

LOCAL GOVERNMENT RECORDS IN THE SOUTH AUSTRALIAN ARCHIVES

by

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Since 1840 when it all began, local government in South Australia has been characterized by abundant legislation and small population. The first act was one of the longest in force at that time, while the current *Local Government Act 1934-60* occupies more than 470 pages and has been amended six times in the past eight years. The present situation is outlined by A. Bertram Cox in his booklet *Local government in South Australia* (Adelaide, Rigby, 1965). Mr Cox lists about 90 current statutes with which the town or district clerk must be acquainted. Methods of assessment, maximum rates and the raising of loans have always been strictly controlled, while activities, formal procedures and the keeping of records have been defined with increasing complexity in an attempt to find a law to meet every situation. The small population has caused endemic financial difficulties, so that corporations and district councils have traditionally looked to the State Government for support. None of these factors has seriously restrained the desire for local government. In nearly all cases the initial step has been the petition of the local inhabitants. People's desire to manage their own affairs led, in the early years, to fragmentation into a large number of small units, which eventually proved unviable. Then the State government began a process of amalgamation, often against strong local opposition. This paper does not attempt to find causes or explanations but merely to point out some of the major developments that have led to the deposit of a number of important records in the Archives Department of the State Library of South Australia.

Municipal Corporations

Much has been made of the claim that Adelaide was the first municipal corporation in Australia, although it was not the first experiment in local government, nor was it the most successful. *An Act to constitute a Municipal Corporation for the City of Adelaide*¹ incorporated the city (including some of the suburban villages) giving it certain powers as regards roads, public health and convenience and imposing a contribution towards the administration of justice. It was ingloriously repealed six years later by another ordinance² which provided for the liquidation of debts amounting to £1,098-9-4.

But the streets had to be maintained, and to this end the Police Magistrate for the City of Adelaide was authorised to exact rates which were paid into a 'City Fund' administered by the Governor in Council³. It is interesting to note that police magistrates had already been assigned some local government functions such as the disposal of nightsoil, erecting street names and paving footpaths⁴. In 1849 new legislation⁵ revived the Municipal Corporation for the City of Adelaide with extended powers, including some transferred from the police and other government servants. It also provided for the incorporation of other towns. However, the first elections were not held until 1852, and in the meantime the administration of the City was transferred to a Board of Commissioners appointed by the Governor in Council⁶.

The main records of the original City Council, 1840-43, and of the City Commissioners, 1849-52, are well preserved with subsequent City Council archives in the Adelaide Town Hall, where they are accessible on application to the Town Clerk. During the next ten years five other corporate towns were established: Kensington and Norwood, Port Adelaide, Glenelg, Gawler, Brighton. These were no more than dots on the Adelaide plains, but they all survived and still flourish. Gawler has recently transferred some of its records, 1857-1942, to the Archives, and a few volumes of rough minutes of the Port Adelaide Corporation are also held.

The *Municipal Corporations Act 1861*⁷ consolidated the previous laws and added some new ones, confirming the statutory distinction between Adelaide and other municipalities that had been introduced in 1854⁸ and still applies. Fifteen more towns were incorporated under this act before it was re-written in 1880⁹. The latter act was basically the same as the one it replaced, but more elaborate. An interesting feature is the change of emphasis: instead of applying primarily to Adelaide with provision for its application to other towns, the law was now designed for municipal corporations generally, with special provisions for Adelaide.

A further consolidation was effected by the *Municipal Corporations Act 1890*¹⁰. This included several clauses adapted from the *District Councils Act 1887* which will be dealt with below. One of these was that no new municipalities could be established unless they could raise at least £300 in rates. Another, with a more obvious effect on corporation records, vested all roads within the boundaries, including 'main roads', in the corporation. Accounts of money received from the State government for maintenance of main roads were to be kept as a separate Main Road Fund.

The *Municipal Corporations Amendment Act 1896*¹¹ allows a municipality to be called a city if its population exceeds 20,000, but the change in name seems to be a matter of dignity rather than administration. The same act states that two or more municipalities may petition for their union. The next consolidating act, in 1923¹², includes provision for the dissolution of a corporation following a petition of not less than half the rate-payers.

