

# REPORT

OF

A COMMITTEE

OF THE

CANTERBURY PROVINCIAL COUNCIL,

ON THE SUBJECT OF

A CHANGE IN THE SYSTEM OF APPROPRIATING THE REVENUE AND  
ADMINISTERING THE AFFAIRS OF THE PROVINCE.

*(Return to an Order of the House of Representatives, dated the 10th day of June, 1869.)*

That there be laid upon the Table of this House—"A copy of the Report made by a Committee of of the Canterbury Provincial Council, during its recent Session, on the subject of a change in the system of appropriating the Revenue and administering the Affairs of the Province; together with the accompanying papers."

*(Mr. Jollie.)*

WELLINGTON.

—  
1869.



## REPORT ON THE SYSTEM OF APPROPRIATING THE REVENUE, ETC., OF CANTERBURY.

YOUR Committee, in considering the important questions submitted to them, have directed their attention in the first place to the administration of the revenue in the district south of the Rangitata. They have done so because they think that this district, as compared with other outlying districts, occupies an altogether exceptional position. All other outlying districts so called form geographically and socially part of the same community. All have Christchurch for their chief town, and Lyttelton for their chief port.

The district south of the Rangitata, on the other hand, is geographically separated from the rest of the Province. The inhabitants form a distinct community; at the same time they are in a minority in the Provincial Council, and are exposed to the danger of having their affairs mismanaged, and their revenues voted for objects which in no way concern them. This being the case, it cannot be a matter of surprise that the inhabitants of this district are discontented with the present system. With whatever liberality a community so situated may have been treated, it is inevitable that they will always strive to free themselves from the yoke, however light, of foreign rule, and obtain the uncontrolled management of their local affairs. This particular community, however, believe that they have been unfairly treated by the Provincial Government; and this belief, besides stimulating their natural desire for self-government, has caused a great want of harmony between themselves and the rest of the Province.

Your Committee feel it to be of the highest importance that all causes of disagreement between the two parts of the Province should, if possible, be brought to an end. Both have in reality the same interests; both are exposed to the same dangers; and it would be a fatal policy to protract internal quarrels. Having in view these considerations, and looking at the deep-rooted discontent with the present system that prevails in the district south of Rangitata, your Committee, after grave consideration, are of opinion that any attempt to remedy this discontent by trifling amendments in the present system would prove futile, and that it is for the interest of the whole Province that this question should be forthwith finally settled. Your Committee, therefore, recommend that the fullest control should be given to the inhabitants of that district over the revenues that arise within the district, and over the local affairs of the district. Your Committee further recommend that the Province should be divided into two parts, and that the district south of the Rangitata should be erected into a County entirely separate from, and independent of, the northern part of the Province of Canterbury.

Taking into consideration, in the first place, the government of the County, your Committee recommend that the County should be governed by a Board consisting of fifteen members; three for each of the Road Board Districts, as at present existing, and three for the Municipality of Timaru.

Your Committee recommend that, in consideration of the large powers with which it is proposed that the Board should be invested, the members should be elected directly by the people, and not nominated by the Road Boards, as is the case in the existing Timaru and Gladstone Board of Works. As it is proposed that the Board should have extensive authority to levy rates, the Committee suggest that the ratepayers' rolls of the various Road Boards in the County should be the basis of the electoral rolls for the County Board, and that the right of voting for members of the Board should be confined to those who are liable to pay rates, either directly as occupiers, or indirectly as owners, and whose names appear on the ratepayers' rolls in either capacity. For the sake of convenience, the electoral districts for the County Board should be, in the first instance, coterminous with the present Road Board districts; one-third of the members of the Board from each district should retire annually. The Board should have the power of electing a Chairman, who should hold office for one year, and should have an original as well as a casting vote. The Chairman should have such powers within the County as are now, by an Act of the General Assembly, vested in the Superintendent of the Province, or which, by Act of the Assembly, are vested in the Governor, and are usually delegated by him to Superintendents. No power of veto, however, should be given to the Chairman. It would be competent for the Board to give or to withhold from their Chairman further executive powers, and to define by bye-laws what his powers and duties should be, and also to provide for carrying on the County business when the Board was not in session, either by the Chairman alone or in conjunction with Committees, or by Committees without the Chairman, as the Board thought most advisable. The Board should have the administration of all revenues arising within the County which heretofore formed part of the Provincial revenues, after deducting therefrom charges on loans, and should maintain the various departments that are now maintained by the Provincial Government. The net revenue arising, however, from the sales of lands within the County, after deducting the expenses of survey and sale, should, in the opinion of your Committee, be permanently allocated by Act of the General Assembly for the following purposes, in the following proportions, viz. :—

Immigration	...	...	...	...	50 per cent.
Public Works and Buildings	...	...	...	...	20    "
Road Boards, in such proportions as the County Board may deem advisable	...	...	...	...	10    "

The balance of 20 per cent. to be distributed among the various Road Boards, in proportion to the amount of revenue to be derived from the sale of land in each road district during the financial

## REPORT ON THE SYSTEM OF APPROPRIATING

period. The Board should have the power to make Ordinances or Bye-laws for the following purposes :—

