

## Chapter 4

### The Lion in the Path

The New-Staters' principal thrust between 1920 and 1930 had been to secure an amendment of the Commonwealth Constitution to allow new States to be formed upon petition to the Commonwealth Parliament. By 1930, no such amendment had been secured and there was no prospect for the Constitution to be amended in the foreseeable future. The New-Staters' second thrust was in the NSW Parliament. Section 124 of the Commonwealth Constitution allowed a new State to be formed only with the consent of the parent State's Parliament, but securing that consent was and is a formidable task. New-Staters would need a majority in the NSW Parliament and it would be most unlikely to give its consent to the separation of an area without a Statewide referendum, the outcome of which was doubtful. These hurdles are so tall as to suggest that separation seemed highly improbable. The New-Staters knew this and described the provisions of Section 124 as "the lion in the path".<sup>1</sup> Throughout the 1920s, the New-Staters hung their hopes on amending this provision, and their various approaches to the NSW Parliament were mostly ploys to strengthen the case for a constitutional amendment. At most, the New-Staters expected only two concessions from the NSW Parliament, a boundary commission (to define the New State's boundaries), and a referendum within the defined area. The New-Staters believed that if they could achieve these concessions, then everything else could be secured via the proposed constitutional amendment. Previous writers of New State issues have not sufficiently stressed the significance of "the lion in the path" or the quest for the boundary commission and the referendum, and have not understood that the New-Staters' appeals to the State Parliament were mostly ploys which were expected to fail. Between April 1921 and December 1923 the New-Staters made three attempts in the NSW Parliament to initiate the separation process. After outlining the background to the NSW Parliament in 1920, this chapter will analyse the three attempts separately, even though the efforts were at times concurrent or sequential.

There could be no boundary commission and referendum unless the NSW Parliament could be won over or coerced. The New-Staters would need the support of a majority in the Parliament. A majority could be achieved by several means. For instance, the Government could enthusiastically support the measure

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<sup>1</sup> For example, *New State Magazine*, No. 7, September 1922, cover.

and ensure the passing of the required bills. Another means available was the use of a minority party's balance of power. The NSW general election in March 1920 brought a third party, the Progressives, into the Legislative Assembly and the next elections in March 1922 resulted in their holding the balance of power. The genesis of the Progressive Party ran parallel with the origins of the revived New State Movement. Previous writers about the New State, especially Ellis, Graham and Aitkin, in their histories of the country parties, have set the story of New State agitation in the context of the broader story of NSW party politics, but this chapter will do the converse, and will explore party political issues in the context of New State agitation, between 1920, when the agitation was renewed, and December 1923, when the New-Staters secured a royal commission, which, at that time, was the most notable concession from the NSW Government.

The Progressives and the New-Staters had similar aspirations and were fellow travellers. The relationship must be explored to see whether the Progressives were committed to the New State, whether it was just one of many items on their agenda, whether they thought it was achievable, and how far they would go to secure it. Above all else, we must consider the extent to which the New State question became identified with the Progressive Party and the extent to which they used the New State catchcry for electoral victories and sops. These issues will be explored in the context of the search for strategies.

Initially, in March 1920, as was noted in chapter 2, the New-Staters had aimed at securing the NSW Parliament's approval, but by May the aim had changed, and the new primary thrust was for securing a constitutional amendment to allow for the formation of the New State without the consent of the NSW Parliament. This switch was confirmed at the Glen Innes meeting in August, when Colonel Michael Bruxner, one of the three members for the Northern Tablelands, made a strong speech pointing out the difficulties to be overcome in winning NSW Parliamentary support. Despite the new thrust, the meeting resolved that Bruxner should ask the Premier for a day to be set aside in the NSW Assembly to discuss the New State proposition.<sup>2</sup> Bruxner wasted no time in furthering the cause in the NSW Parliament. The day after the Glen Innes meeting Bruxner made his maiden speech, and, as noted below, told the Assembly why there was New State agitation in northern NSW. Bruxner was one of the key players in the New State agitation, so his rise to political prominence should be explored.

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<sup>2</sup> *Armidale Express* (hereafter *AE*), 27 August 1920.

Michael Frederick Bruxner was born on 25 March 1882, the second son of immigrant parents who had settled *Sandilands*, a cattle-grazing property which fronted the head of the Clarence River near Tabulam in northern NSW. After secondary schooling at Armidale, Bruxner spent a few years at Sydney University, but left without taking his degree, and returned to the family property, until he became a stock and station agent in Tenterfield. With the outbreak of war in 1914, he volunteered, was promoted to Captain in the 6th Light Horse, and without his horse, landed at Gallipoli in May 1915; he was wounded six days later. Promoted to Lieutenant-Colonel in 1918, Bruxner returned home in July 1919, sold his business, bought a property near Tenterfield, and settled down to life as a grazier. He easily re-entered public life, and as 'The Colonel' became president of the local branch of the RSL. Bruxner was nominated as a Progressive Party candidate for the 1920 State elections. He was almost thirty-eight.<sup>3</sup> His military rank had endorsed his leadership skills, but unlike Page, whose family had been active in politics, Bruxner was not from an established political family, and he had no previous political experience to prepare him for State Parliament.

The Progressive Party was formed when two groups of primary producers, the Graziers' Association (GA) and the Farmers and Settlers' Association (FSA), while retaining their independent existence, joined forces politically to fight the NSW election in 1920.<sup>4</sup> As was noted in chapter 2, country loyalty to the country and an institutionalized suspicion of the City had created a powerful ideology which sowed the seeds for rural discontent. Townsmen and primary producers were united by anti-Sydney sentiments and this found expression in the emergence of country parties as a new power in rural politics. The Progressive Party became home for all who disliked the Nationalists but who could not bring themselves to support Labor. Because the Progressive Party was so broad and lacking in focus, the seeds of its own disunity were present from its conception. The new party looked forward to widespread support at the general election which was to be held on 20 March 1920.

The party's prospects would be enhanced because of an amendment to the electoral law. In December 1918, the Premier (W.A. Holman) had conceded a change from single-member electorates to multiple-member electorates. The new

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<sup>3</sup> D.A. Aitkin, *The Colonel, A Political Biography of Sir Michael Bruxner*, Canberra, 1969, ch. 1.

<sup>4</sup> U.R. Ellis, *The Country Party: A Political and Social History of the Party in New South Wales* (hereafter, *The Country Party in NSW*), Melbourne, 1958, pp. 11-19, 51-7; Ellis, *A History of the Australian Country Party*, Melbourne, 1963, pp. 32-3, 37, 57-9; B.D. Graham, *The Formation of the Australian Country Parties*, Canberra, 1966, pp. 96, 108-10, 120-3; Aitkin, *op. cit.*, pp. 34-46.

city electorates would have five members while country electorates would have three (see Map 4.1). The simple majority method (first-past-the-post) was changed to proportional representation.<sup>5</sup> There was now no danger of vote-splitting, and the system favoured the Progressives who expected to be given the preferences of Labor and the Nationalists. Three members were to be returned from the Northern Tablelands. There would be two successful Progressives, Bruxner and David Drummond. The latter's rise to political prominence must also be examined.

David Henry Drummond was born in Sydney on 11 February 1890. By the age of six he was an orphan. His mother died in 1892 and his father, who had remarried in 1895, died in 1896. Drummond was "shunted between friends and family" and attended seven different schools between 1896 and 1901, when he went to Scots College Sydney on a Presbyterian Church scholarship. It was about this time he became almost totally deaf. In May 1902 his scholarship was terminated and he had to leave school and find work. When he was seventeen Drummond moved to Armidale where he worked as a farmhand, and enjoyed farming. In 1911 he became a share-farmer and farm-manager in the Inverell area, where he was active in the Methodist Church as a lay preacher. He developed his preaching skills, which subsequently made him an effective speaker at open air political meetings. Drummond joined the local branch of the FSA in 1911. His deafness meant that he was rejected for war service. In 1917 he joined 200 volunteers from Inverell who went to Sydney to break the Great Strike. Drummond was at the Inverell picture theatre in April 1919 when Page visited the town to form a Development League. Page said country men were needed in Parliament to represent country people. Subsequently, Drummond accepted nomination by the Mt. Russell branch of the FSA and stood as a Progressive candidate at the 1920 elections; he also undertook the role of electorate organizer.<sup>6</sup> He was enthusiastically supported by Ernest Christian Sommerlad, one of the owners of the Glen Innes *Examiner*.<sup>7</sup> Drummond was thirty, but had been active in FSA politics for almost ten years.

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<sup>5</sup> G.S. Harman, 'Politics at the Electoral Level: A Study in Armidale and New England, 1899-1929', MA (Hons) Thesis, University of New England, 1964, ch. 12, 'Electoral Machinery', pp. 391-426.

<sup>6</sup> James Drummond Belshaw, 'Decentralization, Development & Decent Government: The Life & Times of David Henry Drummond, 1890-1941', unpublished manuscript, Armidale, 1983, chs. 1, 2.

<sup>7</sup> Sommerlad had wanted to be a Church missionary but had to withdraw because of ill-health, and had taken up journalism in Inverell where he and Drummond became friends. Sommerlad was the editor of the Inverell *Argus* until May 1918 when he began his association with the Glen Innes *Examiner*.



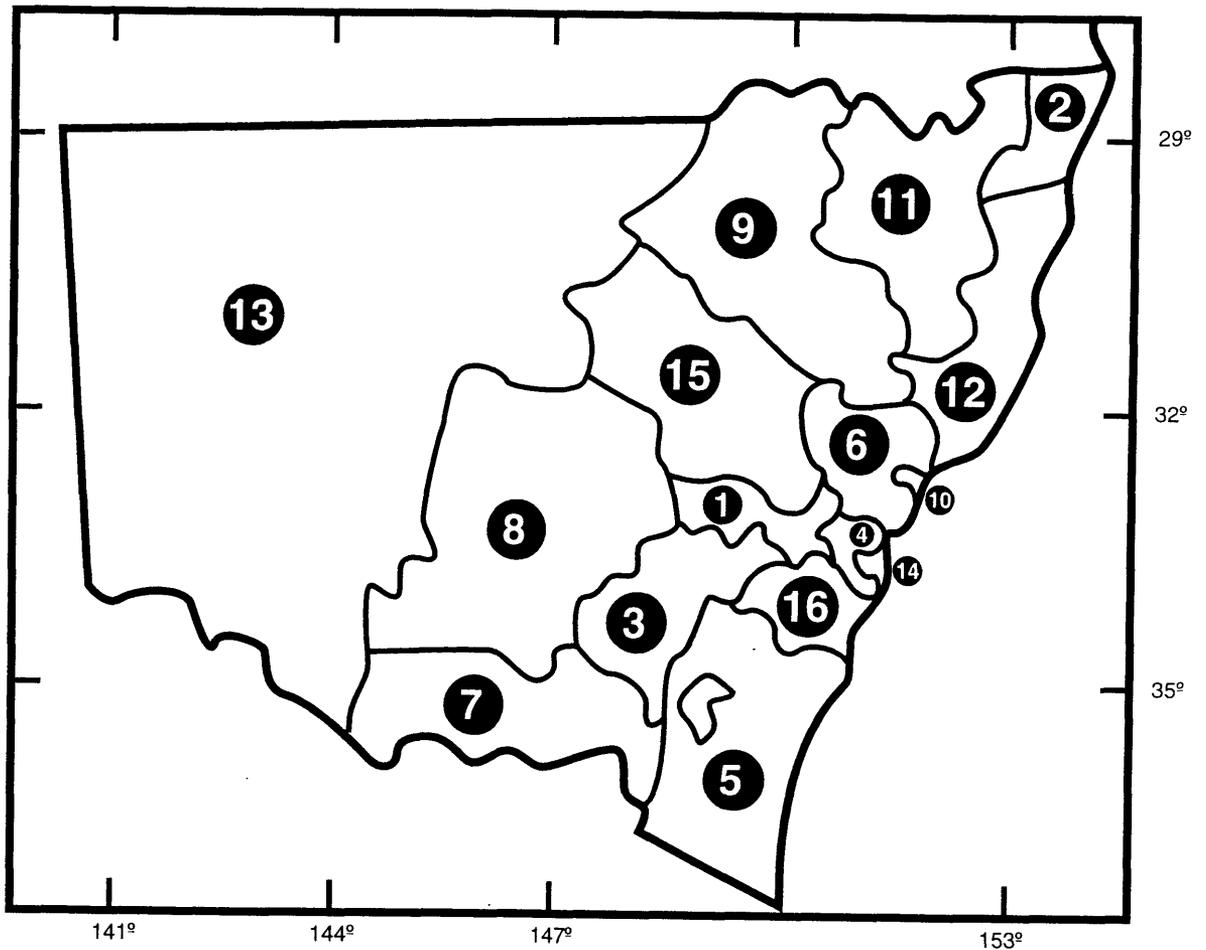
## The Lion in the Path

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**Source:** *New State Magazine*, No. 7, September 1922, cover.

