

MERV FLANAGAN: THE AUSTRALIAN LABOUR MOVEMENT'S FORGOTTEN MARTYR

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This special issue of *Hummer* is dedicated to the memory of Mervyn Ambrose Leslie Flanagan (1884-1917).

In the Coroner's report, 'Flanagan died as a result of 'a bullet wound of chest inflicted... by Reginald James Wearne while acting in his own defence'. The brother of the man who shot Flanagan was W.E. Wearne, MLA for Namoi, a powerful conservative parliamentarian. The papers in the Mitchell Library from Reginald Wearne, a stock and station agent from Bingara were released and it was possible to see how events of 30 September 1917 and their aftermath appeared to a major protagonist. The Wearne papers proved to be significant in three ways.

Firstly they revealed the brutality of Reginald Wearne's supporters. A testimonial fund was established to offset some of Wearne's legal expenses.

Second was a newspaper clipping (Wearne said that it came from an 'I.W.W. paper') describing Flanagan's funeral procession. We reprint this in full.

Yet the most spectacular find was Merv Flanagan's police record. The head of the NSW police provided it to W.E. Wearne in February 1918. Why it was collected and preserved is open to conjecture; the propriety of a police document being handed over is dubious. Merv Flanagan emerges as a typical inner-city proletarian who enjoyed a few drinks, playing two-up and was not averse to fisticuffs with police. Merv had only twelve convictions for notoriously working-class crimes. By the standards of his time and class this makes Merv a bit of a saint.

Mervyn Flanagan was born on 27 November 1884 at Waterloo, eldest child of John Flanagan, a horse-driver and his wife Susan Laura McMahan. By 1893 John and Laura had seven children, two others having died. In February 1901 Merv had his first brush with the law, found guilty of 'throwing stones' and sentenced to seven days or fined twenty shillings. In March 1901 he was fined five shillings or twenty-four hours for playing two-up. In 1902 he was guilty of using indecent language and in April and September 1904 he had convictions for being drunk and disorderly and assaulting a police constable. When he married Beatrice Stanton at St Paul's Church of England, Redfern, he stated that both his parents were dead.

In 1905 he was described as a groom, in 1909 as a general carrier's carter, in 1911 a carrier's clerk and in 1917 a horse-driver. The 'crimes' with which Merv was charged increasingly said 'riotous'.

In August 1917 Merv had been out of work for a month. In the late afternoon of 30 August 1917, he walked a few blocks into Bridge Road where Wearne, a member of the 'farmers' army' was armed with a revolver. There are differing versions of how Merv Flanagan lost his life.

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On 31 August 1911 the [*Sydney Morning Herald*] reported that the incident began at 4.45pm in Bridge Road, when striking carters began yelling abuse at two 'volunteer' carters.

“You...scab and” called one, as another jumped on one of the lorries being driven by a ‘volunteer’ and yelled, “You ... I’ll get you” before hitting the driver, Reginald James Wearne, knocking him off his seat. Similarly, the driver of another lorry was attacked and knocked off his cart. He was then seized by the other strikers and taken to a nearby vacant lot where he was beaten. Wearne, drawing a revolver, approached the group of strikers. They responded by throwing rocks and stones at him. In turn, Wearne, shot at the group, hitting one man in the leg (Henry Williams) and another (Flanagan) through the heart.

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Mervyn Flanagan’s brother, James Everard Flanagan, commonly known as ‘Darkie’, subsequently saw events rather differently.

He said that he had been with his brother throughout the afternoon leaving him only for a few minutes to go to the blacksmith’s shop. Upon his return he saw his brother on the ground. He stressed that not only had he never encountered Wearne before, but also that neither he nor anyone else had assaulted Wearne on that afternoon. He told Wearne what he thought of him in forcible language after his brother had been shot. Stones were not thrown until after the shooting.

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Wearne’s recollection in 1952 offered another interpretation. Wearne wrote:

He... [Flanagan] got shot by jumping on my back from behind while I had the gun pointed at his mate in front of me. He jumped too high, or I jerked him over my shoulder, but the first I knew I shot Flanagan was when I saw him stagger around in front of me and fall down. We did not know he had been shot or that he was dead until I forced his brother to come with me on a horse sulky to ... Hospital.

