldom referred to them in his writings.

In his eulogy, E. M. Heenan, M.L.C., recalling Kirwan’s tireless championship of his Coolgardie-Esperance constituency, predicted that his ‘name…[would] be cherished and…live as long as the Goldfields continued’.\(^10\) But sixty-one years after his death, few Western Australians remember him, still less his achievements. The fame which briefly illuminated him was of a fugitive order and, if history acknowledges him at all, it does so obliquely, almost grudgingly; and yet without him history itself would have changed utterly. Without him the Federal cause in Western Australia might well have been lost, and the colony left to join the Commonwealth at a later date, but as a subordinate state on less favourable terms and eternally indebted to its confederates. If this were all, Kirwan would have earned his right to a memorial, but his legacy survives in other ways. An alumnus of the class of 1901, he was one of a select group of constitutional navigators who launched the ship of state on its future course. He was a pioneer who in his more than forty years combined legislative service articulated the issues of the day, many of which – protectionism vs free trade, immigration, conservation, health care, education, economic and regional development – continue to resonate in the national psyche. Moreover, while he was a part of history, he was also a dedicated chronicler of it and has become its camera obscura, evoking the shades of the men and movements who had a greater role than he in determining it. The Times dubbed him the ‘prophet of Western Australia’, and in the mineral resources boom of the 21\(^{st}\) century can be seen the realisation of his vision of a prosperous ore rich state. As it was in the 1900s, Western Australia in the first decades of the new millennium is once again

\(^8\) Interview with Peggy Kirwan, 9 January 2010.
\(^9\) Interview with Peggy Kirwan, 9 and 21 January 2010.
in thrall to the mining industry and its new magnates, one of them, the great-grandnephew of Kirwan’s old adversary, John Forrest.

Comparisons, quoth Shakespeare, are odious; and in this respect it has been said\(^\text{11}\) that weighing Kirwan in Forrest’s capacious scales is neither a fair nor an accurate assessment of his place in the scheme of things. Forrest, so the argument goes, was cast in an heroic mould, and Kirwan was not alone amongst his contemporaries to be thus overshadowed. While the objection has some merit, the irony is that it was Kirwan who encouraged the association by continually pitting himself against his old nemesis. In any case, it would be difficult to find amongst his peers an analogous figure.

Kirwan, then, occupies a unique place in the annals of Australian history. His methods may at times have been unconventional, his route circuitous, and his influence subtler than that of the Titans in whose company he travelled for a time, pen in hand; but he left his imprint on the age and, in so doing, shaped the state of Western Australia and the nation. For sheer longevity he surpassed many of his contemporaries while as a newspaper editor his position is unparalleled. Did he see himself as a latter day Yellow Richard, roaming the world and setting to rights injustices with the stroke of his blade? Certainly he fought as valiantly for what he believed in, though his weapon of choice was that which is accounted mightier than the sword.

\(^{11}\) Dr Martin Drum, University of Notre Dame Australia.
Bibliography

Primary Sources.

Archives.

Australia.

Commonwealth War Graves Commission.
Details of the death and burial of Edmund Francis Kirwan.

General Register Office, N.S.W.
Marriage Certificate: John Waters Kirwan and Teresa Gertrude Quinlan, No.4501.

National Library, Australia.
Barton Papers, MS51.
Deakin Papers, MS1540.[Walter] James Papers, MS296.
Kirwan Papers, MS277.
Mahon Papers, MS937.
George Foster Pearce Collection MS1927.
Josiah Symon’s Letterbook, Symon Papers, MS1736:1/1277.

Britain.

Post Office directories.


Liverpool Records Office. School records: St Patrick’s, Park Place, 352 EDU 1/57.

Ireland.

Galway Family History Society West, Liosbaun [Lisbawn] Estate, Tuam Road, Galway.
Kirwan, Denis Agar and Kirwan, John Waters. Pedigree of the Kirwan Family, 1939.

Galway County Libraries, Island House, Cathedral Square, Galway. Trade Directories.
(See also Secondary Sources below).