# Map 4.1

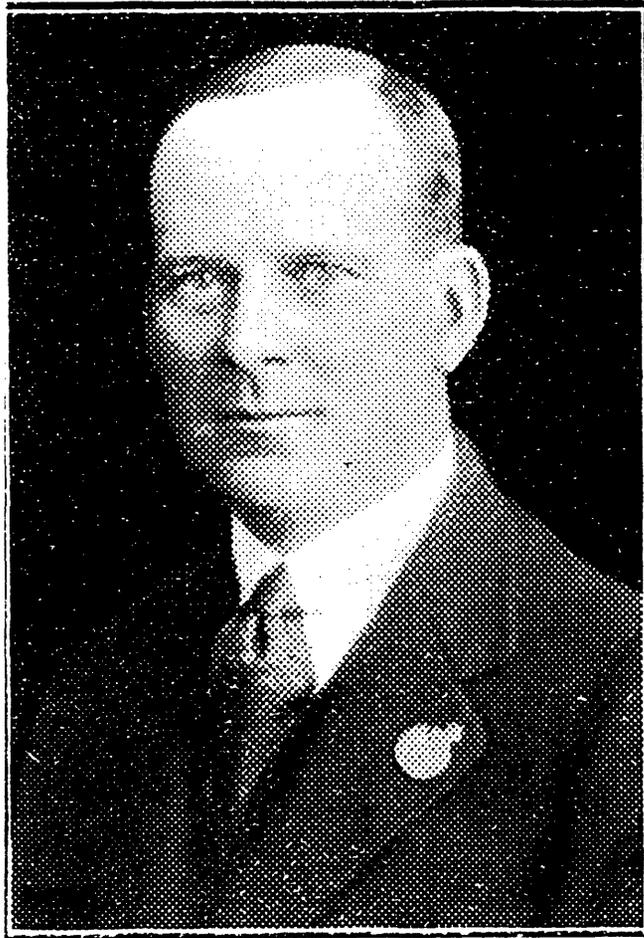
NSW Electorates  
1920 to 1927



- 1 Bathurst
- 2 Byron
- 3 Cootamundra
- 4 Cumberland
- 5 Goulburn
- 6 Maitland
- 7 Murray
- 8 Murrumbidgee
- 9 Namoi
- 10 Newcastle
- 11 Northern Tablelands
- 12 Oxley
- 13 Sturt
- 14 Sydney
- 15 Wammerawa
- 16 Wollondilly

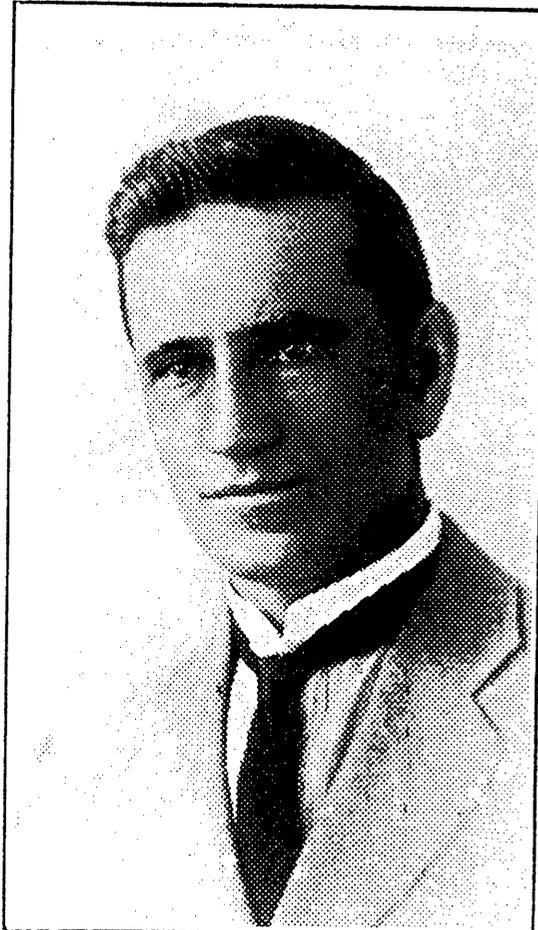
*In December 1918, the Premier (W.A. Holman) conceded a change to the electoral law. The existing single-member electorates changed to multiple-member electorates. The new city electorates would have five members while country electorates would have three. The simple majority method (first-past-the-post) was changed to proportional representation.*

*There was now less danger of vote-splitting, and the system favoured the Progressives who expected to be given the preferences of Labor and the Nationalists.*



## Lieutenant-Colonel Michael Bruxner

*Michael Frederick Bruxner was born on 25 March 1882, and was raised on a cattle-grazing property in northern NSW. Schooled by a governess until he was ten, Michael subsequently studied in Sydney and Armidale, and spent a few years at Sydney University, but left without taking his degree. He bought a stock and station business in Tenterfield and quickly involved in the social life of the town. With the outbreak of war in 1914, he volunteered. He served at Gallipoli and in Egypt. He returned home in July 1919 with the rank of Lieutenant-Colonel. He bought a property, Roseneath, west of Tenterfield, and settled down to life as a grazier. Bruxner was nominated as a Progressive Party candidate, and on 20 March 1920 he was elected as one of the three members for the Northern Tablelands. He had no previous political experience.*



## **David Henry Drummond**

*David Henry Drummond was born in Sydney on 11 February 1890. By the age of six he was an orphan. His mother died in 1892 and his father, who had remarried in 1895, died in 1896. Drummond was "shunted between friends and family" and attended seven different schools between 1896 and 1901, when he went to Scots College Sydney on a Presbyterian Church scholarship. It was about this time he became almost totally deaf. In May 1902 his scholarship was terminated and he had to leave school and find work. When he was seventeen Drummond moved to Armidale where he worked as a farmhand, and enjoyed farming. In 1911 he became a share-farmer and farm-manager in the Inverell area, where he was active in the Methodist Church as a lay preacher. He joined the local branch of the FSA in 1911. Drummond accepted nomination by the Mt. Russell branch of the FSA and stood as a Progressive candidate at the 1920 elections. On 20 March 1920, he was elected as one of the three members for the Northern Tablelands. He had ten years of active association with the FSA. His aims can be summed up as decentralisation, development, and decent government.*

Campaigning was underway by late January 1920, when Drummond addressed a meeting in Armidale. There was a small attendance. During his speech he denounced the exodus of country people to the city. His aims can be summed up as decentralisation, development, and decent government. He stressed the need for a Tablelands to North Coast railway, but there was no mention of the New State. Bruxner addressed a gathering of Progressives in Armidale late in February, and there was a fair attendance.<sup>8</sup> He, too, made no mention of the New State. As noted in chapter 2, the renewed agitation was still in its infancy and therefore was not sufficiently mature to find expression in the election campaign, but there was a distinct similarity between the aspirations of the New-Staters and the northern Progressives.

The most outstanding aspect of the northern campaign was the apathy. There was a general lack of interest in the elections. For instance, when Drummond addressed a meeting in Armidale on 10 March, some forty people attended, being "the biggest meeting in Armidale so far".<sup>9</sup> At Uralla, there was "little or no interest being taken in the elections" and the attendances at meetings were small. The *Uralla News* claimed: "This is the dullest election that has ever been held".<sup>10</sup> Clearly, the forthcoming election was not arousing much excitement, and reflected the apathy expressed in the concurrent attempts to initiate widespread agitation for the New State.

Labor's Alfred McClelland topped the poll in the Northern Tablelands, followed by Bruxner then Drummond.<sup>11</sup> Statewide, of the ninety seats in the Legislative Assembly, the Progressives won fifteen, Labor won forty-five, the Nationalists won twenty-seven, and there were three Independents. Labor and non-Labor each had forty-five seats. The 1920 election resulted in a very unstable Parliament. Holman, who had been the leader of the Nationalists and the Premier, lost his seat and was succeeded as party leader by George Fuller. The Nationalists attempted to gain Progressive support to continue in Government, forcing the Progressives to develop their strategy in the Assembly.

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<sup>8</sup> AE, 27 January 1920.

<sup>9</sup> AE, 12 March 1920.

<sup>10</sup> Cited in *Loc. cit.*

<sup>11</sup> AE, 30 March 1920.

The basic problem was simple: how to use their new parliamentary strength to maximum effect? As a third party, the Progressives did not have the numbers to form a government in their own right. Therefore, they would have to support one or other of the major parties in return for concessions. Two alternative strategies were possible. The first, conditional support, would require the party to remain independent while trading its favours to the highest bidder. The second, coalition, would require the party to enter into a firm arrangement with one of the other parties in return for ministerial responsibility. Both strategies offered possibilities for the New-Staters. The Progressives opted for conditional support, and the Nationalists were finally forced to admit defeat in April, opening the way for the Labor leader, John Storey, to form a Government on 13 April, with independent Nationalist, Daniel Levy, as the Speaker. The new Parliament met for the first time on 27 April. The Government had a majority of one.<sup>12</sup> Bruxner and Drummond, who quickly became strong advocates of New States in 1920, were a minority group in a minority party in Opposition.

It was against this background that Bruxner made his maiden speech on 24 August 1920, the day after the Glen Innes meeting. Bruxner told the Assembly there was New State agitation because there had been only small Government spending in the north, so the north wanted to "carry on our own business, to raise and spend our own money in developing a land full of possibilities". Bruxner called for a "vigorous works policy in country districts". He claimed that a lot of agricultural production was wasted because of the lack of transport facilities to take the produce to market. He said "the centralized railway system was the cause of the waste". He wanted the Government to construct developmental and connecting railways.<sup>13</sup> This was the first of many speeches Bruxner would make advocating northern development and linking it with the proposed New State. Bruxner held that if the north was better developed, offering prosperity to the farmers and townsfolk, then the prevailing rural drift to the city would be reversed. Bruxner believed that the New State would maintain and eventually increase the northern population. In the Assembly the next day, Drummond said there had to be decentralisation, and "the best system of decentralisation which can be given to this country is self-government". He believed that real decentralisation for the north would be the New State, with its own administrative, executive, and judicial

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<sup>12</sup> This is a summary of the relevant material in: Aitkin, *op. cit.*; Ellis, *The Country Party in NSW, op. cit.*; Ellis, *The ACP, op. cit.*; Graham, *op. cit.* The Storey Ministry held office from 13 April 1920 to 10 October 1921, when Storey died.

