

JUDD'S SPEECH FROM THE DOCK

PRICE
6d.



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The Worker Print, St. Andrew's Place, Sydney.

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LECTURES EVERY SUNDAY EVENING

Judd's Speech

FROM

The Dock



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SYDNEY:

The Worker Trade Union Print,
St. Andrew's Place.

1919.

INDICTMENT AGAINST E. E. JUDD.

Before the Central Criminal Court, Sydney, December 3, 1918, before Mr. Justice Ferguson, of the Supreme Court, and a jury empanelled from the "Special Jurors'" list. In the original indictment the charge in the first count was "encouraging disloyalty to the cause of the Empire in the present war." It was afterwards altered to "prejudicing recruiting," as below.

FIRST COUNT.

LABOR COUNCIL MOTION.

NEW SOUTH WALES.

THE HONORABLE LITTLETON ERNEST GROOM, being the Minister for the time being acting for and on behalf of His Majesty's Attorney-General for the Commonwealth of Australia, who, by virtue of an appointment made to him for such purpose, prosecutes for His Majesty in this behalf, being present in the Supreme Court at Sydney in the State of New South Wales on the second day of September in the year one thousand nine hundred and eighteen, charges that ERNEST EDWARD JUDD on the sixteenth day of May in the year one thousand nine hundred and eighteen at Sydney in the State of New South Wales was guilty of an offence against the War Precautions Act 1914-1916 in that he then contravened the provision of a regulation made in pursuance of the said Act to wit Regulation No. 28 (1) (b) in that he the said ERNEST EDWARD JUDD did, by word of mouth, make statements likely to prejudice the recruiting of His Majesty's Forces to wit the statements:—"That this Council after careful consideration of the war and the issues involved and being fully seized with the momentous nature of such issues declares—

"(1) That careful consideration should be given to the question pressed by Lords Morley, Brassey, Loreburn (ex-

Chancellor of England), Farrer, Beauchamp, and Lansdowne, namely: 'Is it worth while indefinitely to prolong the awful struggle, with its lamentable sacrifice of life, and the waste of resources not easily to be replaced?'

"(2) That we deeply regret that the Federal Government ignored the Peace proposals of the P.L.L. Conference last June, and this Council's endorsement in January last of the preamble of those proposals, and demand that the Allied Governments immediately initiate negotiations for Peace.'

"(3) That the secret treaties of the Allied Governments, as published in the press, disclosing designs of territorial aggrandisement; the placing of an army of approximately 80,000 armed men in Ireland; the Allied Governments' attitude towards the working-class Government in Russia; Mr. Hughes's speech before the manufacturers of this city, in which he thanked God that Germany had plunged the world into this war; and the fact that all anti-Labor forces are in favor of the war and its continuance, justify grave doubts regarding the contention that the Allied Governments are fighting solely for liberty, justice, and democracy.

"(4) That the Allied statesmen's rejection of Chancellor von Hollweg's Peace offer (December 12, 1916), President Wilson's 'Appeals to Belligerents' (December 22, 1916, and January 24, 1917), the Pope's appeal (August 2, 1917), Germany's Peace offer (December 25, 1917), and the Allied Governments' refusal of passports to Labor leaders to attend the Stockholm Peace Conference (August, 1917), and the failure of the Allied statesmen to initiate Peace negotiations enable the German militarists to persuade the German workers that the Allied Governments are more concerned about rendering Germany impotent as a competitor in the world markets than in securing an early and just peace.

"(5) That the economic resolutions of the Paris Conference, the demand for the annexation of the German colonies, the declarations in favor of 'crushing Germany,' and other imperialistic utterances of bellicose statesmen and publicists have strengthened, and are still strengthening, the German ruling class, and have prolonged, and are still prolonging, the war.

"(6) That as all modern wars are caused by the conflicting interests of different sections of the capitalist class, a 'conclusive' or 'permanent Peace' is not possible under Capitalism.

"(7) That the secret conference of English, French, and German financiers in Switzerland last September, for the purpose of devising means to control Labor after the war, proves that they place their class interests and the safeguarding of Capitalism above the welfare of suffering humanity.

"(8) That the Federal Government's further attempt to introduce conscription since that secret conference, and its refusal to grant Mr. Foster a passport to Russia, have an evil significance—especially when combined with the wholesale suppression of Labor-Socialist literature and free speech, and the censorship, which is far worse than the English censorship.

"(9) That the promises of the Nationalist Governments at the Recruiting Conference should be carried out as acts of justice; we refuse to accept them as bribes for lives.

"(10) That the bleeding of the manhood of the white races to death, thereby forcing many millions of women to endure a life of celibacy and hard and uncongenial work, is a crime against civilisation.

"(11) That the peoples of the belligerent nations are weary and long for Peace.

"(12) That the greatest service we can render the men at the Front, their loved ones at home, and humanity in general, is to do all in our power to stop the war.

"Therefore, whilst fully expecting anti-Labor forces to misrepresent and calumniate our action, we refuse to take part in any recruiting campaign and call upon the workers of this and all other belligerent countries to urge their respective Governments to immediately secure an armistice on all Fronts and initiate negotiations for Peace."

SECOND COUNT.

BASED ON EXTRACTS FROM "SUN" REPORT OF A LABOR COUNCIL SPEECH.

AND the said LITTLETON ERNEST GROOM acting as aforesaid further charges that the said ERNEST EDWARD JUDD was on the twenty-third day of May 1918 at the place aforesaid guilty of an offence against the War Precautions Act 1914-1916 in that he then contravened the provisions of a regulation made in pursuance of the said Act to wit Regulation No. 28 (1) (b) in that he the said ERNEST EDWARD JUDD did by word of mouth make statements likely to prejudice the recruiting of His Majesty's Forces to the statements:—

"I don't believe in violence, but the authorities do. . . . In telling you these things I am running a risk under the War Precautions Act, but you should know. . . . Why am I putting up a fight now, the working class of Australia is in danger. Mr. Garden asks you to give the Executive a month, but I say that in one month the Executive can sell you into the fields of Flanders; we have got to set to work and cleanse the Movement as it has never been cleansed before. . . . I

don't believe in violence, I don't believe in murder, even if it is in the interests of the capitalist class. Despite the music and the flag-flapping, it is nothing but murder that is going on.

... As soon as the Russian working class realised how it was being used by the capitalist class one of the finest things in history occurred. Two regiments jumped out of the trenches and went home. . . . Why should the working class of the world go into shambles like an abattoirs because the English or the German manufacturer sells the cheapest? . . . I will tell you what making voluntary recruiting a success means. It means that men like me and Morby and others who know what war is will go on to the recruiting platform and take advantage of some of our fellow-men who are not so well versed—take advantage of their ignorance. There is no more cowardly thing than that in the world. . . . I say this: One of the grandest things, the most inspiring things that could happen to humanity would be to see the men on both sides stay their hands and throw their arms down. The slaughter is going on, and it will continue to go on so long as the vultures of the human race can make profit out of it. As soon as the working class say it has to stop it will stop. . . . I say that the most intelligent workers in every country are full of the war. . . . I tell you that if a brother of mine was here and I was in the mud and gas in Flanders, and he told me 'Fight on,' I would get leave off to come home and shoot him. . . . I believe that the ruling class in Europe were quite willing for a spell of blood-letting in order to save themselves. They realised that things were getting very shaky when the workers were demanding political and industrial rights that they had never demanded before. . . . I don't believe in war and never did. If I believed, as some men believe, that this war is a war for justice, liberty, and democracy, I would get into khaki and have a bit of it. But I don't believe it is. . . . They say that a man like Judd who wants to stop the war, hasn't got the courage of a barnyard fowl. That is what one of my cultured opponents said. I say I have documents in my bag now, and I will bet that man a sovereign that he isn't game even to read them to this meeting. . . . No member of the P.L.L. Executive has gone on the recruiting platform for some time. You can take what you like out of that. . . . The sound men, the solid men of the P.L.L. Movement, are behind the resolution I moved last Thursday night. . . . I say that any man, if he be a Morby or a Christ, if he stands between us and freedom, should be brushed aside. . . . I say, 'Stop the war.' . . . I don't know that the working class would not have been nearly as well off as rotting in the Flanders mud, even if that had happened,' meaning thereby had the Allies not taken an active part in the war and allowed Germany to go on waging war."

THIRD COUNT.

SPEECH IN DOMAIN WHEN SOLDIERS WERE BREAKING UP MEETINGS.

AND the said LITTLETON ERNEST GROOM acting as aforesaid further charges that the said ERNEST EDWARD JUDD was on 16th June 1918 at the place aforesaid guilty of an offence against the War Precautions Act 1914-1916 in that he then contravened the provisions of a regulation made in pursuance of the said Act to wit Regulation No. 28 (1) (b) in that he the said Ernest Edward Judd did by word of mouth make statements likely to prejudice the recruiting of His Majesty's Forces to wit the statements:—"This is not the first time this has happened on the Sydney Domain. About two years ago, if you remember, when the Anti-Conscription meetings were held here, the same thing was organised and carried out. We won on that occasion, and we will win through now. They talk about fair play and justice. Now, I saw four soldiers trying to punch my brother—four of them. Is that a fair fight? Four soldiers, mind you, on to one man. Three were holding him and one was trying to punch him. Now, fellow-citizens, if there is any soldier present that can disprove my statements made from this platform, it is open to him to get up and do so, and I say that these men have got no more right to interfere with our meetings than the Germans had to invade Belgium. These men talk about brute force, but I never saw a more cowardly thing in my life than four men attacking one. The chairman, who said he could fight any one of them a fair fight, could do so, and that is why they wanted to mob him. By what I have seen, all these fellows who want so much fight have never seen the firing line. Most of the soldiers that I have seen who want so much fight are the men who get no further than Cairo and the Egyptian women. Any man who saw fight on the Western Front is not silly enough to come to the Domain looking for more. This afternoon I am going to draw your attention to a number of things which the statesmen, as they call themselves, of Australia dare not tell you. The Italians, as you know, have been deported. Men have been torn from their wives and children, placed aboard the transports and sent to Italy, the same as if conscription had been carried. Well, fellow-citizens, I have a clipping here from the London "Times," in which the High Commissioner in London stated that the Australians voted in the last conscription campaign thirty-two thousand against, and twenty-three thousand for, so even the soldiers themselves were opposed to men being compulsorily deported from Australia."

LITTLETON E. GROOM.

INTRODUCTION

To many thousands of the working class Comrade E. E. Judd's services to the Labor Movement are well known. To those who are not acquainted with his work the following brief statement may be welcome:

Besides his general work in the Labor Movement during the past twelve years he was a Socialist Labor Party candidate in two State elections, and in the last Federal Senate election. On each occasion the S.L.P. advocated uncompromising Revolutionary Socialism. He was one of the first to forecast and warn the workers through the press that an attempt would be made to conscript them. As one of the S.L.P. delegates, together with delegates from other organisations, he founded the Anti-Conscription League in July, 1915, a body which did a great amount of preparatory work, and contributed largely to the Anti-Conscription victory of October 28, 1916. He was Hon. Treasurer of the League from its inception till after the campaign, and was one of those who defeated Hughes's attempt to capture the support of the N.S.W. Labor Council for Conscription. He was Hon. Treasurer and Executive member of the Trades Union Congress, which fought the Proclamation calling up eligibles for service in 1916, and was a member of the No-Conscription Council in the great campaign of that year. He warned workers of the probability of another attempt being made to impose Conscription on the country, and was

instrumental, on the Labor Council, in calling the Trades Union Congress together in June, 1917, to consider and adopt plans to resist any further attempts to introduce military compulsion. As one of the Congress Executive he visited Queensland on its behalf to secure united action by Queensland Unionists for the same purpose in July, 1917. He was one of the three delegates representing the combined Unionists of New South Wales on the No-Conscription Campaign Headquarters Committee of eleven in the 1917 campaign; was in charge of the publication of literature on behalf of the Campaign Committee, and secured the publication in the Sydney press of Holman's Secret Memo. He led the fight against the adoption of the Governor-General's Conference recommendations re recruiting, and secured the adoption of the "Stop-the-War" amendment by the N.S.W. Labor Council by 101 votes to 75 in May, 1918. On behalf of the N.S.W. Labor Council he investigated the now-famous I.W.W. case with Mr. H. E. Boote, and collected the evidence and instructed counsel throughout the Royal Commission, which lasted 47 days.