The *Local Government Act 1934*¹³ consolidates all the laws on municipal corporations and district councils. A good many words are saved by giving some sections general application, but these are outnumbered by the sections applying only to one type of body, and the act is further complicated by distinctions as to the method of assessment and other matters. As is indicated by the title of the present act, the legislation has not been completely revised since 1934, but the 1960 reprint brings together the main act and all amendments up to that year.

District Councils

The main function of local government has always been the provision of roads, and it is not by accident that the responsible Minister now operates through the Highways and Local Government Department. Acts about roads and local government are closely related, and the changes in provisions for the maintenance of main roads in country districts are rather confusing. In 1841 *An Act for making and maintaining the Great Eastern Road*¹⁴ appointed a body of trustees and invested them with

power to make the road and levy tolls. This road is now part of the Princes Highway.

Our district councils began in 1849 with an *Ordinance for the Making and Improving of Roads in South Australia*¹⁵. This defined four main roads, to be the responsibility of a Central Board of Main Roads appointed by the Governor in Council. Chairmen of district boards could attend meetings of the Central Board but could not vote. All other roads were classed as district roads. Provision was made for the election of a District Board of Roads for each hundred, or for adjacent hundreds where the population of a single one was too small. The Central Board of Main Roads continued until 1875, and then, as the Local Board of Main Roads, Central District, until 1887. Records covering this whole period are now in the Archives. They have been treated as State rather than local government papers. In 1849 and 1850 district boards were formed for the hundreds of Kanmantoo and Monarto combined, Onkaparinga, Noarlunga, Willunga, Yatala, Talunga, Barossa, Kuitpo, Para Wirra, Macclesfield and Adelaide. It seems that the boards functioned for a year or two and then became moribund. Records of Macclesfield, 1849-53, have been transferred to the Archives with the papers of the District Council of Mount Barker, its immediate successor.

A new start was made in 1852 with the passage of *An Act to appoint District Councils and to define the Powers thereof*¹⁶. The principle of the hundred as the basic territorial unit was abandoned, the definition of boundaries being the prerogative of the Governor. In practice he was guided by petitions and counter-petitions presented by local inhabitants. This act was the basis of all subsequent legislation on district councils, although it has, of course, been greatly modified and enlarged.

Proclamations in the *Government Gazette* established 21 district councils in 1853, and by the end of 1857 there were 43, covering most of the coastal plain and Mount Lofty Range east of St. Vincent Gulf. The process of fragmentation had already begun on the basis of a clause providing for the severance of new districts from existing ones: nine or ten new districts had been formed in this way. The schismatic tendency would probably have gone even further had it not been for an amending act of 1854¹⁷, allowing, among other things, the division of districts into wards. As councils took advantage of this provision their assessment books and accounting records became more complex, being divided according to money received from and spent in each ward.

The district councils act necessitated a new road act¹⁸.

The Central Board of Main Roads now comprised two members appointed by the Governor and four elected by the district councils, the members of the latter bodies being designated commissioners for the district roads within their boundaries. The list of main roads was added to from time to time.

The laws relating to district councils were consolidated and amended in 1858¹⁹ and 1876²⁰. The latter act compelled publication of financial statements (referred to as 'balance sheets') in the *Government Gazette*. Actually some councils had begun this as early as 1855. Meanwhile three more road acts had been passed, one in 1863²¹ authorising the Commissioner of Public Works to attend to district roads in outlying areas, and another in 1866²² devolving some of the work of the Central

Board to Local Boards of Main Roads appointed by the Governor. Three local boards were constituted: Port Lincoln, Mount Gambier and Port Augusta. The *Main Roads Act 1874*²³ abolished all four road boards and constituted eight new Local Boards of Main Roads for the Central, Midland, Peninsula, North, North Midland, Flinders, Victoria and Albert Districts. They were partly appointed and partly elected. The records of these eight bodies, and the three preceding local boards, covering the years 1867-87 have been treated as State government papers in the Archives.

A major reorganisation was effected by the *District Councils Act 1887*²⁴. By this time there were about 125 district councils. Eight of these were merged into other districts, 42 were enlarged, 49 were left unchanged, and 20 new councils were created, mostly in marginal areas. Thus practically all the agricultural lands in the State were brought under local government. The eight local road boards were abolished and each district council was designated a Local Board of Main Roads and required to keep a 'Main Road Fund', later called the 'Government Grants Account'. This necessitated the keeping of an additional set of minutes and books of account. In addition each council was designated a Local Board of Health, keeping another set of minutes. Councils were also entrusted with the operation of several other acts which did not require separate minutes, but did complicate the accounts and led to the creation of some other records.