<sup>13</sup> *NSWPD*, 24 August 1920, vol. 79, pp. 358-65.

offices.<sup>14</sup> By the end of August 1920, therefore, the New State issue had been raised in the Assembly.

Although the Parliament had been convened on 27 April, it quickly adjourned, first till 25 May, then till 22 June and 27 July, before finally resuming on 10 August. The debate on 'the Address in Reply to the Governor's Speech' fully occupied the House throughout August until early October, and, as per custom, question-time was suspended.<sup>15</sup> Finally, when questions were allowed, on 7 October 1920, Captain Frank Chaffey (one of the three Members for Namoi), asked in the Assembly if "the Premier would "set apart a day" for a discussion on the New State and the Federal Convention. Premier Storey replied: "the suggestion that the matter should be placed on the agenda of the Federal convention" would be conveyed to the Prime Minister.<sup>16</sup> Storey had deflected the New State question to the Federal Parliament. This was the first of several occasions when one Parliament would refer the issue to the other Parliament. The instruction given at the New State meeting at Glen Innes in August had been carried out, but as they expected, nothing was achieved. No further action would be taken in the State Parliament until after the Armidale Convention in April 1921.

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The most urgent duty which arose from the Armidale Convention was the organizing of the petition for presentation to the NSW Parliament, requesting its sanction of the New State.<sup>17</sup> The petition, as noted in chapter 2, was to be a ploy. This was confirmed by Thompson when he visited Armidale in September 1921, to stir up the local League in an attempt to secure more signatures on the petition, whose rejection by the NSW Parliament was, he said, "a foregone conclusion".<sup>18</sup> Speaking at a meeting in Guyra, Thompson outlined the ploy. He said that if the State Parliament refused the New State, then the north would go to the Federal Parliament and ask for a Convention, hoping that the Constitution would be

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<sup>14</sup> *NSWPD*, 25 August 1920, vol. 79, p. 430.

<sup>15</sup> Bruxner made his maiden speech during the debate.

<sup>16</sup> *NSWPD*, 7 October 1920, vol. 80, p. 1371. The suggestion was duly conveyed to the Prime Minister. See John Storey (Premier, NSW) to Hughes (Prime Minister), 11 October 1920, copy in Ellis Papers, NL, MS 2001, Series 7B, folder 91.

<sup>17</sup> *Official Summary of Proceedings of Convention held at Armidale on April 19, 20 and 21, 1921*, Tamworth, 1921, p. 4.

<sup>18</sup> *AE*, 9 September 1921.

changed to allow for New States without the approval of the parent State.<sup>19</sup> It seems he did not consider that the ploy could easily backfire. Surely a widespread expectation for a petition to fail was not a path to success. Who would want to volunteer to collect signatures and who would want to go out of their way to sign if the popular conception was that it would fail? The petition campaign was the one and only instrument by which the degree of support for the New State proposal was measured in the 1920s, and must be examined.

When the old Executive held its final meeting (30 May 1921), Thompson reported that he had sent out letters to the Leagues inviting them to suggest how to get the petition organized. The meeting deferred discussion about a procession in Sydney for the presentation of the petition because that event would be a long way off, and the meeting pondered something much more in the here and now: how the New State area was to be defined for the purpose of the petition. The wording of the petition was also deferred till the next meeting.<sup>20</sup> The Executive had "high hopes for popular support for the petition", believing that "such a bold action" would force the State Parliament "to give serious thought to the request".<sup>21</sup> On the other hand, a lack of support for the petition would allow the Government to ignore the issue. The Executive appears not to have considered such an outcome, allowing us to conclude that they were politically naive and had unreal expectations about their level of support.

The boundary issue was an important aspect in the agitation, so Thompson issued a press release about it. Having noted that the Armidale Convention had not resolved the matter, he attempted to by-pass it. He wrote: "If the NSW Parliament asks: 'How can we have a referendum if we don't know what area in which to conduct it?' the New-Staters will answer 'Say you are willing to set up a New State and then we shall call a Northern Convention at once to suggest an area'".<sup>22</sup> This did not resolve the issue, and the petition, which was expected to gather 200,000 signatures, was duly circulated throughout an undefined area of 70,000 square miles, with a population of 460,000, being 130,000 more than Western Australia.

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<sup>19</sup> *AE*, 4 October 1921.

<sup>20</sup> For a report of the meeting, see *AE*, 30 April 1921. There are no official minutes of this meeting, but a summary of it is given in Thompson's report at the next meeting (5 July 1921), attached to the Minutes, NSM Executive, Minute Book II.

<sup>21</sup> *AE*, 30 April 1921.

<sup>22</sup> *AE*, 17 June 1921.

# PETITION OF THE RESIDENTS OF NORTHERN NEW SOUTH WALES.

TO THE SPEAKER OF THE LEGISLATIVE ASSEMBLY OF NEW SOUTH WALES: THE PETITION OF THE RESIDENTS OF NORTHERN NEW SOUTH WALES HUMBLY SHOWETH:

1.

That your petitioners conscientiously believe that the time has arrived when in the interests of the progress and safety of the whole State a subdivision of the unwieldy State of New South Wales into smaller States is necessary.

2.

That the State of New South Wales contains an area of not less than 310,000 square miles—that is nearly three times larger than the whole of Great Britain and Ireland, and only 20,000 square miles smaller than the thirteen original States of the United States of America.

3.

That universal experience proves (especially with the seat of Government situated at a distance of from four to five hundred miles from the outlying parts) that it is physically impossible that so extensive a territory can be either intelligently or economically governed, particularly with regard to local development and administration.

4.

That Northern New South Wales, comprising the area embraced by the Northern railway system north of Newcastle, contains about 70,000 square miles, or nearly one-fourth of the entire State of New South Wales, and a population of approximately 400,000; while South Australia, with an area  $5\frac{1}{2}$  times larger contains a population of 494,867; Western Australia, which is 14 times larger in area, has a population of only 329,228; and Tasmania, which is only one-third the area of the proposed New State, contains 213,527 people.

5.

That such an area comprising much valuable land both for pasture and cultivation, and containing great mineral resources, with a variety of climate, and a coast line possessing several potential oversea harbors must be sufficient in every respect for all the purposes of good government, as well as for the general welfare and advancement of its inhabitants.

6.

That a system of centralisation has become so dominant in New South Wales that sufficient consideration is not given by either Parliament or Government to distant centres of the State; and owing to this disability the progress and development of Northern New South Wales have been seriously retarded.

7.

That for over 40 years the people on the North Coast and New England Tablelands and in the North and North-Western areas have strenuously agitated for direct communication by rail to the seaboard without success, with the result that the opening of natural markets and the great interchange of products which would follow such direct communication, have been effectually denied them.

8.

That at one time an immense team traffic was carried on in the area between the navigable waters of the Northern Rivers and the Tablelands and the North-West, as many as 400 horse teams being engaged on one road, and it was only by the employment of differential rates that this traffic was diverted to the railway.

9.

That in consequence of this lack of direct communication your petitioners who reside on the Tablelands and in the Northern and North-western areas of the State are compelled to send their produce from 400 to 500 miles to port and market instead of having access to their natural port and market from 100 to 200 miles distant.

10.

That those of your petitioners who reside on the North Coast have been greatly handicapped by the failure of successive Governments to provide adequate harbor accommodation and rail communication with the Tablelands and North-West, and the Queensland system.

11.

That by reason of these facts the majority of the towns within the area are losing population or have reached a state of stagnation, and the primary producing industries, which should be the backbone of the country's prosperity, are not providing the benefits which the districts immediately concerned are entitled to expect.

12.

That the lack of inter-communication within the area and non-development of natural resources have prevented the establishment of many secondary industries; and wherever, in face of these disabilities, attempts have been made to successfully establish such industries the policy of differential railway rates has had the effect of either closing them down or greatly limiting the sphere of their operations.

13.

That owing to the lack of opportunities for advancement in life, due entirely to the absence of local development, and particularly to the dearth of secondary industries, the growing boys and girls of the area are forced to migrate to the city in daily increasing numbers, thus bringing about the breaking up of happy country homes and helping in the congestion of the population of the city.

14.

That fortified by these facts your petitioners believe that only by the creation of a New State will they secure the educational facilities for their children to which they are entitled and the social, economic and commercial conditions which tend to make life attractive to a rural community, and to the promotion of the Nation's welfare.

15.

That Australia's greatest need to-day is increased population to enable the country to bear the burden of war debt and to adequately occupy the land against any possible enemy, and the almost universal experience of the creation of new States has been that the population of such areas has trebled or quadrupled within ten years of the granting of self-government.

Your petitioners therefore pray your honorable House to take such steps as empowered by the Commonwealth of Australia Constitution Act to give the relief your petitioners ask by consenting to an area approximately 70,000 square miles in the North of New South Wales, extending from the Coast westward, being allowed to become a separate state of the Commonwealth.

Dated this                    day                    of                    1921.  
And your petitioners, as in duty bound, will ever pray, &c.

The drafting of the petition was a rushed job. The Executive met at Lismore on 5 July 1921 and a sub-committee (James McIlveen from Inverell, Page, Canon Fairbrother and Bruxner) was appointed to draft a petition. The draft was submitted later in the meeting. There were fifteen clauses (see Illustration 4.3), dealing with matters necessitating separation, such as the size of NSW, distance from Government, and the need for development especially railways and ports. Petition forms were to be prepared for distribution immediately. People signing the forms were to be twenty-one years old or more. The Executive expected between 150,000 and 200,000 signatures.<sup>23</sup> The petition was formally launched at Tamworth on 21 July 1921.<sup>24</sup>

Within months it was clear that the petition campaign did not enjoy widespread popular support. By November 1921, the petition had only 30,000 signatures so the Executive lowered the expectation of 200,000 signatures to 100,000. No date was set for closing the petition.<sup>25</sup> Clearly, the petition campaign was not succeeding. The Executive recognised the reality of the failure when they met at Moree in May 1922. The campaign had failed to gather anything like 100,000 signatures. Thompson reported that between 30,000 and 40,000 signatures had been obtained, and because "a dead end had been reached", the Executive would have to decide what to do. After discussion, they agreed to await the result of the proposed direct parliamentary action (discussed later in this chapter) before proceeding further with the petition.<sup>26</sup> The Executive believed that the failure of the petition was common knowledge and it would undermine the proposed action in the NSW Parliament.<sup>27</sup> By September 1922, the petition campaign had become ludicrous. Thompson told the Executive that "many petition forms were still out and all my efforts to get them have failed, so it is impossible to know the exact number of signatures".<sup>28</sup> They did not know how many people had signed the petition and because the network had broken down through apathy or lack of activity after the Convention, the Leagues had not returned the forms.

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<sup>23</sup> Minutes, NSM Executive Meeting at Lismore, 5 July 1921, Minute Book II.

<sup>24</sup> *Daily Telegraph*, 22 July 1921.

<sup>25</sup> Minutes, NSM Executive Meeting at Kempsey, 14 November 1921, Minute Book II.

<sup>26</sup> Minutes, NSM Executive Meeting at Moree, 16 May 1922, Minute Book II.

<sup>27</sup> See below.

<sup>28</sup> Minutes, NSM Executive Meeting at Scone, 11 September 1922, Minute Book II.

Not only had the petition campaign failed but the failure would hinder other current and future efforts.