General Register Office, Joyce House, Dublin.
Death Certificates: Mary Ellen Kirwan, No.298, and Nicholas John Kirwan, No.443.

National Library, Ireland.
Blackall Collection, Neg.1028, Pos.1109, (see entry under Kirwan, Edmund, Secondary Sources).
Florentine Papers 1954 (see entry under O’Sheil, Secondary Sources).
F.S. Bourke Collection, MS9854-56, (see Secondary Sources below).
General Alphabetical Index to the Townlands and Towns, Parishes and Baronies of Ireland, (Dublin: Alexander Thom, 1861).

Keane’s Records: Index to Estates 1881-86.
Manuscript Card Index (supplemental to Hayes’ MS Sources).
Minute Books of the Board of Guardians, Union of Tuam 1839-1921, National Library Special List No.192.
Parish Registers: Boyounagh and Dunmore, Tuam.
Pigot’s Directories.
Slater’s Directories.
Tithe Applotment Book: Tuam, Galway Film 38, 11/23.
Registry of Deeds, Henrietta St., Dublin. Index to Land Index.
Books 21 (1826-28); 24 (1811-1820); 54 (1811-20); 55 (1708-38); 56 (1739-1810); 57 (1821-25); 106 (1828-32); 143 (1833-35); 192 (1836-39); 237 (1840-44); 337-38 (1850-54); 387-88 (1855-59); 434 (1860-61); 524-25 (1865-69); 574-55 (1870-75); 640-41 (1875-79); 713-14 (1880-84); 788 (1885-89).

Western Australia.
J. S. Battye Library. Kirwan Papers, MN591.
Registry of Births, Deaths and Marriages. Death Certificates: John Waters Kirwan, No.1965, and Gertrude Teresa Kirwan (sic), No.149/66.
State Records Office.
Memorials, Book XIX, No.1459.
Western Australian Genealogical Society. British Census Returns, 1861, 1871, 1881.

Newspapers.
Adelaide Advertiser.
Age (Melbourne).
Argus (Melbourne).
Australasian.
Barrier Miner.
Brisbane Courier.
Coolgardie Miner.
Freeman’s Journal (Dublin).
Geraldton Express.
Irish Times (Dublin).
Kalgoorlie Miner.
Port Augusta and Quorn Dispatch, Newcastle and Flinders Chronicle.
St James Gazette.
Sun (Kalgoorlie).
Sunday Times (Perth).
Sydney Morning Herald.
The Shamrock (Galway).
The Times.
The Times Literary Supplement.
Tuam Herald.
West Australian.
West Australian Catholic Record.
Western Argus (Kalgoorlie).
Western Mail.
Westralian Worker.

Parliamentary Records.
[Commonwealth] Parliamentary Debates.
[Commonwealth] Parliamentary Papers.
Western Australian Parliamentary Debates.
Votes and Proceedings.

Articles, Books, and Theses.


__________ ‘The Kirwans of Galway’, Tuam Herald, c.22 and 29 November 1919 and 6 December 1919.


‘Hoover and His Wife’, Kalgoorlie Miner, 8, 9 and 10 November 1928, p.1.

‘Western Australia: A Hundred Years of Growth’, Letter to the Editor, The Times, 11 April 1929, p.17.

‘A Parliament in Growth: 100 Years’ Record. Western Australia in Retrospect’, The Times, 11 August 1932, p.11.


My Life’s Adventure, (London: Eyre & Spottiswoode, 1936).

‘Founder of Western Australia. Sir James Stirling’s Family History’, West Australian, 20 June 1936, p.5.

‘Fenian Prisoners in Western Australia’, Western Mail, 23, 30 December 1937 and 6 January 1938, pp.10-11.


‘The Story of a Goldfields Newspaper: A Romance of the Press’, *Journal and Proceedings of the Western Australian Historical Society (Early Days)*, Vol.IV, Pt.I (1949), pp. 4-22. [The original typewritten and bound manuscript is also available from Battye Library, Western Australia].