At present he is an Executive member of the Socialist Labor Party; an Executive member of the N.S.W. Labor Council, and one of its three delegates to the One Big Union Conference; an Executive member of the One Big Union Congress, and one of its four delegates to the Interstate O.B.U. Congress to be held in Melbourne in January next. His appointment to such responsible positions tends to indicate the place he holds in the estimation of his comrades and fellow-Unionists.

J. O. MORONEY,
General Secretary, S.L.P.

PREFACE

About eighteen years ago the Russian philosopher, Vladimir Soloviev, wrote a book called "Dialogues." In it he said:

"... We must regard humanity in its entirety, as a great collective being, a social organism of which the different nations represent the living members. It is evident from this point of view that no people can live in itself, by itself, or for itself, but that the life of each one is merely an individual share in the general life of humanity."

—"The Nineteenth Century," No. 476, October, 1916.

"We must recognise our own nation to be but one member of the body of humanity, of which we must not wish any other member, any other nation to be mutilated, or stunted; as humanity can only flourish as a whole in the harmonious development of all her members. Ever remember that you are human; ever remember that all others are human also, and, with all individual differences, the same as you, having the same needs and claims as yourself."

—Comte's "Religion of Humanity."

In consequence of the working class only receiving about one-third of its product in the form of wages, the Capitalist class of each country soon accumulates more commodities than it can dispose of in its home

markets. This compels the various sections of the Capitalist class to seek foreign markets in which to dispose of their surplus commodities. As foreign markets cannot absorb all the commodities of all the competing Capitalists, a struggle ensues for supremacy in the world markets. If the working class received all it produced there would not be any struggle for markets, and war would cease to be. In the present war millions of German, Austrian, Bulgarian, Turkish and other workers worked, fought and died side by side in the interest of the combined Capitalist forces of the Central Powers. Millions of English, French, American, Belgian, Indian, African, Egyptian, Japanese, Chinese and other workers worked, fought and died side by side in the interest of the combined Capitalist forces of the Allied Powers. Scores of millions of the world's working class—men and women of all colors, creeds and languages—have been organised in two vast armies to determine which of the aforementioned combinations of Capitalists should be supreme in the world markets. If workers can be organised on international lines to work and slaughter or be slaughtered in the interests of rival groups of the Capitalist class, surely they can organise on international lines in their own interest, and by means of their political power secure the collective ownership of all the socially-operated means of production, and be ready with their economic organisation in all industries, to take and hold and operate the socially-operated means of production in the interest of all.

In order to achieve that goal, and obtain the greatest possible results for their labor whilst organising to achieve their objective, it is vitally necessary for the members of the working class to study economics, in-

ternational politics, and Capitalism generally, in order that they shall be able to anticipate, plan and prepare to block or counter the attacks of the subtle and brutal Capitalist class and its Governments—instead of remaining inactive until the attacks are delivered.

If my speech assists the reader to realise the necessity of class-conscious organisation to defend the interests of the workers, abolish Capitalism, and inaugurate Socialist Republics, its chief purpose will have been achieved.

E.E.J.

JUDD'S SPEECH.

Your Honor, and Gentlemen of the Jury:

Mr. Lamb, in his opening remarks, spoke of me being a "base man." He did not accuse me directly, but in a subtle way he suggested that I was a "base" man. "Base," in the sense used by Mr. Lamb, means that a man is vile, mean and worthless. That was the sense suggested by the use of the word "base" by Mr. Lamb. Many men before me have opposed war, as I have done, although a great many of their ideas would not harmonise with mine. Sir Robert Peel opposed the Opium War in China, yet it was a most popular war in Britain. Mr. W. E. Gladstone supported Peel's contention that he had a constitutional right to oppose the war. Sir Robert Peel knew that the big magnates were making fabulous sums of money out of the opium traffic which brought about the war—he knew the facts of the case, and despite the fact that his effigy was burnt in public places, despite all the things that were said about him, he was afterwards found to be right. During the whole course of that war he denounced it. The greatest of the Pitts, the Earl of Chatham, opposed the war with America. Throughout England at that time the people were most enthusiastic about fighting the American "rebels," as they termed them. The Earl of Chatham was supported in opposing that war whilst the war was on by Burke. John Bright during the whole of the Crimean War stood almost alone in England opposing it. Whilst his effigy was burnt in public places, he stood solidly against the prosecution of the war, and afterwards men like Lord Salisbury admitted that he was right in opposing it.

W. E. Gladstone denounced the Zulu War the whole time it was in progress. He also denounced the Afghan War. John Bright denounced the bombardment of Alexandria. Those men in their respective periods did the same thing as Mr. Lamb accused me of doing. I don't think even Mr. Lamb would suggest that those men were mean, vile or worthless, and yet because I opposed this war, as they opposed other wars, I am accused by Mr. Lamb indirectly, and in a subtle way, of being a "base man." I don't think it is "base" to oppose the slaughter of my kind, and I would like to draw the attention of you gentlemen to this, that Mr. Lamb's statement in fact means that if a man examines certain war phenomena and draws different conclusions from the majority, and acts in accordance with such conclusions, that man is necessarily a vile, mean and worthless person. I say a man can draw different conclusions and act on those conclusions and be just as honest as a Crown Prosecutor who casts doubt on that man's honesty.

REVOLUTIONARY PRINCIPLES AND O.B.U.

When my witnesses were in the box just now, Mr. Lamb asked repeatedly, "Have you not heard Mr. Judd advocate revolutionary principles?" Another question was to the effect, "Wasn't I a member of the O.B.U.?"—that is, the One Big Union, about to be launched in Australia. Mr. Lamb suggested that its preamble was on all fours with the preamble of the I.W.W. Mr. Lamb may be quite honest in thinking that, but I challenge Mr. Lamb to get the two preambles and produce them before the Court, in which case your Honor will see that they are not similar, but that the O.B.U. stands for political and industrial action on the highest civilised plane. The O.B.U. in its preamble states that it is out to achieve a revolution—(interrupted)

His Honor: I do not wish to interrupt you unnecessarily, but we have really nothing to do with that

question—there is no evidence connected with the movement. A question was asked of the witness about it, and he said he knew nothing about it.

Judd: A good many of the opinions that are held by those who disagree with me are based upon reports that have been made on questions such as those asked by Mr. Lamb, and if in the minds of the jury there is the idea that I am a member of an organisation as suggested by Mr. Lamb, with the same preamble as the I.W.W., I submit that such an idea on their part may injure me.

His Honor: I am sure the jury will act entirely on the evidence that has been given on oath, and will not take any notice of suggestions that are not proved.

Judd: The One Big Union preamble states that it is out to achieve a revolution by political and industrial methods; they advocate a revolution in the ownership of the socially-operated means of production; that is to say, they propose to change the form of private or company ownership of the means of production to collective ownership of the means of production by the whole of the people, and it proposes to bring about that change by using the ballot, to vote in the collective ownership of the socially-operated means of production, and being organised throughout all industries, so that they can carry on production and distribution without chaos and disorder. On the other hand, the I.W.W. preamble is opposed to political action, and stands for industrial and other action alone, and not in any way for political action. We do stand for political action, and right through the years we have passed we have always stood for political action, and there is a vast difference between the two preambles.

WORKERS AWAKENING.

Now, Mr. Lamb suggested that my class were not "as ready to think for themselves" as he and his friends. Many happenings have justified that idea, but my class are now commencing to see behind "the

surface and the show," and to think for themselves. We know that for ages they have been in a kind of sleep, but they are awakening, and I think Mr. Lamb realises that.

Mr. Gladstone, when Premier of England, said:—

"What is not needful, and is commonly wrong, is to pass a judgment on our fellow-creatures. Never let it be forgotten that there is scarcely a single moral action of a single man of which other men can have such a knowledge in its ultimate grounds, its surrounding incidents, and the real determining causes of its merits, as to warrant their pronouncing a conclusive judgment upon it."

Did Mr. Lamb give attention to "surrounding incidents," etc., as Gladstone considered necessary, before he passed "judgment" upon my actions yesterday? There was one very important matter which Mr. Lamb, although he had the minutes of the Labor Council on the table before him, did not draw your attention to. When Mr. Morby was about to give his report of the Governor-General's Conference, I moved that the Council sit in camera to receive and consider Mr. Morby's report. I not only did that, but when the vote was declared lost on the show of hands, I demanded a division, and on that division, as the minutes of the Labor Council will show, my motion to discuss the report in camera was defeated by 70 votes to 66. I tried to get the proceedings conducted in camera, but was defeated. Now, Mr. Lamb should have known that, yet, if he did not know it, he was silent about it, and if he did know it, and was silent about it, I would like to ask why did he suppress it. Did he suppress it in order to lead you to believe that I had deliberately worked this scheme in such a way as to reach a number of people outside of the delegates to the Labor Council, and so prevent men from being sent over to Flanders? I cannot conceive how Mr. Lamb

could have examined the minutes, and not see that I had moved that we sit in camera. I say if he did not know it, then it shows gross carelessness in examining that minute book. Mr. Lamb spoke of me having the courage of my convictions. Yes, we have the courage of our convictions, and we don't shelter behind other men, either on the battlefields or anywhere else. We believe with Gladstone that "life should be a great and noble calling; not a mean and grovelling thing, that we are here to shuffle through as we can, but something elevated and lofty."

EXTRAORDINARY MENTALITY.

Mr. Lamb said that he did not understand my mind—that he could not understand what he termed my "extraordinary mentality," because I moved that resolution. I would like to draw your attention to this, that whilst he said that resolution misrepresented the cause of the Allies, and that I had an "extraordinary mentality," and he did not suggest that as though it was a mentality that was just as it ought to be in his opinion, although he put that to you, it was all mere suggestion and assertion. He did not bring one fact to bear, he did not bring forward one proof that I had an "extraordinary" mind or an "extraordinary mentality," or one proof that I was the "base" and ignoble creature that he suggested to you gentlemen I was. Mr. Lamb is quite right in saying—and I believe he was telling the truth when he said it—that he did not understand my mind. I can quite understand that. Mr. Lamb, as well as other men, may live in certain circles and go through life and never come in contact with certain schools of thought that other men have come in contact with. For example, Mr. Lamb probably has associated with schools of thought of which I know nothing, just as I and other members of my class live in certain circles,

and perhaps never come in contact with certain schools of thought with which Mr. Lamb and other men with whom he is associated come in contact. Mr. Lamb doesn't understand our attitude, and I can quite understand why he does not. He never comes in contact with our ideas—at least, that is my opinion. I recognise this, that you gentlemen for a long time, like other men, have been reading things in the newspapers, and attacks upon me, repeated attacks, suggesting that I am a German agent and in the pay of Germany, and if not actually in the pay of Germany, that I render such assistance to Germany that I should be. These newspaper writers know that if you read those attacks on a man day after day for months at a time, and they repeat the same things many times, it tends to fasten such ideas in the minds of the readers. The people who have been circulating those things for a purpose know that—they are not foolish. They know by continually doing this, there is a hope of getting you to believe it. I know I am prejudiced by those attacks that have been made upon me for so long. I recognise that, and I recognise further that many of the people who read and believe those things are just as earnest and as sincere as I am, only they have never heard my views explained. They have only heard whatever the press has allowed them to hear: the press plus the censor. As members of the Labor Movement we have always conducted our work on the highest civilised plane, and have always advocated peaceful means, advocated industrial and political acts, and have taken part in elections. Only last Senate campaign three members of my party, the Socialist Labor Party, contested the Senate, and did so on a platform which our Party decided on, and throughout that platform there is not a suggestion of violence, and right through we have always advocated peaceful action, and I challenge Mr. Lamb and those instructing him to bring forward any proof to the contrary.