It should not surprise us that the Legislative Assembly did not take Bruxner seriously later in 1922 when he requested it to commence the process for northern separation. Replying to Bruxner's motion, C.W. Oakes, a Nationalist, said that about "twelve months ago ... we heard of the New State petition and the 150,000 to 200,000 signatures it was expected to obtain," and "monster demonstrations would be organized and monster processions would come by special trains from the north and would startle Sydney, but we have not seen them". In addition, Oakes claimed, newspaper reports of New State meetings showed that attendances were very poor.<sup>29</sup> So far as the Government was concerned, there was no tangible evidence that many, let alone the majority, of the northerners wanted separation. The petition campaign had failed and had discredited the New-Staters.

In March 1923, the Executive met in Tenterfield and suspended the petition. Bruxner said he considered the petition campaign had been a failure. The campaign was "deferred pending action in the Federal Parliament", where good things were expected from the new Bruce-Page Government.<sup>30</sup> The petition campaign was never resumed.

Previous researchers have not given the petition the attention it deserves. For instance, Ellis, in *New Australian States*, merely mentioned that the Armidale Convention had recommended a petition.<sup>31</sup> Given the many references to it in the Minute Books to which he had access, his omission cannot be dismissed as ignorance. It would seem to be a deliberate attempt by Ellis to gloss over a glaring failure. Moore did not state that the petition campaign was a ploy, not a change in direction for the New-Staters, nor did she trace the story of the petition. Her focus was on the causes of northern agitation and she quickly skimmed through the years 1921 to 1925, at which point she stopped for an analysis of the Royal Commission's report.<sup>32</sup> Moore's omission resulted in the petition's significance being overlooked by Woolmington, who used Moore's thesis as the principal

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<sup>29</sup> *NSWPD*, 19 September 1920, vol. 88, p. 1948; also *AE*, 26 September 1922.

<sup>30</sup> Minutes, NSM Executive Meeting at Tenterfield, 22 March 1923, Minute Book II.

<sup>31</sup> Ellis, *New Australian States*, Sydney, 1933, p. 154.

<sup>32</sup> See Evelyn Moore, 'The Causes of the Agitation after 1901, for the Establishment of a New State in Northern New South Wales', M.A. Thesis, Sydney University (New England University College), 1953, pp. 48-74.

history for this period. He merely noted a petition was to be organized, and that the campaign's failure "provided a convincing demonstration of the ineffectuality" [sic] of the New State Leagues.<sup>33</sup> Harman used the writings of Ellis, Moore and Woolmington, and made two brief references to the petition. He correctly noted it emerged from the 1921 Convention, but failed to see that it was not a new direction but a ploy. He noted its demise, but did not explore the significance. In short, Ellis, Moore, Woolmington and Harman did not explore an important element in the New State story.<sup>34</sup> Now, the void has been filled.

The petition campaign was significant and deserving of attention. It was the one and only instrument by which the degree of support for the New State proposal was measured in the 1920s, and the contemporary belief was that it showed only minimal support. Moreover, this lack of support was public knowledge and was used against the New-Staters when their proposal was debated in Parliament. The petition campaign was a political ploy which had back-fired, revealing a political naivety in its promoters, who expected people to support a petition which had been widely described in the newspapers as "expected to fail". Finally, as Woolmington noted, the failure of the petition also testified to the decline of the local Leagues and indicated that the New State network had broken down within a short time after the Armidale Convention.

Although the contemporary belief was that the petition campaign had failed, it is possible to interpret it very positively. As was noted in chapter 3, the Peden Royal Commission's Report recommended an amendment to the Constitution to give the Commonwealth power to initiate the process for creating new States upon petition by twenty per cent of the electors of an area desiring self-government.<sup>35</sup> The number of electors on the rolls for the four Federal divisions in the New State area in 1919 were: Cowper, 35,235; Gwydir, 32,444; New England, 32,213; and Richmond, 33,992. Thus, there were 133,884 electors.<sup>36</sup> Twenty per cent of the total was 26,777. Given that the petition had at least 30,000 signatures,

<sup>33</sup> E.R. Woolmington, 'The Geographical Scope of Support for the New State Movement in Northern NSW', Ph.D. Thesis, University of New England, 1963, pp. III/30-32, V/12-13.

<sup>34</sup> Grant Harman, 'New State Agitation in Northern New South Wales, 1920-1929', *Journal of the Royal Australian Historical Society*, vol. 63, pt. 1, June 1977, pp. 32, 34.

<sup>35</sup> *Report of the Royal Commission on the Constitution together with Appendixes and Index*, (Peden Commission), Canberra, 1929, pp. 256-9.

<sup>36</sup> See Commonwealth of Australia, *Biographical Handbook and Record of Elections for the Parliament of the Commonwealth (sixth issue) 1901 to 1930*, the Library Committee of the Commonwealth Parliament, Canberra, 1930, pp. 414, 416, 477, 489.

and possibly 40,000, then it offered ample evidence for the decision-makers to consider initiating the separation process. Had the New-Staters announced they were aiming at securing the signatures of twenty percent of the electors, then any number in excess of 30,000 could have been interpreted as 'overwhelming support'. The fundamental mistake the New-Staters made was expecting 200,000 or even 100,000 signatures. Clearly, the Executive had not done its homework to calculate the number of electors, thence to decide what was a realistic target to aim for. The petition campaign revealed that the Executive was politically inept and strategically incompetent.

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In December 1921, the Progressives united with the Nationalists and the Independents, and defeated the Government on a censure motion. The Nationalists and some of the Progressives formed a coalition. The Progressives had split; the seven anti-coalitionists became known as the 'True Blues'. When the Assembly met on 20 December the coalition Government lost its majority, and resigned after a ludicrous seven hour term.<sup>37</sup> Labor again formed the Government, but did not have the numbers in the House to carry on properly, so an election was called.<sup>38</sup> The December farce had several significant results: the Labor Government's term had been reduced from three years to two; Fuller had secured a coalition; the Progressives had split - only half the party went back to the Nationalists; and Fuller had unwittingly formed a NSW country party. The seven 'True Blues' formed a separate block in the Progressives. All this would have some influence for better or worse on the New State Movement and its attempt to win support in the Legislative Assembly for northern separation.

The election campaign was significant because the New State issue was pushed by the Nationalists as well as the Progressives. Bruxner, as the leader of the 'True Blue' Progressives, delivered the Progressives' policy speech; it had strong New State themes. He was supported by Page, the leader of the Australian Country Party (ACP). Page declared that the issues were cheaper government, New States, and populating rural areas.<sup>39</sup> There is no record in the newspapers of

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<sup>37</sup> The Fuller Government had been sworn in at 2.15 pm and had resigned at 9.15 pm, setting a record. The Cowper ministry in 1856 lasted 1 month 6 days; the Dibbs Ministry in 1889 lasted 1 month and 18 days.

<sup>38</sup> See Aitkin, *op. cit.*, pp. 55-61; Ellis, *The Country Party in NSW*, *op. cit.*, pp. 60-6; Graham, *op. cit.*, pp. 168-74.

<sup>39</sup> Aitkin, *op. cit.*, p. 62.

Drummond making a reference to the New State. If he said anything it was not reported. Bruxner presented himself as a True Blue, not as a straight-out New-Stater, but included the New State issue in a speech at Armidale. He said that "practically every candidate in the north - Progressive, Nationalist and Labor was prepared to assist".<sup>40</sup> Fuller's policy speech also had an offer of support for New States. He said he would "be willing to expedite and assist in an early and adequate consideration of the question of further divisions of Australia", but he would not go as far as saying "New States as proposed are the remedy".<sup>41</sup> The 'True Blue' Progressives and Nationalists had very similar platforms. Bruxner claimed that Fuller had looked at "the Colonel's Grafton policy speech, and seeing it was good stuff, embodied the whole of it as his own".<sup>42</sup> By 1922, the New State issue was seen as good stuff for securing electoral victories.

Thirty northern candidates had publicly expressed their approval of the New State Movement and had offered to support it in Parliament. Twelve were returned; eight unreservedly endorsed the Movement;<sup>43</sup> four "qualified their support but approved the principle" of subdivision.<sup>44</sup> Thompson was delighted with the inclusion of the four, but seems not to have realized their "qualified support" was a polite way of saying they wanted the benefits from the Movement's endorsement but had no intention of doing anything practical to further the cause. So far as Thompson was concerned, with the inclusion of all the True Blues, there were fifteen members in the NSW Parliament who would assist the Movement, and therefore it was "a distinct influence" in the Parliament.<sup>45</sup> This was a frightfully naive interpretation.

The election on 25 March 1922 resulted in a Legislative Assembly with thirty-six Labor members, nine True Blue Progressives, four Independents, and forty-one members in the Fuller-Wearne coalition, which formed the Government. The Independent Nationalist, Daniel Levy, was elected as the Speaker, and the

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<sup>40</sup> *AE*, 28 February 1922.

<sup>41</sup> Quoted in *NSWPD*, 5 September 1922, vol. 88, p. 1596.

<sup>42</sup> *AE*, 28 February 1922.

<sup>43</sup> Bruxner and Drummond (Northern Tablelands), Perdriau, and Missingham (Byron), Vincent (Oxley), Bennett (Maitland), Wearne and Scully (Namoi).

<sup>44</sup> Nesbitt (Nationalist, Byron), Hill (coalition-Progressive, Oxley), Cameron (Nationalist, Maitland), Chaffey (Nationalist, Namoi).

<sup>45</sup> *New State Magazine*, No. 5, May 1922, p. 1.

True Blues held the balance of power. The Government's election policy had included support for New States. Accordingly, among the New-Staters there was an expectation of good things to come.

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Meanwhile, there had been significant happenings in the Federal arena. As was noted in chapter 3, the long-awaited enabling bill for the Federal Convention had been introduced into the Parliament on 22 November 1921, all the political parties had roundly condemned the bill, and it was discharged from the notice paper. Thus, the New-Staters had made no progress since the Armidale Convention.

The NSW election in March 1922 had preoccupied the New-Staters and the Executive did not meet until May. With the Progressives now holding the balance of power there was pressure from the Leagues for the New State issue to be raised in the State Parliament. Notice of motions had been received from Tamworth, Casino and Murwillumbah District Councils and from various Leagues urging that the New-Staters in the NSW Parliament should "be requested to take early action to raise the issue in Parliament" and to pressure the Government to concede the New State. It would seem that the demise of the long-awaited Federal Convention Bill had caused some New-Staters to place their hope in the State Parliament. The Executive expressed its "gratification at the favourable position into which the Movement had been lifted by the recent State election" and urged New-Staters in the NSW Parliament "to bring immediate pressure on the Government".<sup>46</sup> The Executive wanted the Progressives to use the balance of power to force the Government to approve the New State or at least to concede a boundary commission.

Bruxner, as leader of the True Blues, made a statement at the meeting. He said the Progressives had deputed Drummond to draw up a resolution for submission by the party, requesting the Government to allow a day in Parliament for a discussion of the New State question.<sup>47</sup> Having a discussion, however, would not be the same as demanding the boundary commission. It seems that the Progressives were willing to send out a feeler, to test the NSW Parliament, but were not prepared to create a parliamentary crisis on the issue. As Aitkin has

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<sup>46</sup> Minutes, NSM Executive Meeting at Moree, 16 May 1922, Minute Book II.

<sup>47</sup> *Loc. cit.*

noted, Bruxner's accession to the leadership of the True Blues had complicated his relations with the New State Movement. On the one hand, he felt an extra responsibility to use his new power to advance the New State cause; on the other hand, he could not regard the party as some New State Leagues did, simply as the vehicle for their cause.<sup>48</sup> It seems that the New State was a catchcry for gaining electoral victories, but since New States was but one plank on the party's platform, the True Blues would not risk all to achieve it.