**Secondary Sources.**

**Articles, Books and Theses.**


Anon. ‘Galway, the City of the Tribes’, *F.S. Bourke Collection*, MS9854-56, NLI.


242


____________________


Bennett, Arthur L. *Dryblower Murphy – His Life and Times*, (Fremantle Arts Centre Press, 1982).
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‘Charles Cameron Kingston (1850-1908)’, in Mark Blencowe and Rob van den Hoorn [eds], *South Australia in the 1890s*, (Constitutional Museum, 1983), pp.29-34.


<table>
<thead>
<tr>
<th>Author</th>
<th>Title</th>
<th>Publisher, Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardiman, James</td>
<td><em>The History of the Town and County of the Town of Galway</em></td>
<td>(Dublin: W. Folds &amp; Sons, 1820).</td>
</tr>
</tbody>
</table>


Letters to Edmond J.[sic] Kirwan of Dublin and Galway 1834-70, MS2115, Vol.97, NLI.


Murphy, Edwin Greenslade
‘Dryblower’
‘A Cable from Crossley per Mid-Ocean Marconi’, Kirwan Papers, MN591: PR520 O/S C17, BL.

Musgrave, Thomas.

Nairn, Bede and Serle, Geoffrey et al. [eds]

Neary, Patrick.

Norris, R.

O’Collins, Gerald.

O’Doherty, Morgan.
‘An Historical Account of the Kirwan Family’, typewritten manuscript, Galway County Libraries, Island House, Cathedral Square, Galway.

O’Donoghue, Noel.
Proud and Upright Men, (the Author, n.d.) Tuam history.

O’Hart, John.

O’Shiel, Kevin and O’Brien, Tim.
‘The Land Problem in Ireland and its Settlement’, Florentine Papers, (1954), NLI.

Phillips, Harry C. J.
Speakers and Presidents of the Parliament of Western Australia (Perth: Western Australian Parliamentary History Project Publications, 2004).


Reilly, J.T. Reminiscences of Fifty Years’ Residence in Western Australia, (Perth, W.A: 1903).

Richards, Eric. ‘South Australia and the Great Crash of 1893’, in Mark Blencowe and Rob van den Hoorn [eds], South Australia in the 1890s, (Constitutional Museum, 1983), pp.261-76.


Ryan, James G. *Irish Records: Sources for Family and Local History*, (Salt Lake City: Ancestry Publishing, n.d.)


**Correspondence.**

*Emeritus Prof. David Black*, emails, 14 and 15 September 2009.


*Sharon Bryant*, Director, Committee Support, Department of the House of Representatives, Parliament House, Canberra, emails, 15-20 October 2008.*

*Dr Alistair Cooke*, Archivist, Carlton Club, emails, 2, 6 and 14 September 2010.


*Paul Grant*, Clerk Assistant (Committees), Legislative Council, Parliament House, Western Australia, email 14 September 2009.

*Sandy Halifax*, Registrar’s PA, Prior Park College, Bath, emails, 1 and 6 June 2006.

*Seamus Helferty*, Principal Archivist, University College, Dublin, email, 31 August 2005.

*Fr Oliver Holt*, OSB, Bursar, Douai Abbey, Upper Woolhampton, email, 9 December 2005.

*Christopher John Hunt*, Usher of the Black Rod, Legislative Council, Parliament House, Western Australia, emails 11, 12 and 17 September 2009.


*Dr Patrick Melvin*, letters 15 April and 17 May 2004.

*Caroline Mullin*, Archivist, Blackrock College, email, 8 June 2006.


*Mary Sharp*, Secretary, Carlton Club, emails 14 and 16 August 2010.*

*Naomi Swann*, Chamber Research Office, Department of the House of Representatives,

*Joanne Towner*, Clerk Assistant (Committees), Department of the House of Representatives, Parliament House, Canberra, email, 27 January and 30 April 2010.


*Peggy Kirwan*, 13 September 2000 and 21 January 2010