Two things stand out. First, Wearne never denied firing the bullet. This being the case, the kid gloves treatment is shameful. The second is that Merv Flanagan went to the aid of a mate who was being harassed by an armed man. His behaviour was brave and he should be remembered as a hero of the class war.

The day after the shooting collections were taken up to provide a wreath. The unionists organised a massive march from Trades Hall to the Mortuary Station which held up traffic for one hour. An eye witness described it:

Last Saturday I stood bareheaded in the roadway of a Sydney suburb where thousands of unionists walked in solemn array before a four-horsed funeral hearse containing the remnants of a comrade who had been shot down two days before by a strike-breaker. The deep boom of a muffled drum came up from the head of the procession more than a mile off and full on the air fell the weird neets (sic) of funeral music, and the rhythmic (sic) tread of feet on the whitened roadway... I saw the polished casket emerge from the little clean-fronted cottage, borne on the shoulders of powerful men. I watched them lower the wooden casket containing the remnants of their comrade into the funeral hearse – gently and tenderly, as though it were a thing they prized and loved for the dear remembrance that it held ... I saw the pathetic figure of the dead striker’s wife, leaning on the arm of other mourners, her cries of grief stabbing like daggers into my own heart. And I watched her pause but a moment beside the hearse containing all that was dearest in life to her, a look of hopelessness and despair swept over her tear-stained face, as if she was parting with everything in life worth keeping – as if all the sunshine from her life had gone with the passing of the dead. And then I saw the little children, clothed in deepest black, their baby eyes reddened with tears of bitter grief for their loving father they had lost ... But those

weeping folk, that sorrowing wife, those broken men, little baby faces moved me in a strange way and brought home the tragedy of despotism now sweeping over our fair land gathering its victims one by one. The muffled bell of the near-by convent tolled its mourning message still, the measured tread of thousands of bare-headed unionists fell in unison to the deep notes of a far-off drum and the weird notes of a funeral air. Slowly the dead passed down the road.

Mervyn Flanagan was buried in the Roman Catholic section of Rookwood Cemetery. The service was conducted by a Catholic priest, R. McElligott.

The legal judicial system responded in a bizarre fashion, seemingly confusing assassin and victim. James Flanagan and Henry Williams, another striker who was with the Flanagan brothers at the time of the tragedy and was also wounded, were arrested on a charge of having used violence to prevent Wearne from following his lawful occupation.

Wearne was charged with both 'Felony Slaying' and manslaughter and was released on bail to his brother. Wearne MLA assured the defendant, 'You have played the game in a manner which makes your family feel proud. It may be bad luck for the striker which I very much doubt.'

Mr Love S.M. evidently agreed. He discharged Wearne at the Newtown Police Court of the 'Felony Slaying' charge, following in the footsteps of the City Coroner who had come to similar conclusions. There seems to be no record of Wearne being tried on the manslaughter charge. As *The Worker* noted on 6 September 1917, the circumstances of Wearne being granted bail with such ease and speed were also highly irregular. The bail money was half that imposed upon strikers at Broken Hill.

By contrast, James Everard Flanagan (30), and Henry Williams (34) were convicted of their charges. At Newtown Court in mid-September 1917, Mr Clarke S.M. concluded that the case had been proved 'beyond any doubt' and that the evidence brought forward by the defence had not been conclusive. He stressed that the offence was a serious one, punishable by a fine of £29 or in default six months' imprisonment but as the case had cost the life of one man he would not impose a fine. Rather, both men would be sent to gaol for three months because he recognised 'that a certain amount of punishment has already been inflicted. Williams has been wounded and Flanagan has lost his brother as one of the results of this most unfortunate strike'.

Merv died leaving no property. His union started a collection for Beatrice and a tidy sum of money was forthcoming. One correspondent informed us, however, that Beatrice's inexperience in handling money meant that it was soon frittered away. James Flanagan also continued to live in the area, but he was blackballed and found it extremely difficult to find any sort of work.

Sources

- Mark Bray and Malcolm Rimmer, *Delivering the goods: a history of the NSW Transport Workers Union 1888-1986*, Allen & Unwin, Sydney, 1987
- Lucy Taksa, *Social protest and the NSW "General Strike" of 1917*, BA(Hons) thesis, University of New South Wales, 1983
- R.J. Wearne papers, Mitchell Library MSS 1351