As noted in chapter 3, an All-Australia New States Movement had been formed in 1921, and a conference was held at Albury, starting on 3 July 1922.<sup>49</sup> The conference resolved to press for a constitutional convention, "to secure a new and definite apportionment of the powers of State and Commonwealth".<sup>50</sup> Despite their holding the balance of power in the NSW Parliament, the New-Staters were again committed to defeating "the lion in the path" by amending the Constitution.

On the second day of the conference, Page submitted a motion requesting all New State organisations to have the question of the subdivision of their States brought immediately before their own State Parliaments to test the possibility of success under Section 124 of the Constitution. Page said this course of action was necessary, because they could not apply for a constitutional amendment without having exhausted the present constitutional methods.<sup>51</sup> So, their main thrust would be in the Federal arena, and the approach to the State Parliaments would be a ploy.

This issue has not been adequately explored or understood by previous writers about the New State. Ellis, in *New Australian States*, noted the motion but not the strategy; his book on the NSW Country Party merely noted the conference; his book on the ACP listed the names of the movements represented at the conference, and explored the subsequent motion in the NSW and Queensland Parliaments, but did not note the strategy's purpose.<sup>52</sup> Harman mentioned the Albury conference but not its motion, so he missed the antecedents to the motion in the NSW Parliament. Moore, Graham and Aitkin did not mention the Albury

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<sup>48</sup> Aitkin, *op. cit.*, pp. 76-7.

<sup>49</sup> Abbott, Bruxner, Drummond, Page, Perdriau, Colin Sinclair, and Thompson represented the Northern Movement.

<sup>50</sup> *Sydney Morning Herald* (hereafter *SMH*), 4 July 1922.

<sup>51</sup> *SMH*, 5 July 1922.

<sup>52</sup> Ellis, *New Australian States*, *op. cit.*, p. 164; Ellis, *The Country Party in NSW*, *op. cit.*, p. 84; Ellis, *A History of the Australian Country Party*, *op. cit.*, pp. 77-8.

conference, but discussed the motion in the NSW Parliament without understanding that the motion was a ploy.<sup>53</sup> The Albury motion was significant because it led to the motion in the NSW Parliament, and that motion was significant because it led to the first Parliamentary discussion of the New State proposal, and the discussion would be quite revealing.

The NSW Parliament had resumed on 27 June 1922, a few days prior to the All-Australia Conference. Even as the delegates were meeting in Albury, Bruxner gave notice in the Assembly that it was his intention to move this motion:

That in the opinion of this House the State of New South Wales being too large an area to be effectively governed and administered, it is desirable that a new State be created in northern New South Wales and that the Government should take immediate steps under Chapter VI of the Constitution Act to achieve this result.<sup>54</sup>

The northern New-Staters were wasting no time in their efforts to test the NSW Parliament.

Bruxner's notice of motion evoked an incisive comment from the *Armidale Express*: "The New-Staters expect only a blank refusal or at most a bit of adroit side-stepping. A refusal ... would enormously strengthen the New State cause".<sup>55</sup> A refusal would strengthen the case for a constitutional amendment, but as we will see, the NSW Parliament was very proficient at "adroit side-stepping".

On 22 August 1922, when there was "a private member's night" in the NSW Parliament, Bruxner moved the New State motion. He said he wanted "to bring about a full discussion" of the New State issue. Although Bruxner had made many speeches in Parliament, this was his first private member's motion, and his speech was given under the usual difficulties of frequent derisory interjections. Bruxner said he would argue his motion under its three themes, but actually there were four. He argued that NSW was "too large for effective government and administration", and therefore, a New State should be created in northern NSW, and the New State could pay its way. Finally, he claimed that the NSW Parliament had the power to initiate northern separation. Mostly, his arguments were based on those in *Australia Subdivided*, which, as will be shown in chapter 5, were flawed, so his arguments were not convincing. His arguments for the New State must be analysed.

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<sup>53</sup> Harman, *op. cit.*, p. 32; Moore, *op. cit.*, p. 57; Graham, *op. cit.*, p. 208; Aitkin, *op. cit.*, p. 78.

<sup>54</sup> See AE, 7 July 1922; NSWPD, 22 August 1922, vol. 88, p. 1194.

<sup>55</sup> AE, 7 July 1922.

Bruxner claimed that NSW was "too large for effective government and administration" and called for economy in government, and for increased population and production. He said he wanted to see "an end to the duplication of State and Federal activities", and he wanted the larger States to be divided, so all the States would be more or less equal, but did not know whether a State's area or population should be the basis. It seems he was expounding vague generalities rather than well thought out theories. He contended that just as there was a proper size for an efficient dairy farm or a business, so there was also "a proper size for a State if you are going to get efficient government". He suggested Victoria was "in a thriving position" and was ideal. Foolishly, he attempted to reply to the interjections and suggested that separation from NSW had caused the discovery of gold in Victoria. He had strayed from his point and did not return to it, hence he did not show that NSW was not effectively governed or that its administration was inefficient. Numerous speakers would criticise him for this omission. Bruxner quoted figures from *Australia Subdivided* to make a comparison between population growth in Australia and the United States, and claimed that the granting of statehood had caused the American population increase.<sup>56</sup> He was wrong. The population increase had resulted in the granting of statehood, not vice versa.

Having called for the New State to be created, Bruxner claimed that it could pay its way. He dealt briefly with financial matters and asserted that 313,000 people in Western Australia shouldered their obligations, so a population of between 350,000 and 400,000 should be "able and willing to take over the control" of the New State.<sup>57</sup> He could assert it, but he could not prove it. The case would be argued at the royal commission in 1924, but, as will be noted in chapter 5, the debate would not be conclusive, despite what the commissioners would surmise in their report.

Bruxner's final argument was that the State Parliament and not the Federal Parliament had the power to initiate the process of separation. He correctly contended that until a new State was formed by the State Parliament then there was no new State for the Commonwealth to admit. His analysis of Section 124 was thorough and well argued. Bruxner closed his speech by urging the NSW Parliament to appoint a boundary and finance commission to investigate the New

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<sup>56</sup> *NSWPD*, 22 August 1922, vol. 88, pp. 1194-1202.

<sup>57</sup> *Ibid.*, pp. 1203-48.

State proposal and to organize a referendum in the New State area or in the whole of the State.<sup>58</sup>

Bruxner's speech was important because it was the first time the New State proposal had been explained to the NSW Parliament, but there were two significant omissions. He did not repudiate the most common complaint against the proposed New State, that it would be yet another government in a country which was perceived already to be over-governed, nor did he suggest how the New State would cause an increase in population and production. Bruxner had said he wanted "a full discussion", and he would not be disappointed, because other speakers would raise these issues during the debate.

Raymond Perdriau, one of the members for Byron and a keen New-Stater, said the Constitution should not have made the State Parliament "the arbiter as to whether or not we should set up the New State". He contended that it was "unreasonable to imagine that the House would give its consent because of the parochialism of the members".<sup>59</sup> He had identified "the lion in the path" to the New State. Previously, the New-Staters had assumed the NSW Parliament would not consent to separation. This debate would provide definitive proof.

Debate on the New State motion resumed on 5 September. In the meantime, Bruxner and Perdriau's speeches had been published in *Hansard* and had been critically considered by other members who were intending to speak during the debate. Sir George Fuller, the Nationalists' leader, said he agreed with Perdriau that it would be unreasonable to expect the House to agree to a motion which would mean "separating a portion" of NSW. Fuller said it was "unreasonable to vote for the motion as it stands" because the current Parliament had "no mandate from the people to cut up" the State. On the other hand, he thought it was "fair to give an opportunity for consideration of the matter". Fuller said the New State propaganda had been "largely one-sided", and northerners would be less enthusiastic for the New State if they "were fully seized of the whole position", especially the financial details.<sup>60</sup> Having stated in his election policy that he would allow the Parliament to consider the New State issue, Fuller had redeemed his promise, and gave some satisfaction to the Progressives, but he made it clear he would not support Bruxner's motion as it stood.

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<sup>58</sup> *Ibid.*, pp. 1205-8.

<sup>59</sup> *Ibid.*, p. 1209.

<sup>60</sup> *NSWPD*, 5 September 1922, vol. 88, pp. 1595-7.

Fuller said Bruxner had not shown that NSW was not effectively governed, nor had he shown how the formation of the New State would reduce the duplication of State and Federal activities. Fuller said it would be unfair to NSW to cut off the New State because it contained much of the State's natural resources. He rejected Bruxner's claim that "as nearly as possible" the American states were divided up on the basis of areas of 50,000 square miles. Fuller cited New Hampshire, which was 9,031 square miles; Vermont, 9,124; Massachusetts, 8,039; Rhode Island, 1,067; and Connecticut, 4,820. Fuller also pointed out that most of the American states were not carved out of existing states, but from territories which had been under central administration. Thus, he dismissed analogies with America.<sup>61</sup> Fuller said there were crucial issues which the New-Staters had not considered, such as how separation would affect "those who have advanced money" to NSW, how the New-Staters would raise a loan, and how cutting off a portion of NSW would "affect our relationship with the Commonwealth in the matter of representation".<sup>62</sup> Lastly, Fuller said the New State would mean another Parliament "with all the attendant expenses" which would have to be financed.<sup>63</sup> These were crucial issues. For the first time, the arguments advanced by the New-Staters had been analysed in a high-profile debate, and they had been found wanting.

Fuller suggested that the proper way to deal with the matter was by "having a convention representative of all the States of Australia", and after it had been fully considered, then it could be determined whether or not it was advisable to divide the existing Australian States. Concluding, he said he could not vote for the motion, but foreshadowed his support for an amendment along the lines he had suggested.<sup>64</sup> Previous writers had not noted that Bruxner himself had said he was not expecting the motion to be agreed to, nor had they adequately explained the background to the amendment.

Dooley, the Labor leader, thought it was only fair to the New-Staters that the question should be settled. He said that the provision for New States was just one of many flaws in the Constitution and he too favoured a convention, but wanted it to drop federalism and adopt unification. He said Labor would not

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<sup>61</sup> *Ibid.*, pp. 1598-9.

<sup>62</sup> *Ibid.*, pp. 1600-1.

<sup>63</sup> *Ibid.*, pp. 1601-2.

<sup>64</sup> *Ibid.*, pp. 1603-4.

support the motion as it stood, and he moved an amendment which focused on the transfer of powers to the Commonwealth, but it was ruled out of order.<sup>65</sup> T.H. Hill, one of the members for Oxley, also moved an amendment, and it too, was ruled out of order.<sup>66</sup> Edward McTiernan, one of the Labor members for Western Suburbs, moved an amendment:

That in the opinion of the House, the time has arrived when a subdivision of the State of New South Wales should be made, as incidental to the subdivision of the Commonwealth, into more scientific areas of Government.<sup>67</sup>

He contended that the evils complained of by the north were felt elsewhere in the State and it was "fitting therefore for this House to consider the problem as a whole rather than in piece-meal fashion".<sup>68</sup> McTiernan's amendment was actually a call for the Parliament to support Labor's unification policy. The debate on the amendment was then adjourned.

During the adjournment the New State Executive had another meeting and Bruxner reported on his motion in the NSW Parliament. He said the House was giving the resolution every consideration and he had no doubt it would be brought to a division, but there was no expectation of a favourable outcome.<sup>69</sup> The Executive's attitude had certainly changed since the previous meeting in May, when there had been high hopes for results in the NSW Parliament. By September 1922, Labor and the Nationalists had clearly stated that they would not consent to northern separation, so the State Parliament was seen for what it was, the "lion in the path".