Amending legislation continued to flow from Parliament House in a steady trickle, with consolidating acts in 1914 and 1929²⁵. By 1914 provision had been made for the abolition of a municipality and its inclusion in a district council district. (Some of the terms invented by Parliamentary draftsmen are rather Gilbertian. One of the best is 'The Commissioner of Public Works acting as Commissioner of Roads'.) The reverse process—changing a district council into a municipality—was already possible under the municipal corporations acts. The 1914 act also specifies that minutes are to be signed by the chairman of the meeting and confirmed at the next meeting. This gives statutory confirmation of a long-standing practice of taking 'rough minutes' which are then re-written in a more substantial minute book. The word 'rough' is apt.

A schedule to the 1929 act gives a list of existing councils—about 160 of them. In the same year the *Local Government Areas (Re-arrangement) Act 1929*²⁶ appointed a Royal Commission to make recommendations on improving the efficiency and economy of local government, particularly by uniting areas, re-defining boundaries, annexing parts of outlying districts, constituting a municipality a district or vice versa, and re-arranging wards. As a result a good many district councils lost their individual identity in the early 1930s, and several country municipalities were abolished. There does not appear to be any convenient list of these changes but by the exercise of much patient labour it would be possible to find them all in the *Government Gazette*. The records of these defunct bodies naturally passed into the custody of their successors, and some have since been transferred to the Archives. By a fairly pragmatic application of the principle of provenance, some of these papers have been treated as individual record groups, while others have been included in the archives of the transferring agency. At any rate there is now a fair representation of

at least four different schemes of re-organisation that were effected between 1930 and 1935.

Drainage Boards

Settlement in the South-Eastern district of South Australia began in the 1840s when pastoralists found good grazing land between the numerous lagoons and swamps. Within 30 years the excess of surface water was retarding closer settlement, but the cost of running it off was too high for local resources. By the *South-Eastern Drainage Act, 1875*²⁷ the Governor was authorised to constitute a South-Eastern Drainage District, or two or more districts, and appoint Drainage Boards. These were to have all the powers vested in district councils, but all drainage works were subject to the approval of the Commissioner of Public Works, who controlled the use of money voted to the boards by Parliament. It seems that the ratepayers had no influence on the actions of the boards except to appeal against the assessment and to authorise or refuse to authorise loans and special rates. The boards were made fully elective two years later²⁸.

The act was re-written in 1878²⁹ and its application extended to a larger part of the South-East. A distinction was made between main and district drains, the former being under the control of the Commissioner of Crown Lands and Immigration. Drainage boards were now virtually the same as district councils with additional powers and responsibilities regarding drains. The *District Councils Act 1887* abolished all distinctions by constituting each district council a drainage board. State government subsidy and partial control of drainage in the South-East has continued under a complex series of acts and administrative changes that need not be followed up here. A transfer from the Millicent District Council includes records of the original South-Eastern Drainage Board and its successors, the Mayurra and Mount Muirhead Drainage Boards, both of which became district councils in 1887.

Three other forms of local administration have been devised in South Australia: the Renmark Irrigation Trust (now amalgamated with the Renmark Corporation), the Whyalla Town Commission and the Garden Suburb Commissioners (responsible for Colonel Light Gardens). Each of these bodies deserves special study, each having been set up to deal with a special situation, but as none of their records has yet been transferred to the Archives they will not be further discussed here.

General Notes

One does not expect to find much poetry in local government records, but now and again one is rewarded with such a splendidly sonorous title as 'Particulars of Registration of Cowkeepers, Dairymen and Vendors of Milk' — a large half-leather bound volume of 301 pages of which only 27 were used. While it is unlikely that anyone will ask 'How many registered cowkeepers were there in Port Pirie in 1911?' the volume has been retained as the only surviving record of this kind of council activity. Another volume retained more for its value as a sample than for the information it contains is the pound book of the Hamilton District Council. (Notices of impoundings appear in almost every issue of the *Government Gazette*.)