ANTI-MILITARIST.

This anti-militarist and anti-war attitude of mine is no new thing. About 12 years ago I joined an anti-militarist and anti-war organisation, and I am still a member of that organisation. It is not something, as Mr. Lamb, perhaps unintentionally, suggests, that only came to me while this war was on.

LAMB'S "RED HERRINGS."

Then Mr. Lamb, in his concluding remarks, asked you gentlemen not to let my counsel "draw any red-herrings across the trail" as to why this case is being prosecuted when the war is acknowledged to be over. It does seem peculiar that in Germany, America, Scotland, and in England they are liberating men for those offences with which I am charged—they have released Liebknecht in Germany, Maclean in Scotland, and others in England, and other countries—whilst the Federal Government here are prosecuting this charge against me. Why is it? I am going to inform you gentlemen of some things of which Mr. Lamb may be aware—perhaps he is not. For some considerable time my comrades and I have been engaged in attacking the Commonwealth and the New South Wales State Governments on different matters wherein we contended that they were wrong and unjust. We attacked them over the censorship, over the deportation of men without a trial, over the internment of men without a trial—we believe that all men should be given a fair trial before being deported or interned. We have made those attacks upon the Federal Government in particular, because they have not given the men a chance to prove their innocence, and we believe and hold—as used to be held in English law—that men should be tried and given a chance to prove their innocence before being deprived of their liberty. We also attacked the Commonwealth Government in regard to the Conscription Campaign. We have exposed them

on many matters. I have exposed members of the Federal Ministry, both collectively and individually. We recognise that there is a political motive behind the continuance of this prosecution after the war is over. I have exposed Mr. Watt. I have exposed Mr. Cook. I have exposed Mr. Orchard. I only quote them as examples. And those men are members of the Cabinet which is continuing this prosecution. I think that this is far from being a "red herring." Those men know that in the Conscription Campaign I, on behalf of the No-Conscription Campaign Headquarters Committee, secured the publication in the Sydney newspapers of the famous Secret Memorandum of the Holman Government, and the Ministry also knows that Mr. Holman had Detective Robson and other detectives after me for about five weeks, and interviewing me regarding that secret document, and as to how it got out of the State Government's office. They also know that I exposed Sir Owen Cox, Mr. Beeby, Mr. Cook, and Mr. Hughes regarding the formation of loyalist unions in this city. These men have a motive of their own for getting me put in jail, thereby closing my mouth.

SUPER-PATRIOTISM.

All of us respect men who fight for what they believe to be right, even if they are wrong—providing that they fight honestly and conscientiously. But these Federal Ministers are not men of that calibre. I will give you one instance, and you will probably then have a better idea of why I am being prosecuted now that the war is over. On the 18th July last Mr. Watt was calling throughout the Commonwealth for a £40,000,000 War Loan, and on that same day, the 18th July last, a man as a member of the Federal Cabinet was urging the ill-paid workers of this city to invest their money in War Savings Certificates at 4½ per cent., while he, having money to invest, invested it through his agents—hundreds of

pounds—in the War Loan? No! He lent it out at 6 and 7 per cent. On the 18th October Mr. Watt said the War Loan was £3,000,000 short of requirements. This same man was still urging us to subscribe to the War Loan, and he lent his money—hundreds of pounds—on that day—to the War Loan? No! He put those hundreds of pounds out on mortgage on land at 7½ per cent.

His Honor: I must say that I do not see how this is relevant. I am very loth to restrict you at all, but what you say to the jury must have some reference to this case.

Mr. Judd: I quite recognise that there are moments, perhaps for minutes at a stretch, when it would be difficult to see that the matters I am speaking of are relevant to the issue, but I can assure your Honor that I don't intend to use one word that will not be seen to be relevant as soon as I have reached the end of my exposition of the idea. I have no intention of wasting the Court's time or my counsel's time, which is both valuable and costly, by going into matters which are irrelevant, but I was just near the conclusion of that particular thing, and I think if your Honor will allow me to finish it you will see the relevancy of it as being connected with this prosecution.

His Honor: Very well.

Mr. Judd: As I was about to say, that man is one of the Cabinet responsible for my prosecution, and that man, gentleman, is Sir Joseph Cook, Minister for the Navy. These men who are responsible for the continuance of this prosecution are trying to gag me because I am in a position to expose them to my fellow-citizens. Sir Joseph Cook at a time when the Empire, according to him, was struggling for its existence and money was a "good soldier," when he had hundreds of pounds to invest, let it out at 6 and 7 and 7½ per cent., while he was urging our people to put their savings into the War Loan at 4½ per cent. Sir Joseph

Cook is a guest of His Majesty the King, whilst I am in the dock as a criminal. Examine the actions of the members of the Cabinet which has me in the dock as a criminal, whilst they play a double game and are persecuting me and trying to get me in jail to save themselves from further public exposure.

NO RETRACTION.

I am not going to attempt to deny that I was the author of that motion, and I desire to state here that if similar circumstances arose I would again draft and move a similar motion, and I would again do what I then did, providing I thought it would be in the best interests of the people. There is another point I would like to draw the attention of you gentlemen to in order to show that this is a political prosecution. Here is a copy of an issue of a Censorship Order, sent out by the Commonwealth Government's agent regarding three charges that I am to be tried upon next Monday, and those statements urged against me on next Monday were partly attacks by me in the Domain upon Messrs. Beeby and Fuller. The Censor's notification reads:—

“CONFIDENTIAL AND NOT FOR PUBLICATION.—C.S., 49,798.

“Censorship Office, Sydney,

“30th October, 1918.

“MEMORANDUM FROM CENSOR TO PRESS.

“Publication of the statements upon which are based the charges in the proceedings against Mr. E. E. Judd under War Precautions Regulations 27 (A) (a) and 28 (1) (b) is prohibited.

“C. G. NICHOLSON, Censor, Sydney.”

They have prohibited publication of the statements I made, and which I have to answer for on Monday next, because they know if the people saw the

statements I am charged with they would at once see that it was a political prosecution. The Federal Government proposes to keep the people in the dark.

MR. JUSTICE HIGGINS ON RIGHT TO OPPOSE WAR.

There is one matter which, with your Honor's permission, I would like to quote to the jury. It is from a statement made by Mr. Justice Higgins. Mr. Justice Higgins said in Melbourne recently that men in opposing war should be allowed to state their opinions, and, if possible, prove to His Majesty's advisers that they were wrong, and he made the following statement in support of his contention:—

“Take the case of the Afghan War. Chamberlain opposed it, and when he was accused of unpatriotic conduct he stoutly denounced the new theory by which opposition was to be silenced in the presence of foreign complications. If we attempt discussion before the war, we are told that we are hampering the Government in its negotiations; if we attempt discussion during the war, we are told that we are dividing the country in the presence of the enemy; if we wait till the war is over, we are told that we are guilty of futile fault-finding. Take the case of Peel in the opium war with China. We are all now ashamed of it, but the press acclaimed it at the time, and the people acclaimed it. Peel attacked the war, and all the more vigorously because Macaulay and other Ministers objected that members should not discuss the question of peace or war. Peel was supported in this constitutional position by Gladstone. Take the case of the war between Britain and her American colonies. It was a most popular war in Britain. The newspapers called those who opposed the attempt to coerce the Colonies as ‘disloyalists,’ ‘betrayers of old England,’ and so forth. But the greatest of the Pitts, the Earl of Chatham—the

man who had saved his country, who had established the British power in India, who had secured Canada—denounced the war up hill and down dale, and refused to be silenced. This case was all the more remarkable as Chatham was justifying men in America who, under the law, were guilty of high treason, and liable to be hanged, drawn and quartered. Burke also denounced the war in speeches which ridiculed the idea that he, as one charged with a share in the public councils, should keep silence as to projects which he thought mischievous, lest he should thereby encourage the Americans in resistance. Burke was right, and the majority were wrong; and he managed to lay down principles which have kept the other possessions of Britain in loyal attachment to the Mother Country. He was the advocate of the policy of local freedom, and what he called 'a wise and salutary neglect' of the doings of the colonists and of the local legislatures. Take the case of the Crimean War. It is now admitted to have been a terrible blunder. As Lord Salisbury said some years ago—though he favored the war at the time—'we backed the wrong horse.' We kept the Turk in Europe, and we deprived Russia of its role of protector of the Christians in the Near East. You know of the recurrent massacres of the Armenians by the Turks. Well, but for the Crimean War they probably would not have occurred. Yet this war also was popular. John Bright ventured to speak against it, and he was insulted, pelted at, his effigy was burnt in the streets. Afterwards one of the Ministers said to him, 'You were entirely right, and we were entirely wrong.' Gladstone denounced the Zulu War and the Afghanistan; Bright denounced the bombardment of Alexandria; Morley denounced the expedition against the Mahdi. Lloyd George denounced the Boer War. I am merely showing how great men insist on tolerance

for the opinions of a minority. Take the Franco-German War of 1870. The French people were mad for war. Thiers, the old Adolph Thiers, who had been Minister in the Orleanist regime, worked might and main against a war on a question of touchiness. But he was denounced everywhere; called a pro-Prussian. 'Go to Coblenz!' they shouted, and the mob broke his windows and tried to pour into his house. Never was public man so speedily justified. Within a few weeks there was the disaster of Sedan, and the Empress-regent tried to induce Thiers to form a Government, but it was too late, too late. No, if there is one thing in British principles of freedom which we ought to cherish more than any other it is tolerance for minorities. Let minorities have their say. It is not under British law a treasonable, or even seditious act, to criticise any measure of any Government. As Sir James Stephen has said, in his digest of the Criminal Law, 'An intention to show that His Majesty has been misled or mistaken in his measures . . . is not a seditious intention.'"

Now those men were not "base" men, as suggested by Mr. Lamb, but they were men who held high positions, and are still respected by the great bulk of the English speaking people, and yet at a particular time they opposed the ideas of the majority, and were denounced the same as I have been.

IS KILLING MEN AN EFFECTIVE METHOD OF KILLING IDEAS?

There is one point that I disagree entirely with Mr. Lamb on, and that is the idea of crushing German militarism by killing men—not that I am in favor of German or any other kind of militarism—I am opposed to all militarism, but there is a school of thinkers—and a very large school—who believe that by killing men you can kill ideas. The French rulers, in order

to save themselves from being deposed by the growing working-class movement, declared war on Germany in '70, and the German financial magnates made France pay an indemnity of some £200,000,000, but they did not crush military ideas; all the lives lost in that great war done nothing to kill military ideas. We believe with Bernard Shaw that you cannot kill ideas by killing men. The massacre of the Huguenots failed to kill their ideas; the massacre of the early Christians failed to kill their ideas. The free-thinkers, men like Bruno, were burnt at the stake for expressing their opinions. We can show that up to 100 years ago men were burnt for their beliefs, yet the ideas that those men promulgated still live, and are still here, despite all persecution.

The massacre of the Huguenots did not stamp out Protestantism. The massacre of the early Christians did not kill their ideas. Their ideas have spread throughout the world, although they have not been acted on throughout the world. Bernard Shaw says:—

“The real task before mankind is quite beyond the business of the fighting line. The real task of mankind is to get better sense into the heads of these Germans, and therewith and thereby into the heads of humanity generally, and to end not simply a war, but the idea of war. What printing and writing and talking have done, printing and writing and talking can undo. Let no man be fooled by bulk and matter. Rifles do but kill men, and fresh men are born to follow them. Our business is to kill ideas.”

We should explain away false ideas, or error, instead of killing men—spread just ideas not bullets.

LLOYD GEORGE AND PEACE.

A peculiar thing—one of the most peculiar, especially in the light of what Mr. Lamb says about going on with this prosecution after the war—is the following

extract from the “Sydney Morning Herald” of the 9th August of this year:—

“Mr. Lloyd George, dealing with the question of peace, said there were people in every country who regarded any effort to make peace as dishonorable and treasonable. That attitude must steadfastly be discouraged.”