Thompson told the Executive that all was not well with the Movement. He said "the early wave of enthusiasm had passed and many of the Leagues had become quiescent or ceased to exist". Moreover, the petition campaign had gone badly, with less than 40,000 signatures; many petition forms were still out and all his efforts to get them had failed. Thompson said his health had broken down in November 1921, and this had "put him out of action for some months". One of the results was that the *New State Magazine* which he produced was now reduced

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<sup>65</sup> *Ibid.*, pp. 1604-10.

<sup>66</sup> *Ibid.*, pp. 1610-1.

<sup>67</sup> *Ibid.*, p. 1612.

<sup>68</sup> *Loc. cit.*

<sup>69</sup> Minutes, NSM Executive Meeting at Scone, 11 September 1922, Minute Book II.

from a monthly to a bi-monthly.<sup>70</sup> These matters were reported in the press and would provide ammunition to be used against the Movement during the debate on Bruxner's motion.

When the debate resumed on 19 September C.W. Oakes, the Nationalists' deputy leader, cited the failed petition campaign, as noted earlier. Oakes also quoted a newspaper report about a New State meeting at which there had been a poor attendance, and said that Bruxner "must admit that since the inception of his movement - which grew quickly and reached fever heat - it has quickly died off". He claimed the people had discovered there were not half the arguments to support it that it appeared to have. He predicted the people of the north would find their taxation burdens enormously increased by the New State. In conclusion, Oakes said he supported the general principle of subdivision but could not support Bruxner's motion as it stood because it was "framed in a narrow spirit", and he was suspicious of McTiernan's amendment because "this apparently simple amendment has more in it than appears on the surface". Oakes foreshadowed a new amendment.<sup>71</sup> The debate had become a quest for a suitable amendment.

The other speakers were Drummond,<sup>72</sup> P.F. Loughlin, a Labor member from Cootamundra,<sup>73</sup> and B.J. Doe, a Nationalist from Sturt.<sup>74</sup> McTiernan's amendment was defeated along party lines thirty eight to eighteen.<sup>75</sup> Captain Frank Chaffey, one of the members for Namoi and the Minister for Agriculture, then moved an amendment, to make the motion read:

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<sup>70</sup> See Thompson's report, and Minutes, NSM Executive Meeting at Scone, 11 September 1922, Minute Book II.

<sup>71</sup> *NSWPD*, 19 September 1922, vol. 88, pp. 1942-8.

<sup>72</sup> *Ibid.*, pp. 1948-54.

<sup>73</sup> *Ibid.*, pp. 1954-8.

<sup>74</sup> *Ibid.*, pp. 1958-61.

<sup>75</sup> *Ibid.*, p. 1962.

That the large area of the State of New South Wales makes it desirable that the creation of a separate State in northern New South Wales should be taken into early consideration by a Federal Convention summoned for the purpose and to consider the boundaries of the States and the Commonwealth. That this resolution be conveyed to the Federal Government and Governments of the States, with a view to securing their concurrence.<sup>76</sup>

The amendment affirmed the need for the New State, but referred the issue to a proposed Federal Convention.

Chaffey said the debate had shown it was "the desire of every member of the House" that they make an effort to remodel the Constitution and therefore they "should ask the concurrence of the Commonwealth". Bruxner said he would accept the amendment because it aimed at something definite, foreshadowed a Federal Convention, and implied NSW was in favour of holding the Convention. The amendment was agreed to and the amended motion was carried on the voices.<sup>77</sup> The letter from Premier Fuller to Prime Minister Hughes was dated 28 September 1922.<sup>78</sup> No reply would be received until June 1923.<sup>79</sup> The debate in the NSW Parliament seemed to have achieved nothing for the New-Staters, except for showing conclusively that the New State was opposed by the Nationalists and Labor, and thus, that there certainly was a "lion in the path".

Previous writers about the New State have not given the Parliamentary debate the attention it deserves. Moreover, they had not noted that the New State motion was a ploy, designed to strengthen the case for a constitutional reform, and thus, their interpretations are flawed. In *New Australian States*, Ellis described Bruxner's speech on 22 August as "outstanding", and concluded that the debate was "a step forward" because the NSW Parliament had considered the New State proposal. In his book on the NSW Country Party, Ellis saw the 1922 debate as a step towards securing the 1924 royal commission; he said the Government had "conspired to defeat" the motion, and he used similar emotive language to describe Chaffey's amendment as "innocuous". In his book on the Federal Country Party, Ellis concluded that the NSW Parliament had "conceded the necessity for action"

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<sup>76</sup> *Loc. cit.*

<sup>77</sup> *Ibid.*, pp. 1962-73; *AE*, 26 September 1922.

<sup>78</sup> Fuller to Hughes, 28 September 1922, Australian Archives Canberra, (hereafter AA), folder E327/1/2 D110/3/51.

<sup>79</sup> See ch. 3.

but had "passed the buck".<sup>80</sup> There is no evidence to show that Ellis actually read the whole debate; he made no reference to the crucial issues Fuller raised. Ellis was a compiler of historical data and a narrator of historical events rather than an analytic scholar, and showed a very limited understanding of the debate and its significance.

Moore, too, had not noted that the motion was a ploy; without comment, she included the motion as one of the steps to explain the appointment of the 1924 royal commission, whose report she would analyse. Her narrative influenced Graham, who also made no comment on the motion, but listed it as one of the steps leading to the royal commission, whose outcome he saw as a stimulus for the True Blues to consider coalition with the Nationalists. Thus, for Graham the motion was part of his argument that the True Blues had to change their strategy. Aitkin noted that Bruxner got side-tracked; outlined his basic argument, describing it as "clear enough"; and noted Chaffey's amendment, describing it as "superbly equivocal", without explaining its antecedents. Aitkin did not analyse Fuller's objections or Labor's views, but situated the amendment of Bruxner's motion among his difficulties in exploiting the Progressives' balance of power. Aitkin did not understand that the motion was part of a wider plan, so his interpretation is flawed. Harman saw the motion in the NSW Parliament as emerging from the Executive meeting in May, when Bruxner was urged to pressure the Government, thus Harman viewed the motion in the context of a pressure group urging "its parliamentary supporters to take action to assist it in achieving its objectives". Harman made no connection between the Albury conference and the motion in the NSW Parliament, so he did not note the ploy, thus his interpretation of the parliamentary action is flawed.<sup>81</sup> In short, Ellis, Moore, Graham, Aitkin and Harman did not adequately explore an important element in the New State story.

The Parliamentary debate was significant and deserved analysis. It was the first Parliamentary discussion of the New State proposal, and crucial deficiencies were highlighted, especially by Fuller and Oakes. The discussion also conclusively showed that the Nationalists and Labor opposed the New State proposal. The NSW Parliament had adroitly side-stepped the issue as the *Armidale Express* had predicted. The Nationalists had upheld their electoral pledge, by supporting the

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<sup>80</sup> Ellis, *New Australian States*, *op. cit.*, pp. 166-7; Ellis, *The Country Party in NSW*, *op. cit.*, p. 87-8; Ellis, *A History of the Australian Country Party*, *op. cit.*, p. 78.

<sup>81</sup> Moore, *op. cit.*, p. 57; Graham, *op. cit.*, pp. 208-9; Aitkin, *op. cit.*, pp. 77-8; Harman, *op. cit.*, p. 32.

principle of New States, without actually doing anything to help; Labor opposed New States but thought the amended motion would further the unification cause; and the Progressives, who had assumed there was a "lion in the path", had never expected Bruxner's motion to be passed, but were delighted that the amended motion favoured the desired Federal Convention.

Bruxner's motion was a ploy and was never intended to be more than the occasion for New State issues to be discussed in the NSW Parliament to test its feeling. The New-Staters still expected to achieve success via the constitutional amendment. By September 1922, preparations were already being made for the forthcoming Federal elections, and the New-Staters hoped that the new Federal Parliament would grant a constitutional convention.

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Although the petition campaign had been "a ploy", and Bruxner's motion in the NSW Parliament had been for "a discussion", the third approach the New-Staters would make to the NSW Parliament would be in earnest, hoping to secure a boundary commission to define the boundaries of the New State. The Progressives were still holding the balance of power in the Parliament so there was every reason to expect success if an appropriate opportunity arose to threaten the Government. This part of the chapter will analyse the antecedents of the royal commission, the granting of which would be the most notable concession from the Government since the New State agitation was revived in 1920.

Six months had passed since the New State Executive had met, and their first meeting in 1923 was very optimistic because there had been significant progress in the Federal sphere. At the elections in December 1922, the New-Staters won seats in New England, Cowper, Richmond and the Riverina, but had missed out on Gwydir by 37 votes.<sup>82</sup> Thompson reported to the New State Executive that "the result of the Federal elections was eminently satisfactory from our point of view". He was confident the New State issue would be raised at the proposed Federal Convention. Accordingly, he said, "there was a need for another northern convention to decide policy for the Federal Convention". Thompson suggested the northern convention should be an All-Australia Conference with delegates invited from other New State movements.<sup>83</sup>

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<sup>82</sup> The election was analysed in ch. 3.

<sup>83</sup> Thompson's report, attached to Minutes, NSM Executive Meeting at Tenterfield, 22 March 1923, Minute Book II.

The optimism outshone the gloom arising from other aspects of Thompson's report. As a fund-raiser, the sale of New State buttons had been a total failure, with an outstanding debt of almost £83, and it seemed "irrecoverable". Half of the signed petition forms had not been returned, and demand for the *New State Magazine* had fallen. Thompson said "few people will buy it but many will take it for free". He did not want to continue with it on the same conditions and wanted the Executive to take it over, saying it could be produced as a propaganda medium for £15 an issue.<sup>84</sup> All this evidence points to a major decline in support for the New State cause, especially at local League level.

Thompson said the Movement currently consisted of the Central Executive, and Leagues at Scone, Tamworth, Manilla, Armidale, Inverell, Guyra, Tenterfield, Grafton, Lismore, Kyogle, Coffs Harbour, Casino. The number of Leagues had risen from 124 in April 1921 to 177 in July, and had peaked at 197 in October; it had fallen to twelve in March 1923. Thompson added that "in a few other places a few individuals carried on at their own expense". It seemed that the Leagues had served their purpose (electing delegates for the Armidale Convention in 1921) and had become defunct. Thompson's report was not all bad news. The financial statement indicated a credit balance of almost £539. It was noted that the Tamworth League had donated a total of £650 to date.<sup>85</sup> This would seem to reflect Thompson's personal influence. The Executive decided to cease publication of the *New State Magazine*, and decided the northern convention would be held at Armidale in June 1923. Invitations would be sent to all municipal and shire councils and chambers of commerce within the New State area.<sup>86</sup>

The three-day Second Armidale Convention opened on 5 June 1923 in cold and rainy weather, and was attended by thirteen parliamentarians and some 240 representatives from forty-five Leagues (most of the forty-five had been reformed), eleven municipal councils, seventeen shire councils, five chambers of commerce, eight progress associations, and other bodies.<sup>87</sup> About sixty per cent of the local government bodies in the New State area and about ninety per cent of the

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<sup>84</sup> *Loc. cit.*

<sup>85</sup> *Loc. cit.*

<sup>86</sup> Minutes, NSM Executive Meeting at Tenterfield, 22 March 1923, Minute Book II.