As is illustrated by these volumes, the archivist's task has, for better or worse, been greatly simplified by the well-known laws of natural selection. In the main, only the more substantial records have survived. Fortunately

these include records that were strongly bound because of their importance—minute books, assessment books, various kinds of cash book, ledgers, and a few letter books. A few Nineteenth Century letters received have been accidentally preserved between pages of minute books and more recent ones have survived in slightly greater quantity, but there is no good series of general correspondence. This is not to advocate indiscriminate hoarding of papers, but so far very little material sent in by the local clerk has been deemed worthless. Selection policy is now more inclusive than it used to be. Assessment books, although clumsy and bulky, contain information on the occupation, value and use of land that is not available elsewhere. Annual financial statements are still published in the *Government Gazette*, but cash books and ledgers give a detailed account of the day to day business and financial health of the local authority. Correspondence, although mostly of a routine nature, may supplement information contained in the minutes.

Other kinds of records include lesser financial papers, plans, reports by council employees, legal documents such as leases and agreements, bylaws and printed matter consisting mainly of statutes affecting local government and pamphlets on public health and other matters closely related to council activities. Some record groups, such as the Kapunda and Upper Wakefield District Councils, include papers of other bodies more or less controlled or sponsored by the council. Some of these seem to have come into the custody of the council because the town or district clerk happened to be the secretary.

At the time of writing, some 50 past and present local government bodies are represented in the State Archives. Their records occupy about 300 feet of shelving. Most of the record groups into which they have been arranged are fairly small, some consisting of only a few volumes. The largest group, from the Port Pirie Corporation, occupies about 80 feet. About one third of this bulk is made up of records relating to the town electricity supply. Other unusual features of this group are returns and registers relating to the administration of the War Damage Commission, 1942-43, and a very elaborate system of account books. There are several good examples of defunct local authorities, including the District Councils of Belvidere, 1866-1932, and Clarendon, 1853-1935, and the Kapunda Corporation, 1865-1962. A story of development from district council to city is told in the records of the Corporation of the City of Marion.

Local government records come under the provisions of the *Libraries and Institutes Act*, Part III, by which the disposal of public documents is made subject to the approval of the Libraries Board of South Australia. Although this law has been in force since 1925, its application has been seriously curtailed in the past. While it is still difficult for the present Archives staff to devote the necessary time to this work, there is now ample space for storage, and co-operation between the Archivist and the local clerk—with a view to destruction as well as transfer of records—is gradually being built up. Fortunately some local authorities are becoming aware of the value of their own records. A recent circular to all corporations and district councils, reminding them of their obligations and inviting them to deposit non-current records in the Archives brought a good response from several places. Nevertheless there are probably more records in council offices or dusty back rooms than in the Archives, and their preservation is a matter of some concern.

The increasing quantity as well as changing methods of record keeping may well enforce a re-appraisal of selection policy in years to come. Keeping such things as assessments and ledgers on cards instead of in books makes them more flexible while in current use, but more difficult to process and use as archives. Hitherto we have been largely concerned with rescuing survivors, but with the growing bulk of largely repetitious material, particularly in the metropolitan area, it may be necessary, from the point of view of both historian and archivist, to take liberal samples from selected areas or selected periods. The tendency to keep some records, notably approvals of sub-divisions and new buildings, in microform partially solves some problems while raising others. There is no point in preserving these records without the special equipment needed to use them. This problem will become more acute in dealing with machine-readable records produced by equipment that will inevitably become obsolete. Perhaps we as archivists should be taking an interest in the establishment of technological museums! These developments, which are at least known to archivists and librarians, are having a startling effect on records which were remarkably consistent in form and content during the first hundred years of local government in South Australia.