Lloyd George, mind you, in August says that those who regard any action to secure peace as treasonable must be discouraged. In March last Mr. Lloyd George conferred with M. Ribot of France, and Baron Sonnino of Italy, and this was what occurred (“Daily Telegraph,” May 11, 1918):—

“M. Ribot rejected the proposals (Austria's peace offer) because they would mean a rupture with Italy. Mr. Lloyd George hesitatingly agreed in the negative reply, on which Baron Sonnino insisted. Mr. Lloyd George emphasised the importance of the proposals, and urged the desirability of not losing a favorable opportunity for peace. M. Poincare objected to all the negotiations, declaring that a complete military victory would alone end the war. Some members of the Foreign Affairs Committee investigating the dossier declare that the proposals would have been turned down without discussion but for Mr. Lloyd George.”

That shows that in March last Mr. Lloyd George, the first statesman of the Empire, was prepared to negotiate for peace by negotiation, but France and Italy insisted upon rejecting the Austrian offer of negotiation. Lloyd George was in favor of doing something in March last, which I advocated in May—two months before my motion. Mr. Lloyd George was prepared to negotiate, yet I am charged to day, gentlemen, with doing what Lloyd George was prepared to do

in March last. In December I am charged with doing what the chief statesman of the Empire was prepared to do in March, and upon which he was voted down.

When I suggest that what Lloyd George was prepared to do should be done, it is regarded as a crime, yet we are told that all people in the Empire are equal before the law. Mr. Lamb suggested that in a grave national crisis freedom of speech should be restricted. That has been said repeatedly, but I don't agree with it. When a great national and international crisis is on is precisely the time when there should be absolute freedom of speech. When there is a period of tranquillity and everything is calm, there is not the same necessity for the exercise of freedom of speech as there is during a time of war. When a war is on the most momentous things should be discussed, yet Mr. Lamb suggests that we should then be silent. He has no objection to free speech on the other lesser issues, but on the greater issues, wherein, according to him, the fate of "civilisation and the Empire is at stake," we should not discuss them.

WHAT VOLUNTARY RECRUITING MEANS.

Mr. Lamb said that in one part of my statement I said that I considered to take part in voluntary recruiting would mean that men like Morby and I, in order to make it a success, would have to take advantage of those who were less versed in war matters than ourselves. Well, I may be wrong, but I am under the impression that if men knew the horrors of war—that if they were told the whole truth about the war—if they were told the cause of the war—if they saw the letters coming from men on the battlefields and the men brought home that had been driven mad by the war as I have done, I think, like me, they would say it would be wiser to stop the war. I tell you, gentlemen, frankly, I am opposed to all war—I am opposed to this war. I think it should be stopped as quickly as possible, because among other things, I believe that

the women of the world are fit for something better than facing death in bringing little children into the world, and nurturing life to be taken away from them and scattered about the battlefields to rot, as Richard Le Gallienne says, "Like rubbish in the wind and rain." We know that the battlefields are simply alive with rats and other vermin, and we know the awful conditions the men have to live under—the lice, the stench, and the plagues, such as the one we are faced with now, and if the plague which is at our gates to-day ravages Australia as it has other countries already, scientists will probably prove that it was brought about through war conditions. Therefore, through understanding the cause of war and its results we oppose war, and once it is started, we do all in our power to stop it. We believe with Lord Grey that militarism is one of the curses of mankind. On that idea Lord Grey and I are one. It is something that could be done without, and will be done without when the majority of my class commence to think for themselves, and to the same extent as Mr. Lamb suggested yesterday he thinks for himself.

LAMB AND WORKING CLASS.

Mr. Lamb remarked about the working class, and said that I spoke in the Domain to people who were of the "working class." Mr. Lamb is under the impression that those people are ignorant, and not able to think for themselves. The working-class position is not understood by Mr. Lamb, and to explain to you the working-class position, and to enable you to understand why we are opposed to war, it is necessary for me to go into detail and into some things which, at first sight, you gentlemen may not regard as relevant.

CAPITALISM.

Examine Australia at the present time, or any other country in the world, and you will find, with few exceptions (the backward races),

that they are living in a state of society which we term Capitalism. Under Capitalism 8 or 10 per cent. of the people own all the socially-operated plants of production, whilst the huge working class, perhaps 70 per cent. of the population, own nothing, as a class, except their labor power, which they have to sell to the capitalist class in order to get food, shelter and clothing in order to live. The working class are not owners in any country—they are simply wage workers, or wage slaves, as some of our men put it. The workers are compelled to sell their labor power to the man who owns the plant of production in which they wish to work. They go into a plant of production, and in a fortnight they produce goods, say, to the value of £20 or £30. They may receive out of this amount in wages perhaps six or seven pounds, and the greater part of the remainder is taken, in the form of surplus value, by the owner or owners of the plant of production. The working class produce all value, and they get very little back—the rest goes to the employing class. The iron law of supply and demand regulates wages in all capitalist countries. We hold that in every country, whether it be Germany, France, England, or any other country, when there is a glut of our labor on the market we can walk about and starve, and when the employer wants hands we can go to work and receive back not one-fourth of what we produce, and in every country in the world the working class are in that position. They are simply a dependent class, and have to sell their labor in order to live to the man who owns the socially-operated plants of production. I wish to emphasise this, that when in Germany, France, England, Austria, and all other countries the labor market is glutted—the working-class conditions are very bad, thousands are left to starve, and perhaps worse in some cases.

MILITIA IN STRIKES.

Another point I wish to emphasise is, that whenever my class in any country tries to better its conditions it is faced—with what? We can go to America, the country where Mr. Beeby is now, according to Mr. Holman, “investigating methods to safeguard workers.” Here is a cable from the Sydney “Sun,” 24/4/1914:—

“STRIKERS v. MILITIA. TROUBLE IN COLORADO. FURTHER DEATHS REPORTED.

Trinidad, Colorado, Thursday.—As a result of the fighting between the strikers and the militia, the bodies of 11 children, two women, and one man have been found in the ruins of a tent by searchers of the Red Cross Society. Thirty men and women are reported to have been entombed in a burning mine.

“An army of 400 strikers is confronting a large force of the State militia, and further bloodshed is expected.”

“Evening News,” May 4, 1914:—

“SHOOTING CHILDREN. AMERICAN MILITIA HORROR. THE COLORADO RIOTS.

Denver, Colorado, Sunday.—Witnesses at the inquest of the bodies of the women and children who were burned to death in the Ludlow tent colony during the fighting between the militia and the strikers swore unanimously that the militia deliberately fired into the tents where the women and children were known to be taking refuge.”

His Honor: Really, I must interrupt you, because this has no possible relation to the question before the jury, that is to say, whether you are guilty or not guilty of the matter with which you are charged.

Mr. Judd: I don't wish to argue the question. It may not affect the question of my guilt. Perhaps your Honor is right there! But Mr. Lamb, in his opening speech, went further than the question of my guilt. Mr. Lamb, during his 38 minutes' address, stated to us that it was not only the prejudicing of recruiting, but that I did it with no other intent, and I think that as Mr. Lamb stressed that a great deal, I should be allowed to show that he is wrong in trying to make out that I did these things solely for the purpose of prejudicing recruiting. He argued that I did it solely with that intent.

His Honor: What you are referring to now has no bearing on that question, what somebody in some other country did.

Mr. Judd: It may be that I did not make myself sufficiently clear, but my idea was this, that if I could show that my class throughout the world are—as a class—a propertyless, countryless and dependent class that everywhere suffers from insecurity, unemployment, etc.; and if I could show that they are faced with the cannon of their respective Governments when they struggle for better conditions, and quote instances from all countries where working people have been shot down by the armed forces of their Governments during industrial struggles; and that in consequence of those matters I held that the working-class conditions in no country are so superior to those of any other country as to justify the sacrifice of working-class life in their defence, it would enable the jury to realise that my object was not merely to prevent recruiting in Australia, but to stop the war—thereby removing the necessity for recruiting everywhere. I intended to show that that was my object, and that I was not acting with the intention of assisting one section of the capitalist class against another section, that I regarded all sections of the capitalist class alike, and that Mr.

Lamb was in error in suggesting that I was acting solely with the object of preventing recruiting in Australia.

His Honor: I should certainly not prevent you from saying anything that I can see has any bearing on the question, but I do not think there is any justification in taking up the time of the jury and trying to argue matters which really have no possible bearing on the matters they have to consider. We are not having a discussion on the various classes in this country and another country, the real question is whether or not the offence charged has been committed or not. If anything bears on that I shall certainly not prevent you.

Mr. Judd: As I frankly admit I don't think it does bear on my guilt, but it does bear on about half-an-hour of Mr. Lamb's address, in which he contended that I not only did these things at the Trades Hall, but that I went to the Domain with the sole intention of prejudicing the recruiting of Australia's soldiers. I was going to explain my principles and the ideas upon which they are founded to show that I was operating from a greater motive than that attributed to me by Mr. Lamb. Surely if Mr. Lamb is allowed to suggest to the jury that I am doing things from a given motive, I should be allowed to show that I am acting from a greater motive.

His Honor: I do not see how the rash misdoings of some American Government years ago can have anything to do with that point.

Mr. Judd: I was going to show that in every country, whether it be in Switzerland or America or any other country, that where my class struggles for better conditions, it has not got to fight some external foe, but it has to face the machine guns, and in some cases the gunboats of their capitalist Governments, and from that I was going to show that my opposition to the war is founded on the fact that in my opinion

the arch-enemy of the working class of the world is not someone living in some other country, but is the employing class and its Government that in any industrial struggle uses its machine guns against us when we are struggling for better conditions. Through that I was going to justify my opposition to the sacrifice of working-class life on the battlefield, because the workers' conditions in no country are so superior to the conditions in any other country as to justify the sacrifice of working-class life in their defence.

His Honor: I only ask you not to go into unnecessary details. I don't think what you are doing can be of the slightest service.

Mr. Judd: In deference to your Honor's opinion I shall conclude my explanation of this particular matter as quickly as possible. The extract from the "Evening News" that I was quoting continues as follows:—

"A stenographer swore that he heard the commander of the militia direct that the tents should be set on fire.

"A verdict was returned to the effect that either mine-guards or militia men started the fire which caused the deaths of the women and children. An open verdict was returned in the case of seven strikers who were killed in an engagement between the strikers and the mine-guards."

My comrades and I contend that when we strike for better conditions, or resist the employers' attempts to reduce our wages, etc.—when we resist that in every country—the militia, the machine gun, and in some countries the gun-boats, are brought into action, and our people are in many cases killed—even innocent women and children are killed—by the machine guns of the Government under which they happen to live, and from that I am going to show that as far as we are concerned, there are only two classes in the world,

and only two nations in the world—the employing class on the one hand, and we members of the working class on the other. The conditions of no country are so superior to those of any other country as to justify the sacrifice of working-class life in their defence. We believe that the workers of the different lands should join forces to prevent slaughter, and resist the attacks made upon them by their own Governments. We believe that in the interests of humanity that instead of men slaughtering each other, they should regard each other as human beings, and we believe in kindness to all instead of the insensate hatreds, etc., that we have now. We believe in kindness to all, even to the dumb animals. Therefore, believing in and acting in accord with the ideas I have stated, my object was not merely—as Mr. Lamb suggested—to "prevent recruiting in Australia and cause Australians to desert their mates," but to stop the war—thereby doing away with the necessity for recruiting in all the belligerent countries, and saving from the slaughter those already on the battlefields.

CENSORSHIP:

I said in the Labor Council motion that the censorship here is worse than in England. Mr. Frank Morton, one of the most respected men of this city, in the "Mirror" says this:—

"Our moralists are as mawkish as our censors, and our censors are just about as mawkish as the devil himself could wish. They do not object to any false picture of life; but they assume blubbery shapes of obfuscated woe whenever any man attempts to lay bare grim realities. **THE LOCAL PRUSSIAN.** We rail against Prussianism, and yet we set little salaried Prussians every few yards to prevent us from embracing the liberties we affect to be so proud of whenever we talk about democracy and all the rest of it. We do not know

the truth about the war. We are treated like a pack of silly children by the persons we have set above ourselves as schoolmasters. We boast of our freedom, and then straight-away go to some pawky incompetent and say, 'Kindly tie me up, or I may be lying down on the grass.' Life in a true democracy would be worth living."