<sup>87</sup> *Official Report of the Proceedings of the Second Convention held in the Town Hall, Armidale on June 5, 6 & 7, 1923*, Tamworth, 1923, pp. 1-2.

chambers of commerce were represented.<sup>88</sup> In opening the Convention, Page told delegates that the Commonwealth Parliament had determined that the first step was for the State Parliament to define the boundaries and to pass an Act agreeing to the formation of the New State, providing for its constitution and self-government and arranging its finance. The Commonwealth Government would then "introduce a bill for the admission of the New State into the federation". Page was supported by the Nationalist Minister for Trade and Customs, Austin Chapman, who stated: "Make the State Parliament move and you will find the Federal Parliament will do its share".<sup>89</sup> What the delegates did not know was that this was now the official Commonwealth response and would be conveyed to the NSW Parliament in a letter from the Prime Minister as a reply to the Premier's letter of September 1922. So, the Commonwealth claimed the State must take the first steps to initiate the New State. The Commonwealth had sent the issue back to the State Parliament.

Accordingly, the Convention resolved that the State Government should be requested "to appoint a commission composed of three members" to define the boundaries of the New State and to determine conditions for the transfer of assets and liabilities.<sup>90</sup> Bruxner asked the Convention to assist him in his effort to approach the NSW Government with a concrete proposal by "submitting a tentative boundary scheme, embracing any area over which a boundary commission would make an enquiry".<sup>91</sup> A sub-committee was appointed to the task and it reported before leaving Armidale. The tentative boundaries will be described in chapter 5. A map showing the area was included in the Official Report (see Map 4.2). The tentative boundaries included the coastal strip down to and including Port Stephens, the Northern Tablelands, the Western Slopes and part of the Western Plains, and part of the Hunter Valley, including Singleton, Scone and Maitland. The dispute over boundaries was not ended, but rather, these boundaries defined an area in which the Movement was active.

The Convention had demonstrated that there was still considerable support for the Movement, but many delegates felt frustrated by the lack of progress. A

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<sup>88</sup> Thompson's report, attached to Minutes, NSM Executive Meeting at Grafton, 15 May 1923, Minute Book II.

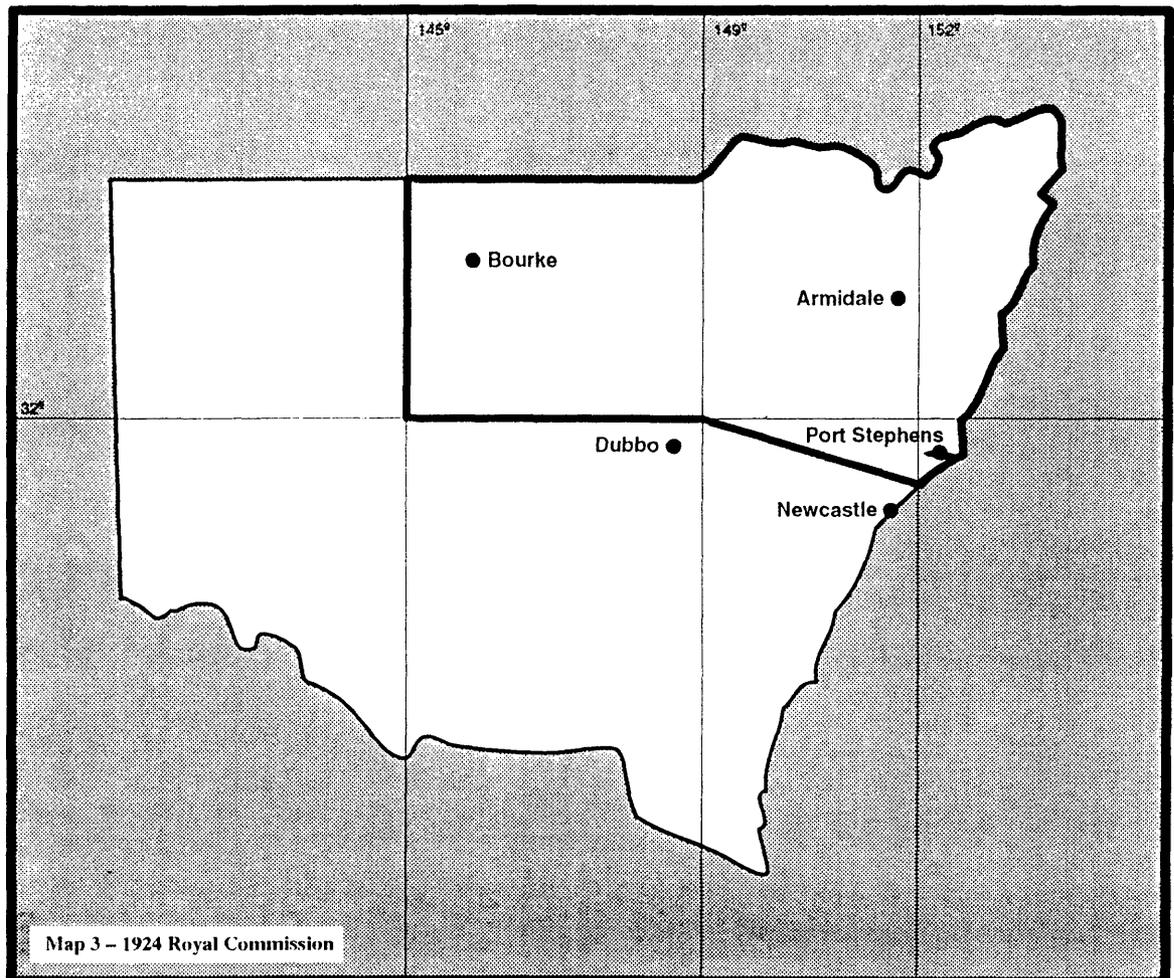
<sup>89</sup> *Official Report, op. cit.*, pp. 3-5.

<sup>90</sup> *Ibid.*, p. 11.

<sup>91</sup> *Ibid.*, p. 21.

## Map 4.2

The New State Boundaries as defined for gathering  
Statistical information for the Cohen Royal Commission  
1924



*Victor Thompson placed a map before the Cohen Royal Commission, and proposed that the "investigation of our claims for a New State" be made within the area indicated by these boundaries:*

on the North by the Queensland border from Point Danger to its intersection with 145° East;  
on the West by 145° East from the Queensland border to 32° South;  
on the South by 32° South to 149° East, thence by straight line to 152° East at a point on the east coast;  
on the East by the Pacific Ocean.

motion urged the New-Staters in the NSW Parliament to "harass and throw out" the Government if no action was taken. Although the motion was withdrawn, it showed the feeling of the mover, J.P. Abbott from the Upper Hunter, and the seconder, Colonel H.F. White from Guyra. The motion evoked a rebuke from W.E. Wearne, the Minister for Lands, who said he regarded some of the motions as "abusive", and deplored the Movement's hostility to the Government. Wearne read out part of Fuller's election policy speech to show that the Government was not opposed to the New State. Wearne said: "Everyone with an atom of sense must realize that Australia would have to be subdivided. The only question was how was it to be done".<sup>92</sup> The motions had made it clear what was to be done in the NSW Parliament but Wearne gave no indication that the Government would assist, so his speech seemed to be defending the indefensible.

Although the Convention decided to ask the NSW Parliament for a boundary commission, the New-Staters also sought a constitutional amendment "to eliminate State legislatures as necessary consenting authorities for the creation of new States".<sup>93</sup> It was resolved that a deputation would wait on the Prime Minister to urge him "to submit a referendum bill to the Federal Parliament at the earliest opportunity" for an amendment of Chapter IV, and meetings would be held with the Australian Labor Party to discuss New State proposals.<sup>94</sup> The change should be noted. The New-Staters had abandoned their desire for a Federal Convention in favour of a referendum for an amendment of Chapter VI of the Constitution. This point was explored in chapter 3.

To sum up: the Second Armidale Convention resolved to press the NSW Parliament for a royal commission to define boundaries, and to urge the Prime Minister to hold a referendum for a constitutional amendment to defeat "the lion in the path". Once again there was a double thrust to their activity.

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The double thrust in the Movement's activities would allow the NSW Parliament to postpone any immediate attempts to appoint the desired boundary commission. A week after the Armidale Convention the Prime Minister replied to the NSW Parliament, advising that unless it defined the boundaries of the

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<sup>92</sup> *Ibid.*, p. 18.

<sup>93</sup> *Ibid.*, p. 14.

<sup>94</sup> *Ibid.*, p. 17.

proposed New State and resolved the financial questions the Federal Parliament could not be involved.<sup>95</sup> Before anything new was done in the NSW Parliament, however, Thompson led a deputation of Federal members to urge Prime Minister Bruce to introduce a bill to provide for a constitutional amendment for the creation of new States. Bruce gave a definite promise that next year the Federal Government would introduce such a bill and that the referendum would probably be held at the next general election.<sup>96</sup> Thompson's much-publicised meeting with Bruce and his promise of activity in the Federal Parliament led Fuller to send a telegram to Bruce requesting a "prompt reply confirming accuracy of [the] report".<sup>97</sup> Presumably Bruce replied, and confirmed that in 1924 the question of amending the Constitution to provide for the New State would be considered by Federal Parliament. This allowed the NSW Parliament to word the Governor's speech at the opening of Parliament in August 1923 to say: "the whole matter [of the New State] will be taken into consideration by the Federal Parliament during the next session", and therefore, there was no need for the NSW Parliament to take any further action during this session.<sup>98</sup> Fuller had outwitted the New-Staters for the moment.

After the 1922 elections, Bruxner had awaited an opportunity to use wisely his party's balance of power, but once Fuller knew that the Progressives would support him rather than Labor, he ignored the Progressives.<sup>99</sup> During 1923 Bruxner became increasingly annoyed with the Government, and Fuller's latest escapade added insult to injury. The Progressives wanted to take a firm stand against the Fuller Government. Late in June, Bruxner had told the party's Central Council that his position as leader of the Parliamentary Party had become almost intolerable. He said "the only way to defeat the present Government was to swing behind Labor". Of course, that action would invite severe criticism and would damage the Progressives. He described the situation as comparable to a man with a gun but afraid to pull the trigger because he had no ammunition.<sup>100</sup> The

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<sup>95</sup> Bruce to Oakes (Acting Premier NSW), 12 June 1923, copy in AA, folder E327/1/2 D110/3/51.

<sup>96</sup> *Northern Daily Leader*, 23 July 1923.

<sup>97</sup> Telegram, Fuller to Bruce, 31 July 1923, AA, folder E327/1/2 D110/3/47.

<sup>98</sup> *NSWPD*, 7 August 1923, vol. 91, p. 4.

<sup>99</sup> The Progressives voted with the Government for 706 of the 787 divisions, and against the Government on 34; there was divided support for 47. Graham, *op. cit.*, p. 205.

<sup>100</sup> Cited in Aitkin, *op. cit.*, p. 70.

omission of the commission from the Governor's speech in August 1923 was the final straw, and Bruxner was determined to shake the Government.

The Progressives' stance in the wheat pools problem gave the Government a forcible reminder that it survived on Progressive sufferance. The wheat pools problem had a long and complicated history.<sup>101</sup> Suffice to note that on 8 August 1923, Lang, the Opposition leader, moved a censure motion against the Government and the Progressives threatened to vote with Labor to bring down the Government.<sup>102</sup> Next day the Premier met with Bruxner and proposed a compromise, which was accepted. Bruxner had made it clear to Fuller that if he was defeated he would have only himself to blame for alienating the Progressives. In October, Bruxner told the New State Executive meeting that he was determined to press the Government to appoint a boundary commission and he had the full support of his party.<sup>103</sup> All that was needed was another opportunity for the Progressives to use their balance of power to threaten the Government's fall unless the concession was granted.