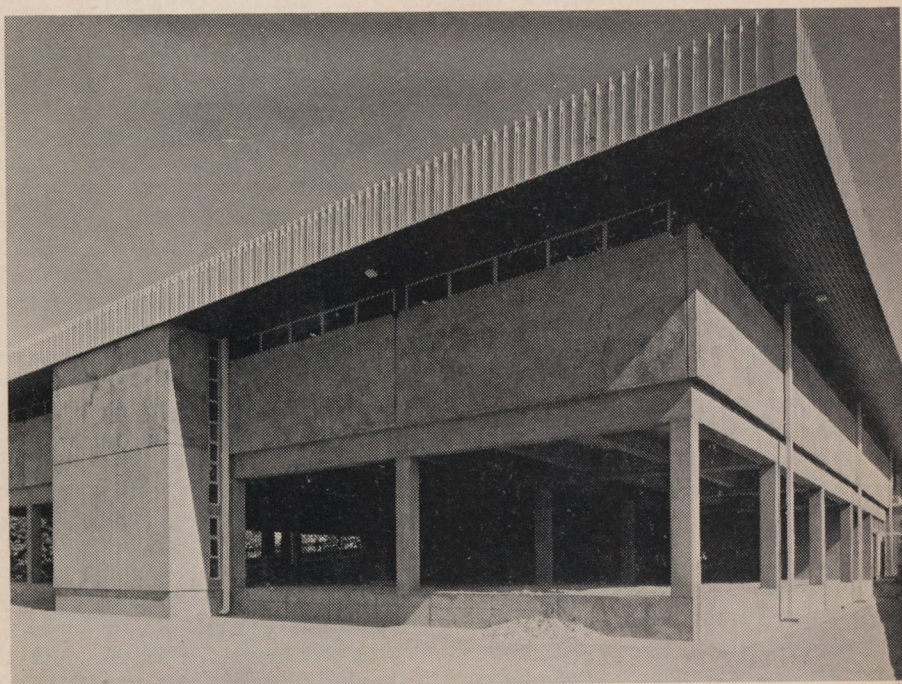
Appendix : Printed Sources

In the *Public General Acts of the Parliament of South Australia 1837-1936* vol. 9, p. 59-223, a Chronological Table of South Australian Statutes showing Amendments, Repeals, Etc. includes about 100 acts directly relating to corporations and district councils. In each annual volume of the *Acts of the Parliament of South Australia*, a Table of Public General Acts in force lists the Local Government Act 1934-60 and subsequent amendments. A very useful reference tool is *Lists of Government Towns and Townships, Counties, Hundreds, Corporate Towns and District Councils* (Adelaide, Government Printer, 1896). This shows in tabular form the date of the original proclamation of each body, area, revision of boundaries and division into wards, the dates indicating the relevant issues of the *Government Gazette*. However, it does not mention all the bodies that had been superseded by that time. The *Statistical Register of South Australia*, published annually as a parliamentary paper, tabulates certain information, mainly financial and demographic, by municipalities and district councils, and some of the census tables are also arranged in this way. The *South Australian Government Gazette* includes numerous council notices about such things as assessments, rates, elections, appointments, meetings of ratepayers, bylaws, opening and closing roads, burning off periods, and the administration of other acts relating to weeds, rabbits, dogs, etc. The index to each volume of the *Gazette* lists these notices under the name of each local authority, grouping them all under the general headings 'Corporations' and 'District Councils'. A good many parliamentary papers about local government were published in the Nineteenth Century, but not so many in the Twentieth. Newspapers, particularly the *South Australian Register* and the *Observer* give regular reports of council meetings, at least in the Nineteenth Century, while local papers still have such reports.

REFERENCES

1. 4 Vic. 1840 No. 4
2. 10 Vic. 1846 No. 12
3. 10 Vic. 1846 No. 15

4. 7 and 8 Vic. 1844 No. 19
5. 12 and 13 Vic. 1849 No. 11
6. 12 and 13 Vic. 1849 No. 13
7. 1861 No. 16
8. 18 Vic. 1854 No. 23
9. 1880 No. 190
10. 1890 No. 497
11. 1896 No. 660
12. 1923 No. 1558
13. 1934 No. 2156
14. 5 Vic. 1841 No. 4
15. 12 and 13 Vic. 1849 No. 14
16. 15 and 16 Vic. 1852 No. 16
17. 18 Vic. 1854 No. 16
18. 15 and 16 Vic. 1852 No. 17
19. 1858 No. 10
20. 1876 No. 43
21. 1863 No. 11
22. 1865-66 No. 15
23. 1874 No. 12
24. 1887 No. 419
25. 1914 No. 1182 and 1929 No. 1924
26. 1929 No. 1908
27. 1875 No. 21
28. 1877 No. 85
29. 1878 No. 104



New State Archives Building, Dutton Park, Brisbane. This view is taken from the rear of the building. The underneath area is designated "Future Storage", and immediately above is the accommodation for Intermediate records. (See following pages).