Mr. Morton is not a Socialist, but he agreed with what I say there in effect about the censorship is true, and I have here copies of articles printed in the English press which are not allowed to be re-printed in the Australian press, and that I contend is proof that the censorship here is worse than in England, since it will not allow the publication of the same articles. This Government Gazette (showing Gazette) tends to show that from when war started in Australia a war was not only carried on against the Prussians, but a war was, and is still being, carried on against the workers in Australia, and the Federal Government has used the censorship and all the means at its disposal against the Labor Movement here since the war started. or, at least, since the Nationalist Party got control of the Federal Government. The censorship prevented the news that many men were being interned without a trial, were being deported without a trial, and it has been made an offence to tell you even about the priest who has been interned without a trial, and that censorship has been used against the working classes of this country, and in this Government Gazette there are over 150 working-class publications prohibited.

SENATE GAGGED.

To show you the pass we have reached, Senator Gardiner asked a question in the Federal Parliament, "Would the Senate be given an opportunity of discussing the list of prohibited publications?" and on January 25 Senator Millen, in reply, said, "No, all are prohibited in the interests of public safety."

In a democracy, where one man says, "All those works shall be prohibited, I will not allow discussion," we are told about the Kaiser in Germany, yet here one man says that to the people of Australia through their Senate that he will not allow discussion. That is the pass we have reached. I simply quote that to show that we have been gagged, and have not been allowed to place the true position of the war and other matters before the people.

ALLIES' OBJECTS AND SECRET TREATIES.

In another part of his speech Mr. Lamb said that I had spoken of the Allies and had misrepresented their entrance into the war. I have here Mr. Hughes's speeches to prove, if necessary, that I have only repeated in effect what Mr. Hughes has contended, in his book of speeches, to the manufacturers of this city. One part of the motion says that the war was not "solely" in the interests of democracy. This is what Mr. Hughes says:—

"This war is not as other wars. This war touches the Empire at every point of its multifarious activities. It is not a war in which our army is alone concerned; not only a war for national existence; it is a war for commercial and industrial as well as national supremacy. This point cannot be too strongly emphasised."

Although Mr. Hughes contends that it is a war for commercial and industrial, as well as national, supremacy, he is not charged with breaking the War Precautions Act. Then we have Mr. Hughes thanking God before the manufacturers of this city that Germany elected to precipitate this war. This is what Mr. Hughes says:—

"Thank God she has elected to precipitate this struggle, and to appeal to the arbitrament of arms. The war was precipitated by Germany deliber-

ately; she has appealed to the sword, and she shall perish by the sword. But we are to consider what is to happen after the war. I speak now of that struggle for commercial supremacy which I said just now was one of the causes of the war."— ("Speeches by W. M. Hughes," preface by Lloyd George.)

Why did Mr. Hughes thank God that Germany had precipitated this struggle which have already meant the sacrifice of about 20,000,000 lives? Why does this "democrat" thank God that Germany precipitated this struggle? Because the "appeal" to arms afforded the British Empire and its Allies an opportunity to get back by force of arms the trade that they had lost by inferior industrial and commercial methods. I am going to read some Treaties to you which I have here, and if Mr. Lamb thinks it necessary, I can prove that these Treaties between the Allied Governments have been published by Lord Northcliffe's company, and in those Treaties it is shown all the territory the Allies promised Italy if she came into the war. One clause reads:—

"By the future treaty of peace Italy shall receive the Trentino, the whole of Southern Tyrol, as far as its natural and geographical frontier, the Brenner, the City of Trieste and its surroundings, the County of Gorizia and Gradisca, the whole of Istria as far as the Quarnero, including Volosca and the Istrian Islands, Cherso and Lusina, as also the lesser islands of Plavnik, Unia, Canidoli, Palazzuola, S. Pietro Nerovia, Asinello and Gruica, with their neighboring islets.

"France, Great Britain, and Russia undertake to support Italy in so far as she does not permit the Representatives of the Holy See to take diplomatic action with regard to the conclusion of peace and the regulation of questions connected with the war."

In this Agreement it also stated that Great Britain and her Allies will support the Italian Government in preventing the Pope initiating Peace negotiations. This document alone proves that the Allies were after territorial advantages, and it meant taking huge tracts of country from part of Turkey, part of Austria, and all those islands and all that territory belonging to other countries were to be given to Italy for participation in the "War for Democracy."

The Second Treaty, the agreements between Russia and France, and France and England, is in this other book, also published by the Lord Northcliffe company:

"ULTERIOR WAR AIMS."

Lord Lansdowne, in commenting on these Treaties, said:—

"Now it is quite true that there have been from time to time statements of the war aims of this country. Those statements were in broad outline, and could be filled up in their different ways according to the inclination of the reader. But since those statements have been made there have been in the course of the war developments, some of them not of a character very pleasant to contemplate, which seemed to call for a reconsideration of the question, and besides that there have been, owing to various accidents, the revelation of other and ulterior war aims not included in the original description, which seemed to many people less intelligible and, therefore, more needing explanation."— (London "Daily News," 1/2/1918.)

Now, Lord Lansdowne is not a revolutionary Socialist, or a member of the O.B.U. that Mr. Lamb is afraid of. Lord Lansdowne has used the words "ulterior war aims" of the Allies.

ALLIES AND BOLSHEVIKS.

Another matter referred to by Mr. Lamb was the reference in my motion to the action of the Allied Governments towards the Russian working-class Government. This is what the Sydney "Sun" says on the matter in a reprint from the London "Daily News" of an article written by Mr. A. G. Gardiner:—

"What ought we to do about Russia? That is the question forced upon us by the dramatic appearance of M. Kerensky at the Labor Conference. It is the biggest, most perplexing, most critical question of the war. It is so big, so perplexing, so critical that the tendency is to turn away from it in despair of grasping its meaning. We are like the Scotch minister in the old story. 'This is a verra knotty point, ma brethren,' he said, 'let us look it straight in the face—and pass on.' We have passed on for 15 months. We cannot pass on any longer. M. Kerensky has appealed to the Allies to intervene by force in Russia. What should the answer be?

"Let us try and see this business in its true scale. The Russian Revolution is the vastest thing that has happened in the war; perhaps in the history of mankind. It is like the disruption of a world. Its echoes will outlive the echoes of the war itself; for it is that most enduring of all things, a simple, elemental outburst of the human spirit. It is a giant in agony, struggling to deliver himself from his chains, lacerating his flesh, drenching the earth with his blood, filling the air with his cries of anguish. But the giant will live, and the future of the world depends on whether he will live free or bound. His fate is not in his own hands alone. It is in the hands of the Allies, too. They can help him or hinder him, make him their ally in freedom or their enemy in servitude.

"If freedom is the cause of the Allies, their duty in face of the Revolution was clear. Here was freedom coming to birth on a scale never seen in the world before. Did they welcome it or help it? They did not. With the exception of the United States they have, for over a year, looked on with cold distrust. They have offered pills to the earthquake. They have thought of interests when they should have thought of principles.

"I do not think that M. Kerensky's method is the way to regain their confidence and bring them to our side. If we go into Russia, our credentials must be indisputable. We must go to help her, not to dictate to her. We have but to think what our own feeling would be, if in the midst of an internal trouble, a foreign army, invited by whatever Government we had, and to put another in its place. We should not tolerate it, and we should never forget it. We must take care not to implant that sort of undying memory in the heart of the Russian people. We shall need them in the future. This world is going on long after the war. Russia will emerge one day from its misery and the good will of that great and sorely-tried people will be a priceless gift to whomsoever it falls.

"There is a better way. Let us stand aside from the internal controversies. If the Soviet regime is to fall, let it fall from within. If it is to survive, let us accept the fact as the expression of the will of the Russian people and respect it; even if we do not like it. Let the Allies gravely reflect upon their policy towards the Revolution in the past, and whether a new kind of policy, sympathetic, generous, helpful is not only the policy of wisdom in regard to that long future that stretches before us, but the policy of military prudence as well."

The Russian people should be allowed to work out their own form of Government, and stand or fall by it.

STOCKHOLM CONFERENCE.

With regard to the Stockholm portion of the motion, and the Allies preventing delegates from going to the Stockholm Conference, I am going to quote statements from two gentlemen—one of them took part in the war—a man who was over there for a long time. The first man I will quote is Sir Edward Parrott, in the House of Commons. He claimed to speak from the point of view of one who is a passionate believer in the righteousness of the cause of the Allies. All the more significant, therefore, was his reference to Stockholm:—

“No doubt, whatever happens, there will have to be negotiations, and the very first and cardinal aim surely should be to bring the enemy to the Council Chamber and to discover there by personal exchange of views, if there is a basis for that negotiation which is bound to come, no matter how insistently you state your aims, no matter how long the war may go on, and no matter how it may end. . . . Who now doubts the wisdom of that proposed Stockholm Conference, which was so ruthlessly banned by the Government? . . . Do we gain anything at all, we and the Central Powers, if we simply adopt the role of Homeric heroes hurling defiance at each other?

“After the reference to President Wilson's assertion that the aim of the Allies is to ‘make the world safe for democracy,’ the hon. member observed: ‘I am not yet convinced that the majority of the War Cabinet have any particular concern with democracy save to make certain that it does not assert itself against the interests which they particularly represent.’

“Colonel Aubrey Herbert delivered a clever speech, in which he said, taking upon himself for one moment to speak for the service members of the House: ‘Every one of us now is as ready to endure and to lay down our lives for our own country and for the countries of our Allies—because we are all fighting for the same cause—just as we would have done two years ago.’

“OUR OWN HUN PAPERS.”

“He said: ‘We would do that for a cause, but I do not myself want to do that for a theory. I want to know what it is that we are going to be killed for. For instance, there have been preposterous arguments in our own Hun papers—in the Northcliffe press—as to what we intend to do to all the Allies of Germany. There were leaders in the “Times,” one of them suggesting making a fantastic mosaic of Austria. There may be some eccentrics who are ready to die for that leader in the “Times.” As far as I am concerned, it can go and shed its own ink.’ Colonel Herbert also deplored the action of the Government in regard to the Stockholm Conference. He said: ‘Who are fighting for freedom, we or the Germans? If we are fighting for freedom what have we got to fear from Stockholm?’”

That man was at the Front. Still, like many other men, he was in favor of negotiation for peace at a time previous to my motion in favor of negotiation. As far as I know he should be prosecuted, because he was in favor, and spoke in the House of Commons in favor, of sending delegates to the Stockholm Conference, and we contend that just as on the industrial field, when the employers and employees are at loggerheads, if the nations both believe they are right, what

have they to fear at a council table and letting the world know what their cases are? A man with a good case should not be afraid to meet his opponent.

HOW BELLICOSE UTTERANCES PROLONG WAR.

Another part of the motion refers to Imperialistic utterances helping to prolong the war. In the House of Commons on November 15 of last year it was said that Bolo, on behalf of the pan-Germans, paid £16,000 to a Parisian newspaper to advocate the annexation of the Saar Valley, in France. I will explain presently why. Lord Robert Cecil, Secretary for Foreign Affairs, was asked by Lees Smith if he was aware that the speeches most widely circulated in Germany were those of Mr. Lloyd George and W. M. Hughes. Why? The London "Spectator" explains how these Imperialistic utterances assisted the German ruling classes to prolong the war. They instructed their agents to obtain copies of newspapers in France, England and elsewhere, containing articles by these gentlemen advocating the crushing of Germany, annexation of portions of Germany, the extermination of the German people, etc., and the papers were taken into Germany and reprinted in their papers in the German language, with explanatory notes to the effect that "this is what the enemy proposes to do with you," etc., and by such means they were able to keep their people united. Those people were simply acting in the interests of the ruling classes of Germany by publishing articles showing that the Allies were out to crush Germany, out to take her coal and iron fields, to wage an economic war after this war. And the London "Spectator," which is an employing-class paper, the same as the "Herald" and "Telegraph" here, says:—

"And so it becomes intelligible why these war lords really have spent money on foreigners to induce them to attack Germany and to demand the destruction of the German Empire. They got

their money's worth. The newspapers controlled by Senator Humbert, as well as the newspaper controlled by Senator Caillaux, and many other papers who get a whiff of the German money, wrote blood-dripping articles against Germany. 'No Peace is possible with such a people,' they cried. 'Away all dreams about a peace without annexations and contributions! In order to crush the Prussian militarism we must annex to France the left bank of the River Rhine, Alsace-Lorraine, and something else besides. We must extract from Germany such indemnities that Germany not for a hundred years will be able to re-establish militarism.'