Curiously, Ellis, Aitkin and the other writers of New State issues did not note the immediate antecedents to the next step in the saga. The origins of the revived New State Movement ran parallel with the revival and growth in agitation for a Tablelands to North Coast railway and for a connection between the Great Northern line and Inverell. The antecedents for the decision to build the line will be analysed in chapter 6. Suffice to note that as a result of northern agitation the Government referred the issue to the Public Works Committee (PWC) and the Committee took evidence at northern centres during May and June 1923. On 30 October it was announced that the PWC had turned down the proposals. Members of all parties in the Assembly were astounded. George Nesbitt, an Independent Nationalist from Byron, a North Coast electorate, asked the Premier "what action the Government intended to take" now that the PWC had refused to sanction the construction of any of the cross-country lines from the Tablelands to the Coast? The Premier replied that he "would, at a later date, make a statement".<sup>104</sup> His

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<sup>101</sup> See Ellis, *The Country Party in NSW*, *op. cit.*, pp. 74-7; Aitkin, *op. cit.*, *op. cit.*, pp. 71-2; Graham, *op. cit.*, pp. 207-8.

<sup>102</sup> *NSWPD*, 8 August 1923, vol. 91, p. 93.

<sup>103</sup> Minutes, NSM Executive Meeting at Glen Innes, 8 October 1923, Minute Book II.

<sup>104</sup> *AE*, 9 November 1923.

decision would be influenced by northern hostility and calls for the Progressives to bring down the Government.

Protest meetings were held throughout the Tablelands and North Coast. At Lismore, a protest meeting resolved to "petition His Majesty the King through the Right Honourable the Prime Minister of Australia to constitute this area as a separate State". At Armidale, a meeting "expressed its profound disappointment" and appealed to the Government to refer the proposals back to the PWC.<sup>105</sup> Upon his return from Tenterfield to Sydney, Bruxner said: "The north is in flames" because of the PWC's "rejection of the northern railway proposals", and we "are demanding the right to develop our own show". He added that "no measure but the creation of a new State will satisfy me".<sup>106</sup> Bruxner's message to Fuller was unambiguous. If Fuller did not refer the proposals back to the PWC and approve a boundary commission then the Progressives would vote against the Government and bring it down. The press warned that the PWC decision left the Government in a very awkward position. The *Daily Telegraph*, a paper which was "one of the great bulwarks of Nationalism", wondered whether the Progressives should "force the issue now" and bring down the Government.<sup>107</sup> The *Armidale Express* predicted that pressure would "be brought to bear to end the intolerable position".<sup>108</sup> A parliamentary crisis was looming, and all Bruxner needed was an opportunity.

It was not surprising that during the following week the Progressives united with Labor and the Independents to defeat the Government during the Estimates debate.<sup>109</sup> The Premier was forced to adjourn while he considered his position. It seems Sir George had had enough, and consulted Bruxner to see if firm working arrangements could be agreed upon between the two parties. In return for his support, Bruxner secured an undertaking that there would be: a review of the PWC decision, a Main Roads Bill, and a royal commission on New States.<sup>110</sup> The issue of the Tablelands to North Coast railway was discussed at a Cabinet meeting on

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<sup>105</sup> *Loc. cit.*

<sup>106</sup> *Loc. cit.*

<sup>107</sup> Quoted in *AE*, 9 November 1923.

<sup>108</sup> *AE*, 9 November 1923.

<sup>109</sup> *NSWPD*, 16 November 1923, vol. 93, pp. 2518-87; *AE*, 20, 23 November 1923.

<sup>110</sup> Aitkin, *op. cit.*, p. 76.

21 November and it was decided the PWC "should review the proposals".<sup>111</sup> The Progressives had used their balance of power to compel the Government to concede the desired concessions. It seems that growling dogs got their bones.

The New-Staters had become identified with the Progressives. The NSW general election in March 1920 had brought the Progressives into the Parliament as a third party, and the next elections in March 1922 resulted in their holding the balance of power. The genesis of the Progressives ran parallel with the origins of the revived New State Movement with similar aspirations. The 1921 Armidale Convention had resolved that the Movement would "recognise no political party in or out of Parliament", because they were after the support of every political body.<sup>112</sup> In May 1921 Thompson claimed "it would be a great error to tie the Movement to any particular party, no matter how sympathetic that party might be".<sup>113</sup> So, initially, the Movement was officially non-party political. On the other hand, the Movement resolved "to support only those candidates at Federal and State elections who declared themselves in favour of New States".<sup>114</sup> The Movement would endorse any candidates who would further the cause. The problem for the New-Staters was that neither Labor nor the Nationalists would actively support the New State.

Although the Movement was officially non-party political, only the Progressives in State politics actually supported the Movement. Labor had its own policy for subdivision and did not support the creation of another sovereign State. At the 1922 elections, the NSW Nationalists said they would allow New States to be discussed, but did nothing practical to help the cause. The formation of New States was a plank on the Progressives' platform, and the party was committed to the New State cause, but it was just one of several items on their platform, and initially the party was not prepared to bring down the Government on the issue, for fear of repercussions at the ensuing election. Bruxner supported the Fuller Government until the Armidale Convention in 1923 when he was pressured to bring down the Government if it would not agree to a boundary commission. The widespread criticism of the PWC's rejection of the Tablelands to Coast railway

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<sup>111</sup> *AE*, 23 November 1923.

<sup>112</sup> *Official Summary of Proceedings of Convention held at Armidale on April 19, 20 and 21, 1921*, Tamworth, 1921, p. 10.

<sup>113</sup> *SMH*, 16 May 1921.

<sup>114</sup> Minutes, NSM Executive Meeting at Lismore, 5 July 1921, Minute Book II.

was an ideal issue on which to make a stand and the Progressives voted against the Government during the Estimates debate. This showed that the Progressive Party did have clout and was prepared to use it, and allowed Bruxner to secure concessions, including the royal commission. By the end of 1923 the New-Staters were identified with and dependent upon the Progressives in State politics. The Progressives had become the parliamentary wing of the New State Movement.

After the 1923 Armidale Convention, Bruxner had consulted the NSW Government and was told it could not support the proposal for a boundary commission for only northern NSW, but could support a commission of enquiry which would embrace the whole of the State. Bruxner thought that was fair. Indeed, the Progressives said they would support him in any action to secure a boundary commission for the north and south.<sup>115</sup> Fuller granted the concession in November. The motion in NSW Legislative Assembly calling for a royal commission was moved by Drummond on 18 December 1923. It read:

That in the opinion of this House, a royal commission should be appointed to inquire into and to report upon the proposed creation of new States to be formed, in whole or in part, from Territory of New South Wales; and matters incidental thereto.<sup>116</sup>

In his speech, Drummond referred to Bruxner's motion in 1922 and said this new motion was "the logical outcome" of the 1922 vote, because that resolution had been conveyed to the Prime Minister and he had referred it back to the NSW Parliament. Thus, Drummond said, it was "logical" that a royal commission should be appointed to secure the information asked for by the Commonwealth. It seems that Bruxner's motion in 1922 was not without result and this motion was the eventual benefit.

Drummond dealt with the scope of the commission, recommending that the commission should cover the questions raised by the Commonwealth, namely "the boundaries of the new States, public debts and public assets such as railways and rolling-stock". He suggested the commission should also consider representation of the new and old States in the Federal Senate and House of Representatives, the powers to be granted to any new States, the general views of the people in the areas desiring separation, and the vexed question of the control of railways. He thought there should also be some "consideration to the means of giving constitutional effect" to the commission's recommendations. Drummond suggested

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<sup>115</sup> Minutes, NSM Executive Meeting at Glen Innes, 8 October 1923, Minute Book II; *AE*, 12 October 1923.

<sup>116</sup> *NSWPD*, 18 December 1923, vol. 94, p. 3668.

the various New State interests should be represented, so there should be representatives from the North and South, as well as from the West and "the rest" of NSW.<sup>117</sup> Speaking on behalf of Labor, McTiernan said Drummond's motion was "very vague". Specifically, the motion had not given "definite information as to the personnel for the commission" or the "powers to be entrusted to the commission".<sup>118</sup> These omissions were serious because it would allow the Government to determine the commissioners and the precise terms of reference, and thereby outwit the New-Staters.

Premier Fuller said the commission would have to consider "whether the establishment of a new State would be in the interests of NSW generally" because of the financial position. He claimed that "a very large number of people have the idea that all they have to do is to cut away from NSW, and take no responsibilities". He said the New State would have a large "initial debt" and warned that this was "a most important matter".<sup>119</sup> His words were most prophetic, because the verdict of the commission would be based on financial matters, especially the NSW Treasury's calculation of the weight of the public debt which the New State would have to repay.

The motion was passed. On the surface this seemed like a major step forward for the New-Staters. The Government had granted its most notable concession since the New State agitation had revived in 1920. Unfortunately for the New-Staters, as we will see in the next chapter, Drummond's wording gave the Government considerable freedom when drawing up the commission's terms of reference. When the terms were announced in March 1924 the commission was to inquire and report on whether any of the proposed new States were "practical and desirable", on their probable financial and economic effects and as to whether new States were necessary or whether similar ends could "be adequately secured by the creation of some form of local governing authority".<sup>120</sup> This was not what the New-Staters had wanted. They had wanted the commission to lay down boundaries for the New State. Although the New-Staters had secured their desired

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<sup>117</sup> *ibid*, pp. 3670-2.

<sup>118</sup> *ibid*, pp. 3673-8.

<sup>119</sup> *ibid*, pp. 3678-81.

<sup>120</sup> *Report of the Royal Commission of Inquiry into Proposals for the Establishment of a New State or New States, formed wholly or in part out of the present territory of the State of New South Wales*, Government Printer, Sydney, 1925, p. v.

royal commission, once again they had been outwitted by the NSW Parliament. There was still a "lion in the path".

To conclude: an identifiable movement for a New State had emerged in 1920, led by young and inexperienced State and Federal politicians, and supported by the regional press. There was local organizational support across the New State area, but the grass roots support was significantly less than the leaders expected. A political and constitutional structure had to be dealt with if the movement's aims were to be achieved. Rather than facilitating the creation of the New State, Section 124 was an impediment which had to be overcome.

Short term goals and strategies had to be adopted to achieve New State aims. Strategies and the pursuit of goals could help to strengthen the movement at its grass roots by showing that something was being done and something was being achieved. Striving for the short term goals flushed out the movement's opposition, either confirming what previously had been assumed, or showing that the movement could not be non-party political. The movement's political leaders were inexperienced in implementing strategies and in setting useful short term goals, and had to confront other political realities. More often than not, the movement's political leaders were ill-prepared and were outmanoeuvred. The main achievement of this period - securing the royal commission - was a hollow victory because the New-Staters lost control of the terms of reference.

This chapter outlined the emergence of Bruxner and Drummond as prominent New-Staters. It seems they were committed to the New State cause, but, impeded by Section 124, neither was prepared to risk his political career on this single issue. Their commitment to their party was stronger than their stance for the movement. In due course, however, the party would be in Government and there would be the opportunity for real achievements; meanwhile the New State was nebulous, but was good stuff for electoral victories, both at election time and as an issue with much press coverage. Bruxner's leadership of his party complicated his involvement in the movement, and Drummond wanted more than the New State, he also wanted significant constitutional amendments. Committed to the New State, but unable to secure it because of "the lion in the path", Bruxner and Drummond set about fulfilling their other political aims, especially northern development. This point will be explored in chapter 6. Meanwhile, the next chapter will analyse the royal commission.