"THE SAME HERE, TOO. Every time when the exhausted, hungry people of Germany began to speak about making peace the German war lords put before them these articles: 'Just look what the Frenchmen intend to do to you! How can you think of speaking of peace with such a people? Your very life and your future are involved! The sword is the only thing which will insure your country and your life! No peace is possible unless we are willing to crush our enemies!'

"Then, in their turn, the patriotic papers of France reprinted these exclamations of the German war lords: 'Look what they are writing,' so they urged. 'Do you think you can ever reach a peace on the basis of understanding with such a people? Away all such thoughts! We must fight to the finish, rallying around our glorious tricolor. Down with the Prussian militarism! Let us hold out to the bitter end!'

"And so the war goes on. . . . The blood still flows in streams. . . . The war lords in their secret chambers are elated. 'The spirit of the people is

splendid! The people are willing to stand by to the bitter end! They are willing to insure our victory. . . .

"The Krupps and other munition makers of Germany are glad, too. The war will continue. . . . More guns and ammunition will be sold. . . . The people, without flinching, are ready to subscribe to new war loans—new billions of marks. There will be enough money to pay the gun bills and there will be something left to pay for the attacks in the French press. . . .

GERMAN GUN KINGS BRIBE FRENCH JOURNALISTS.

"DAMAGE DONE BY JINGOES. And then there is nothing new in this policy. Our heroic comrade, Karl Liebknecht, a few years ago proved in the German Reichstag that the German gun kings before the war gave bribes to French journalists in order to induce them to make vehement attacks against Germany. Such methods were employed at a time when a huge war appropriation was promised to the Reichstag, because the German war lords needed some money to finish their war machine and to make it able to start on its errand of destruction. The Socialists opposed this appropriation. Other elements of the people were very averse to the expenditure of thousands of millions for war preparedness, as peace was prevailing and no attacks were to be expected. Then the gun kings bought some French newspapers, which began to write blood-dripping attacks against Germany. They demanded the resurrection of Alsace-Lorraine. They hinted at the possibility of an acquisition of other territories belonging to Germany.

"IN THE GRIP OF FEAR."

"These articles were read to the German Reichstag, and they were given wide publicity by patriotic papers in Germany. 'Just look what they intend to do! And you here dare to say that no danger is ahead of us! A traitor to the country is every one who is not ready to give his last cent in the defence of the great Fatherland against such plans of our enemies. . . .' The money came forth. In the grip of fear the German people voted money for the benefit of the war machine of their scoundrelsome war lords, and thereby they made possible the world war and they accelerated its outbreak. The method was effective then, and it is still effective. The deceived people are ready to plunge into the hell prepared by their masters. And with the help of these same methods they are kept in that hell. The German Government considers it more profitable to support the jingoists than the pacifists in the enemy countries. They are experts of propaganda. They know where they get off."—"Spectator."

IS IT "MURDER"?

In regard to the Second Count, wherein I am charged with saying that "murder is going on," I would refer to the Sydney "Daily Telegraph" of November 17, 1916, a letter from Mr. T. Henley, Liberal member for Burwood:—"Naval and militarism run mad in every country. The wealth and labor of the nations spent on **murder** machinery (which war means)."

Mr. Henley has been away at the war from the start, has been in charge, I understand, of some of the Red Cross work, and Mr. Henley, a participant in the war, says that the "wealth and labor of the nations were spent on murder machinery (which war means)."

If they are using "murder machinery" they would scarcely use murder machinery for agricultural purposes, and I contend that I was justified in saying there was nothing more than murder going on, and Mr. Henley is allowed to say in the Sydney "Daily Telegraph" that it is "murder machinery." I think from that any reasonable man would agree that it is murder that is going on. Of course, you can call it by other names, but is there any word that more correctly describes the killing of men on the battlefield? To wait in the darkness until the other fellow is asleep, and then kill him before he wakes, of course you can call that by other names than murder, but whether that is done by Germans, Australians, Austrians, or any other men, if it is not murder I will be indebted to Mr. Lamb if he will mention a word that more aptly describes what takes place on the battlefields than the word "murder."

RE SOLDIERS SMASHING MEETINGS.

In regard to the Third Count, I have here a copy of the "Melbourne Herald" of June 13, 1918, and this is what the Rev. G. S. Brodie, a Minister of the Presbyterian Church, and a member of a deputation to Mr. Watt, Acting Prime Minister, from the Presbyterian Assembly of Victoria, said:—

"Were they aware that there were 63,000 men who had enlisted, but had never gone to the Front as a result of drunkenness? Did they know that 10,000 men had to be sent back before reaching the firing line because of venereal disease?"

As his Honor remarked yesterday, many men who had enlisted had misbehaved themselves both here and abroad, and were a disgrace to the army, and these statements were allowed to be printed in the Melbourne press. The attempt made by Mr. Lamb to suggest that I referred to the whole of the A.I.F. when I said that the men who were looking for so much

fight here had probably got no further than Cairo and the Egyptian women, was dishonest. Mr. Lamb knows quite well that I was only referring to the men who were breaking up our meetings in the Domain on that day, and to those men alone. I said the men who wanted so much fight here had probably got no further than Cairo and the Egyptian women. Take any man you know who has been to the Front and saw the horrors, the anxiety and the suffering over there, and knows all the horrors and misery of it, do you think that such a man would be likely to come to the Sydney Domain like a larrikin looking for more fight? And the Count itself goes on to show that I was explaining, and that I did explain to the crowd that the men who knew what fighting meant and had been faced with bullets and been through that hell, were not likely to be fools enough to go to the Sydney Domain and commit acts of larrikinism, and I say now that it was probable that the men who took actual part in the war would keep away from that sort of thing.

WHITE RACES COMMITTING SUICIDE.

In the Second Count, a great deal is left out, which may place an entirely different light upon it. I will quote a few illustrations.

(The Court here adjourned until after lunch.)
2.15 p.m.

Before lunch I mentioned the fact that I had moved a motion at the meeting of the Labor Council that we should discuss Mr. Morby's report in camera, and since then I have been able to peruse the Minute Book of that meeting, and for your Honor's convenience I have marked it "X." Gentlemen, there was one thing which I overlooked when speaking regarding the subject matter of that motion at the Labor Council. Whilst I am an internationalist, I recognise

that the bleeding to death of the virile manhood of the white races, and leaving other races intact, and leaving their battleships intact, would be bad even from a national viewpoint, for I believe with Macbeth, that—

“The means to do ill deeds oft makes ill deeds done.”

I believe that if the virile manhood of the white race was killed off, and the enormous colored populations living adjacent to Australia left intact, that it would be practically an invitation to their rulers to strike when they knew the manhood of the white race was so bled that they would not be able to put up a fight. I mention this simply to point out that through the ages where a nation has allowed its manhood to be depleted, they have practically invited the ruling class of another nation which had remained intact to strike at them.

SHOULD THE GERMAN COLONIES BE RETURNED?

Another thing which I mentioned in support of that motion was in regard to the proposed annexation of the German colonies, or, at least, what were the German colonies before the war, and I advanced this at the Labor Council, and I thought then, as I think now, that it is a very good reason. The Japanese ruling class expects to extend or expand towards Australia, and even now it is claiming certain islands, and we know that while the war has been going on Japan has taken advantage of its being on to expand into China. They are already competing with American interests in China, and probably before long they will expand even more so. I am under the impression that the more Powers of Europe that have territory and interests between here and Japan, the greater would be the restraining influence upon Japan against any aggression in this direction. If Germany, France, Eng-

land, and America had interests between here and Japan, the tendency would then be to make Japan hesitate before taking aggressive action in this direction—seeing that she would have to fight the Powers of the world—than if, say, Australia owned all the territory between here and Japan. I am trying to illustrate this quite clearly to you, and that is why I thought, and still think, that it would be wise not altogether from a national viewpoint, but in the interests of peace, if all the Powers of Europe had interests between us and Japan, so that Japan could not move this way without coming in conflict with the other Powers of the world.

BEHIND THE SCENES.

There is also to be considered, that we know the chief advocacy for the annexation of the German colonies by Britain and Australia has come from Lord Leverhulme, of Levers Ltd., and they have been advocating the taking over of the German colonies by Britain and Australia for the reason that in those colonies there is an almost unlimited supply of black labor, which they could recruit for their plantations. If England or Australia took possession of the German colonies it would enable Levers Ltd. to recruit native labor there and transfer it to their plantations in the old British territory, where there is a shortage of native labor, and their plantations in British possessions, according to them, would then be satisfactorily developed; that is why they are fighting for the retention of the German Islands by Britain. When I moved this resolution at the Labor Council I was not concerned with the little things that do not count, but the big things, and the international policies that I put before that Council are of greater moment than the question as to whether recruiting should go on or stop in Australia.

WHAT THE "SUN" LEFT OUT.

In the "Sun" report, which in substance is correct—as extract matter, a great deal is left out—I have the originals here of the things I quoted from on that occasion. Here is a letter from the Melbourne "Age" from a soldier, asking the other citizens who were not soldiers to do all in their power to stop the war. That letter was printed in the Melbourne "Age" of 31/12/1916, two years ago. This letter that I read out to the Council was printed in the "Nation," and was reprinted in the Melbourne "Age," and it reads as follows:—

A SOLDIER'S LETTER.

"A member of Parliament sends the 'Nation' this notable letter, which he says 'has just reached me from a private soldier who, under a stern sense of duty, laid down the useful, educational and social work on which he was engaged to share the great burden which his fellows were bearing, in what he, too, felt to be a just cause. He gave me his thoughts as friend to friend; may I pass them on to some of your readers?'"

"In spite of the bitterness of it all, I like to adopt the philosophic view that it was best that I should be whipped with the others, who deserve it less perhaps than I. In a few weeks' time all of you who have imagination enough to understand the monstrous tragedy that is being enacted will have an opportunity to put up a stand for peace, and the comments which follow are written in the hope that they may help, if ever so little.

"I have spoken to literally thousands of soldiers, in dozens of different regiments. Men from France, Egypt, Dardanelles, and Malta. Then there is not one man in twenty who wants the war to go on. If the Government could hear the conversations of the men in khaki when talking

to each other, and not for public consumption, they would be startled out of their complacency. Hope alone prevents a mighty movement; the iron is entering deep. So far from hating Germans, no one discusses them in an unfriendly spirit. It is recognised quite plainly that all, or nearly all the bloodthirsty people of the different countries have been by this time killed or wounded; the German who is now fighting is simply driven to the slaughter. We all seem caught in a terrible machine, which no one has the capacity or pluck to control.

"Again, the war that now rages is mere blind killing of men in the hope that one side may weaken. Apart from military families and a populace who are hypnotised by fear, which they sometimes call hate, no man believes in a military ending of the war.

"The broad position is that the war goes on because no Government has the moral courage to make the first move for either a truce or peace. Each thinks its reputation depends on shouting hate the longest. I know the public will black-guard the men who ask for peace, and in their heart of hearts will thank them. . . . The cry goes up, 'How long? Can no one help us?'"

That is one of the extracts read by me to the Labor Council, because I believed then, as I believe now, that the men who were doing the fighting were desirous even then that the fighting should stop. That extract is not mentioned in the "Sun" report. Then I read an extract from the "British Columbia Federationist," which clearly shows that the German workers were fighting for peace:—

GERMAN WORKERS FOUGHT FOR PEACE.

"Very full reports have been published in England and America of the political strikes—the first in German history—which have swept through Germany recently.

"At a fully representative meeting of Socialists and Trades Unionists in Berlin on Monday evening on January 28, 1918, it was decided to form a committee consisting of delegates of Socialists and workmen belonging to both Socialist parties, and the following programme was adopted:—

"1. Peace without annexations or indemnities on the basis of the right of the self-determination of peoples.

"2. Active participation by the workers of all nations in the peace negotiations.

"3. Reform of food control.

"4. Abolition of the state of siege and the militarisation of industries.

"5. The release of all those who have been imprisoned for political offences.

"6. Democratisation of the whole fabric of the State, through the introduction of universal, secret, and equal electoral franchise of men and women for the Prussian Diet.

"The strikes which have occurred since then were intended, and were tremendous demonstrations in favor of peace. In many industrial centres strikes lasted fully a week. Before the strikes ended a permanent Soviet Committee, of which both Haase and Schiedemann are members, was formed. The Committee is being supported by the great mass of the people."

AUSTRIAN WORKERS WERE FOR PEACE.

On April 11, 1918, in a manifesto to the working people of Austria on International Labor Day preparations, the "Arbiter Zeitung" of Vienna, called for a

demonstration for general peace and an eight-hour day. An official despatch from France quotes the manifesto as follows:—

"As in each year the Austrian people leave off work the first day of May, and will make a demonstration in favor of an eight-hour day, and also in favor of a general peace. We are tired of the war. On the universal fete day of the working class we shall manifest for a general peace. We want to show the leaders of our country that the mass of the people does not want violence shown to the enemy, nor does it want conquests, but only want a true peace of understanding and conciliation."

GLASGOW WORKERS BRAVE RESOLUTION.

On January 29 last the "Glasgow Herald" came out with a leading article breathing fire and slaughter upon the 3000 engineers who had the previous night at Sir Auckland Geddes' meeting on Man Power passed, with six dissentients, a strongly-worded resolution calling for an armistice. The resolutions are given in full by the "Glasgow Herald," and read as follows:—

"1. That having heard the case for the Government, as stated by Sir Auckland Geddes, this meeting pledges itself to oppose the Government to the very utmost in its call for more men."

"2. That we insist on, and we bind ourselves to take action to enforce, the declaration of an armistice on all fronts."

"3. And that the expressed opinion of the workers of Glasgow, from now on, so far as this business is concerned, is that our attitude should be to do nothing all the time, and every time, in support of the carrying on of the war, but to bring the war to a conclusion."

Then I uttered the following sentence as charged against me:—"I say that the most intelligent workers in every country are full of the war."

I think, gentlemen, that you will admit that I was justified in making the statement that the most intelligent workers in every country were full of the war.

WERE THE RULERS OF EUROPE "WILLING FOR A SPELL OF BLOOD-LETTING"?

Then another extract in the third Count where it states that I said: "I believe that the ruling class in Europe were quite willing for a spell of blood-letting in order to save themselves. They realised things were getting very shaky, as the workers were demanding political and industrial rights that they had never demanded before." The "Sun" again left out the proof of my conclusion. This, I may state, is the context used by me and omitted by the "Sun," and is not a concoction of some Socialist in Sydney, but an extract from the official French Yellow Book, a document issued by the French Ministry.

The French Official Yellow Book contains a report presented to M. Stephen Pichon, Minister for Foreign Affairs, at the time "on German public opinion according to diplomatic Consular Agents," dated July 30, 1913, in which it is deliberately stated that:

"Some in Germany desire war . . . for social reasons, such as that a diversion abroad alone can prevent or delay the rising to power of the democratic and Socialist masses. . . . Finally, this social class which forms an hierarchy of which the King of Prussia is the supreme head, sees with terror the democratisation of Germany and the growing force of the Socialist Party, and considers that its days are numbered."

An English Labor paper, in commenting upon the statement, said:

"One could well believe that that fully represented the minds of a powerful section of the German ruling class. War abroad, in order to divert social separations at home is an old, old trick in kingcraft and statercraft. Shakespeare puts into the mouth of the dying King Henry IV. the following words of advice to his son, who was soon to be Henry V.:—

'Therefore, my Harry,

Be it thy course to busy minds

With foreign quarrels, that actions, hence borne out,

May waste the memory of former days.'

"Catherine the Great, of Russia, told her courtiers, 'That if we would preserve this Empire of ours intact, we must embroil our people in foreign wars, and so substitute national antagonisms and racial hatreds for social aspirations.'

DID THE RUSSIAN RULERS SET THEIR ARMIES MARCHING TO SAVE THEMSELVES?

"That the ex-Tsar of Russia and entourage of Grand Dukes and their satellites had not forgotten the advice of Catherine has been revealed by Baron Rosen, the former Russian Ambassador in Washington, a diplomat who has been in the service of his country for upwards of half a century. He has given an interview to Mr. Phillip Price, the Petrograd correspondent of the 'Manchester Guardian,' the report of which appeared in the columns of that paper for February 27, 1918. It is probably unnecessary to add that the Baron has very scant sympathy with the Red Internationale, which is now at the head of affairs in Russia.

"The following is the report of the interview as written by Mr. Price:—'As one who saw the inside of Tsarist diplomacy,' he began, 'I knew that war was coming as far back as 1912. Behind the curtain of Russian secret diplomacy I saw that war was being made inevitable by the rising tide of revolution from below. A clique of Ministers round the Tsar's court knew that their only hope was to stave off revolution by setting the armies marching.'

"'Did you think there was any connection between the March revolution and a desire for peace,' I asked, 'or was it, as some people in England asserted at the time, undertaken with the object of securing a more energetic prosecution of the war?'

WAR TO PREVENT REVOLUTION.

"The Baron replied, 'From the beginning I knew that the revolution was a national revolt of the Russian people against the war. The war was made by those who wanted by this means to put down revolution, and therefore the revolution was made in order to put down the war. A vague instinct told the Russian people of the calamity that was threatening them if they did not secure a speedy peace. They saw the industries of the country collapsing and famine stalking the land, and they naturally connected their suffering with the war.'

Then it shows that there were people outside of both Russia and Germany who were willing that the workers should get at each other's throats. Lord Sydenham said in the "London Times" on the eve of the war, "There are worse things than war." Now, what did Lord Sydenham have in his mind when he said this? I will explain to you what disturbed the capitalists and the statesmen of England. What dis-

turbed them was the industrial unrest amongst the workers in the mines; the fact that the railway workers, as well as the miners, the dockers, the engineers, and the shipbuilders were all demanding greater concessions in regard to wages, better hours and better conditions generally. Now, Lord Sydenham realised that England was on the eve of a great industrial upheaval, the working class was seething with discontent, and they wanted their wages increased; they wanted shorter hours and better conditions, and Lord Sydenham realised this. The Master Builders' Federation of Great Britain, at its conference about three weeks before the war, decided in favor of a national lock-out of all men in the building trades, because the employees in the building trade in London had been on strike for some weeks, and in order to force the men back the master builders decided to lock-out all men in the building trade throughout England, so that those outside of London would bring pressure to bear on those on strike in London and force them back to work. These were some of the things that were troubling the statesmen of the Empire at that time. The Governments of all European countries realised that they were faced with big industrial upheavals and on the verge of revolution, and to stave these things off the Kaisers and Tsars of the different countries were willing to plunge the armies of each country at each other's throats, and if the working class got its virile manhood killed off they would stave off the revolution. All that was left out of the "Sun" report before I came to the sentence where I said: "I believe that the ruling class of Europe were willing and ready for a spell of blood-letting." Before making that statement I produced the proof not only from Baron Rosen, but from the French Yellow Book and from the "London Times," the most powerful newspaper perhaps in the world—the paper that makes and unmakes Governments.

"ANZACS WHO BEG!"

In order to further prove that I have been picked out by the Federal Government for prosecution, whereas other men in more representative positions have made statements more apt to prejudice recruiting than mine have not been prosecuted, I will read to you an extract from the Sydney "Sun," which reads:—

"IN THE GUTTER.—ANZACS WHO BEG.—A NEWCASTLE CURTAIN-RAISER.—DRAMATIS PERSONAE. 1st Strapping Youth.—2nd Strapping Youth.—'Storky,' the 3rd Strapping Youth.—1st Hard-up Anzac.—2nd Hard-up Anzac. The More Fortunate Anzac.—The Mayor of Newcastle (Alderman Kilgour).—A Friday evening Newcastle crowd.—Scene: Corner Hunter and Thorn Streets, Newcastle.—Time, 6 p.m. on a Friday. (Discover the Three Strapping Youths smoking cigarettes and heatedly arguing about How to Stop the Hun Advance. The First and the Second lean against the corner. Before them stands the Tlird.)

"About them to left and right—miners, shopmen, office-men, ladies. The crowd are busy spending money or getting ready to spend money.

"The Mayor is hurrying along, and planning how to induce people to spend money for the War Loan. The First and Second Hard-up Anzacs, maimed in the war, are begging from the public, for whom they have fought. The First by playing on a hurdy-gurdy a song he has sung under German shells, and displaying a sign: 'Kindly assist Returned Soldier; unable to work.' The Second, by wheezing forth a song, and displaying a notice: 'Returned Soldier, blind, fought for you, please help.' The More Fortunate Anzac is walking Hunter Street, cogitating.

"The More Fortunate Anzac: 'My God, Mr. Mayor, you see it for yourself. There's one returned soldier who ought to be pensioned off, who has fought for this country and been smashed up under the shells for all we know, actually playing a hurdy-gurdy in your city streets—actually playing it for a living! He has his official badges on, and everything. And here's another returned soldier, blinded on active service, possibly—even probably—by shells—blinded that these people may spend money in your city shops or lean against your city corners and argue about how to stop the Hun advance. And he's actually got to sing in your streets for a living! Think of the shame of it! Crippled fighting for this city, it is these soldiers' reward to be privileged to come and beg in this city! Perhaps they can't work. Perhaps they can't get work. Nobody has the job of seeing that they get on their feet and stay on. Down they are going into the gutter! You know yourself that that was the way of things after the Crimea and after South Africa, and that it was never going to occur again! I know what those blasted shells are. And to have fought under them, for this reward!"

The "Sun," in publishing a statement like that, was putting a picture before you who were likely to enlist that was not likely to induce you to do so, but was the "Sun" prosecuted for that article I've read? No, not that I want them prosecuted, for I would not be a party to their prosecution, but I want to point out that these people are allowed to make statements more likely to prejudice recruiting than mine, yet they are not prosecuted.

MILITARISM, LIKE NAVALISM, AN EFFECT.

Mr. Lamb has spoken of the "callous and cruel" enemy, and suggested that I was the kind of coward who was not prepared to put up a defence, and sug-

gested what would happen if they won. I am not going to attempt to follow Mr. Lamb, but we all know what happens to the workers in countries that are invaded; we know that, and that is one of the reasons why we oppose war, and Mr. Lamb knows quite well that in starting to talk about militarism he was only talking about an effect. Militarism in Germany is the effect of what? It is the effect—one of the effects of Germany's great industrial and commercial expansion—one of the effects just as the naval power of other nations is a result of their great commercial and industrial expansion. As Mr. Lloyd George put it: "If England was in Germany's position in a geographical sense, with Russia on one side and France on the other—the two nations with great armies, that could march across her land frontiers at any time—England would then have to have a great military force like Germany had got." But as England was surrounded by water over which an enemy would have to come, England has a great water defence instead of a land force which Germany had to have according to Lloyd George, because she was surrounded by enemies who were ready to march over her land at any time. Now, Germany's great military force is the effect of her industrial and commercial expansion. Germany at the time of the Franco-Prussian War had no great military force, but from 1871 the German States federated, and Germany gradually became a great commercial power, and from then on her military and naval force grew in proportion to her expansion.

"WORKSHOP OF THE WORLD"—CAUSE OF WAR.

As you know, about the early "fifties" England was spoken of as "the workshop of the world." What did they mean when they said that? They meant by "workshop of the world" that England was the centre to which raw materials from all parts of the world

were sent; they came from America, India, Australia, and other parts, and they were manufactured into finished commodities in England and returned to the countries from which they came as raw materials. However, the German capitalists got busy, and built up great industries, and so technically educated their working people that they were able to produce goods more cheaply than their competitors could, with the result that from '71 until this war started Germany was extending her trade all over the world, and had become a great commercial power in the world's market. She was sending goods into France, Belgium, and other countries, and selling them cheaper, and into Russia, Egypt, New Zealand, and Australia cheaper than her competitors could. You know when the war started Woolloomooloo Bay was always full of German ships; every shop in Australia contained German goods, because German manufacturers were out-competing the manufacturers of other countries. Mr. Hughes, Lloyd George, President Wilson and other people in authority have all admitted that this war was the result of the struggle for commercial supremacy in the world's markets. In addition to Germany, America has also become a first-rate commercial Power, and is pouring goods into China, and Japan is pouring goods into China, and we read cables only last week to the effect that America had only 300 battleships when she joined the Allies in this war, and that within two years she will have 800 battleships—and this was the war that was going to be the last war and bring about disarmament. Why is America building these battleships? Why is Japan building up a great fleet of battleships also? Because they both have more commodities than they can dispose of in their home markets. They both want markets in China, with the result that they are both building up great armies and navies for a clash, and they are already preparing for another war; and we hold that if this other war is going to be prevented, it will only be

prevented by the working class of the world with an international understanding that if necessary we will stop every wheel in both countries rather than allow a general war to take place. We recognise with General Wood, of the American Army, who, when he was addressing a conference for disarmament, said:

"We soldiers fight the wars you capitalists make. Nine out of ten wars are fought because of quarrels between different sections of the capitalist class."

Modern wars are not fought for democracy, or civilisation, justice or humanity; but the great struggle has been and is for commercial supremacy in the world's markets, and that struggle will go on after this war ends, and that struggle which brought about this war—that struggle for commercial supremacy—will bring about other wars.

"PROTECTING OUR WOMEN FOLK."

Mr. Lamb spoke about "protecting our women folk." Yes, I believe in protecting our women, and I also recognise our women are in danger of many things besides invasion from Germany. I recognise that through lack of employment and low wages hundreds of thousands of the working women of all nations are forced on to the streets, and have to submit to outrage to get bread. Here is a cable which appeared in the Sydney "Sun," 21/9/1912, headed:

"AMERICA'S WHITE SLAVES.—AN AWFUL TRAFFIC.—MILLIONS FOR ITS MAINTENANCE. London, Friday.—A report submitted to an International Congress now being held in Washington makes the startling disclosure that £600,000,000 goes annually towards the maintenance of the white slave traffic in the United States."

No women need to be protected there! Then we know that a little while ago a measure was introduced into the House of Commons for the abolition of the white slave traffic in London. You know what happened. The Bill was moved in the House of Commons, and it had to be withdrawn; so many members of the House of Commons and House of Lords were found to be owners of properties used for the white slave traffic that the Bill had to be withdrawn. Yet these are the people who are going to protect our women.

"ATROCITIES."

Mr. Lamb will probably tell you in his concluding remarks about the atrocities that have been committed in this war. As I told you before, we are all the time endeavoring to do away with the conditions which are the cause of these atrocities. The people of Germany are told: "Look at the Frenchmen, they shot two of their own women because they revealed military secrets." Then the French people are told: "Look at Germany, she shot a nurse the other day." The capitalist class and their Governments mention to you and give prominence to and stage and star these atrocities, but the same crowd are silent about the fact that millions of the working women of the world are forced to take to prostitution in order to get bread. Some men think that we are callous and indifferent to the sufferings caused by the war. I say the men who are the most sensible as to the sufferings involved are those who do all in their power to prevent war and the sufferings that are caused through war. I can deeply sympathise with those who suffer through loss and bereavement through war. We do sympathise, and I assure you we do all in our power to stop war, and we are just as sympathetic as other men for those who suffer as a consequence of war.

"WORKING CLASS THINKING FOR THEMSELVES."

Mr. Lamb said something about the working class not thinking for themselves. Well, there is a section of the working class that take their opinions from the "Herald" and "Telegraph" and such papers, and believe everything they read in those papers. There is that section among the working class, and probably there is a similar section in the class Mr. Lamb represents. I wish to draw your attention to the fact that it is only during the last century or so that the working class has known how to read and write; they have had no university education like the other class; but a great many of us are to-day awakening, and we are drawing aside the curtain that has concealed all the treachery, not only in Germany and Austria, but in the other nations, and traitorous acts against our class and against humanity have been committed by every nation.

"CRIME AGAINST CIVILISATION."

The suppression of truth in Australia for ulterior motives is a crime against civilisation.

HEROIC MR. WATT!

We see Mr. Watt, when standing on the Protestant Hall platform speaking of Ludendorff at the head of his armies, and saying, in a paraphrase from Macbeth—

"Lay on, Ludendorff, and damned be he who first cries: Hold, enough."

Mr. Watt, ten thousand miles away from the German guns, and with the British Navy and the Allied armies between him and the German guns. We see Mr. Orchard sending good, brave boys, with unformed minds and with bodies that are not set and minds not fully developed—taking advantage of those boys—taking advantage of their youth and sending them to a hell to which he was not man enough to go himself. Those

are the people who are keeping this prosecution going after the war has ended. Cook, the man I told you about just now, asking the workers to put their scanty savings into War Savings Certificates at 4½ per cent., while he lends his money out on mortgage at 7½ per cent.; Cook's actions are not in accord with his speeches, but my actions have been in accord with my speeches, and I have never asked other men to do what I am not prepared to do myself.

"VERDICT CANNOT AFFECT PRINCIPLES."

I have to say, in conclusion, gentlemen, that whether you judge me guilty or not, your verdict will not affect my principles. We realise this, that all sections of the world's ruling class look alike to us. They will all send the cannon and the military out to shoot us down, and we know that, as Sir Auckland Geddes said last week in England:

"In England the statesmen have given more thought to the rearing of prize pigs than they have given to the rearing of the manhood of Great Britain."

What "manhood" did Sir Auckland Geddes have in his mind when he said that? He had in his mind the working-class manhood of Great Britain, and the statesmen who don't give the men of my class as much consideration as they do prize pigs expect us to get into khaki and shed our blood for them, whilst they stay at home and get 7½ per cent. for their money. I regard all the belligerents as parties to the crime, because even if they were forced to take up arms when opportunities were presented for negotiations for peace they would not negotiate.

JOHN BRIGHT AND "WHAT IS WAR?"

John Bright, in the House of Commons, said:
 "What is war? I believe that half of the people who talk about war have not the slightest idea of what it is. In a short sentence it may be

summed up to be the combination and concentration of all the horrors, atrocities, crimes and sufferings of which human nature on this globe is capable."

A CHRISTIAN NATION.

And in the House of Commons on November 25, 1876, he said:

"You profess to be a Christian nation. You make it your boast even though boasting is somewhat out of place in such questions. You make it your boast that you are a Protestant people, and that you draw your rule of doctrine and practice as from a well pure and undefiled from the living oracles of God, from the direct revelation of the Omnipotent. You have even conceived the magnificent project of illuminating the whole earth, even to its remotest and darkest recesses by the dissemination of the volume of the New Testament, in whose every page are written forever the words of peace. Within the limits of this island alone, on every Sabbath, 20,000—yes, far more than 20,000—temples are thrown open, in which devout men and women assemble that they may worship Him who is the Prince of Peace. Is this a reality, or is your Christianity a romance? Is your profession a sham?"

"AND EVEN IF I WERE ALONE."

On another occasion Bright said that the working class should resist the war spirit, as it was their blood that was shed. Bright also said on December 22, 1854, at the conclusion of his speech against the war with Russia—the war which was afterwards admitted to be wrong:

"And even if I were alone, if mine were a solitary voice raised amid the din of arms and the clamor of a venal press, I should have the con-

solation I have to-night, and which I trust will be mine to the last moment of my existence—the priceless consolation that no word of mine has tended to promote the squandering of my country's treasure or the spilling of one single drop of my country's blood."

CONCLUSION.

And even if I were alone, if mine were a solitary voice, I'd still say the same to you: that one of the proudest things of my life, no matter how this case ends, is that I have never urged another man to do that which I was not man enough to do myself, and that no man's blood is on my hands. I am not going to betray my class or assist other men in recruiting my class in the interests of any section of the world's capitalist class, because all sections of the world's capitalist class look alike to me, and the working-class conditions of no country under Capitalism are so superior to those of any other country as to justify the sacrifice of working-class life in their defence.

END.

Judd then swore to his statement, and was cross-examined on it by Mr. Lamb, K.C., Crown Prosecutor.

The following are specimen questions put and answers elicited:—

Mr. Lamb: Do you believe that it is murder for an Australian soldier to kill a German?

Judd: Yes, just as it is murder for a German soldier to kill an Australian.

Mr. Lamb: Have you sworn that the working class should honor the red flag above all other flags?

Judd: I have expressed the idea embodied in those words, but I'm not sure whether I have sworn it in those words. If I did, I stand by it. I still believe that the working class should honor the red flag above all other flags, because it is the only flag that symbolises the brotherhood and ideals of the world's working class.

(Mr. Lamb's question about the red flag was in reference to a statement made by Judd at the I.W.W. Commission.)

Mr. Windeyer, K.C., leading counsel for the defence, addressed the jury for an hour.

Mr. Lamb, K.C., followed with an address of an hour and twenty minutes.

His Honor Judge Ferguson then summed up, and directed the jury to acquit the accused on the third Count. The jury, after a retirement of 2½ hours, returned a verdict of "Guilty on the first two Counts"—the "stop the war motion" and the Trades Hall speech—"with a strong recommendation to mercy."

Mr. Mack, K.C., who also appeared for the defence, then gave notice of appeal, chiefly on the ground that the indictment was bad, and asked that sentence be suspended and that Judd be allowed out on bail until the appeal be heard. The Judge refused the application for bail, but agreed to hear further argument next morning. Judd was taken to Long Bay Prison for the night. Next morning, after further argument by Messrs. Windeyer and Mack, K.C.'s, the Judge decided to refer the points raised to the Federal High Court, and allowed Judd bail, self in £400, and another surety for a like amount on condition that he did not speak on war matters until the peace treaties are signed, and come up for sentence when the High Court judgment was delivered.

In modern Capitalist class States the Government are but Committee for managing the common affairs of the Capitalist class.

The solution of the industrial question cannot be achieved by sending politicians into Parliament to administer the affairs of the Capitalist class.

The solution of the industrial question lies in the overthrow, by political and industrial action, of the Capitalist class State, and the institution in the place of the political government of an administrative body made up of the representatives of the organised industries of the nation; the wiping out of the "State" lines, and the substitution, in place of the "State," of lines of industries; thus instead of the State of New South Wales, we would have "The Industry of Railroads," "The Industry of Mines," "The Industry of Food Production," and so forth.

All the representatives of those industries, representing the people working in those industries, would constitute the Government.

Its administrative functions would consist, mainly, of the management of production, supervision of transportation, commerce and exchange, and control of all the socially operated means of production and distribution that civilisation needs.

Such a Government would be the directing authority.

ONE BIG UNION.

As industrial organisation is vitally necessary to overthrow the Capitalist class State and establish an Industrial Co-operative Commonwealth, UNDER THE SHIELD OF POLITICAL AGITATION the Socialist Labor Party aims at organising the wage-workers into one great class-conscious, revolutionary Union, powerful enough to reflect its own political party. The S.L.P. advocates the organisation of the workers on the lines set forth in the Preamble of the "Workers' International Industrial Union." Bringing the workers together on such a basis—under one constitution, and with as many departments as there are industries—not only strengthens the working class in its encounters with the exploiting class in the struggle for reduction of hours, raising of wages, and the adjustment of conditions, but provides the framework for the Industrial Co-operative Commonwealth.

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