- Regulating its own proceedings, and providing for the carrying on of the County business while the Board is not sitting.
- Altering the number of members of the Board and the boundaries of electoral districts.
- Appropriating revenues.
- Regulating education.
- Regulating immigration.
- Regulating public hospitals and asylums.
- Regulating infirmaries and gaols.
- Regulating administration of public reserves.
- Regulating fencing, prevention of cattle trespass, and the prevention of disease in sheep and cattle.
- Regulating, constructing, maintaining, and diverting railroads, tramroads, roads, ferries, bridges, and other public works.
- Taking private land for public purposes.
- Preserving health, cleanliness, and order in towns and places not within Municipalities.
- Levying tolls, rates, and fees for the following purposes :—
  1. Support of education.
  2. Construction and maintenance of roads, bridges, and ferries.
  3. Support of hospitals, infirmaries, asylums, and gaols.
  4. Police.
  5. Prevention of disease in sheep and cattle.
  6. General expenses of the Government of the County.

All legislation, except Ordinances appropriating money, levying rates or tolls, and, except bye-laws, for regulating the proceedings of the Board and other purposes of a purely administrative nature should be reserved for the Governor's assent, and if his dissent were not expressed within three months, should have the force of law. The Board should have the further power to appoint and remove officers, and to enter into contracts, and to delegate these powers either to the Chairman or Committees of the Board. The Chairman and Board should have the same powers with respect to the Waste Lands in the district as the Superintendent and Provincial Council respectively now have. The separation should take place at the end of the present financial year. When the County Board is constituted, the Timaru and Gladstone Board of Works should be dissolved, and its funds and property should be handed over to the County Board. The County Board should be compelled out of these moneys to carry out the intentions of the Timaru and Gladstone Board of Works Act, and to bridge the River Rangitata.

In framing the above scheme for the district south of the Rangitata, your Committee have guarded themselves from recommending the transference of any power whatever to the Central Government. They fully recognize the dangers of Centralization, and these dangers are in their opinion best combated by allaying the discontent of the outlying districts, and removing the causes that now tempt them to throw themselves into the arms of the central power. With respect to the form of government for the northern part of the Province, your Committee consider that it should take the shape of a modification of the present form of government by the Superintendent and Provincial Council, as the form of government they have recommended for the southern part is an amplification of the powers of the present Board of Works.

Your Committee recommend that the part of the Province north of the Rangitata should constitute one Province or County, and that the revenue of that part of the Province should be appropriated by a Provincial Council or Board elected by the owners and occupiers on the ratepayers' rolls of the various districts, in the same manner as that recommended for the Board of the southern County. The Council should be elected for two years, and should itself fix the time for its meetings.

Previous to the election of a Council under the proposed system, your Committee recommend that the existing Council should at its next meeting take into consideration the alteration of the boundaries of the electoral districts, the redistribution of seats, and the reduction of the number of members. The new Council should consist of such number of members representing such electoral divisions as may have been determined by the existing Council. Should the Council not make any alteration, the existing electoral divisions and number of representatives should be retained.

The Council should have power to elect the Superintendent of the Province from its own body, or from the general body of electors for the Provincial Council.

The Superintendent so elected should have a seat in the Council by virtue of his office, with the right to vote.

The Superintendent should hold office during the existence of the Council which elected him, or until displaced by a resolution carried by an absolute majority of the whole number of members of the Council.

The Superintendent and Provincial Council should hold office till their respective successors were elected.

The Superintendent should have all the powers that are conferred on Superintendents by Acts of the General Assembly, or are usually delegated to Superintendents by the Governor.

The Superintendent should have no veto on the Acts of the Council.

The Council or Board should have the power to make Ordinances or bye-laws for the following purposes :—

- Regulating its own proceedings, and providing for the carrying on of the business while the Council is not sitting.
- Altering the number of members of the Council and the boundaries of electoral districts.
- Regulating primary education and high schools.
- Regulating immigration.
- Regulating public hospitals, asylums, infirmaries, and gaols.

Regulating administration of public reserves.

Making provision on the subjects of fencing, cattle trespass, and the prevention of disease in sheep and cattle.

Regulating, constructing, maintaining, and diverting railroads, tramroads, roads, ferries, bridges, and other public works.

Taking private land for public purposes.

Preserving health, cleanliness, and order in towns and places not within municipalities.

Levying tolls, rates, and fees, for the following purposes :—

1. Support of education.
2. Construction and maintenance of roads, bridges, and ferries.
3. Support of hospitals, infirmaries, asylums, and gaols.
4. Police.
5. Prevention of disease in sheep and cattle.
6. General expenses of the Government of the Province.

All legislation, except Ordinances appropriating money and levying rates or tolls, and except bye-laws for regulating the proceedings of the Board and other purposes of a purely administrative nature, should be reserved for the Governor's assent, and if his dissent were not expressed within three months, should have the force of law.

The Superintendent and Council should have the same power over the waste lands that they now have.

The Council should have the power of appointing general and special committees of not more than three members to assist the Superintendent in the discharge of his several duties.

The Superintendent, with the advice of the committees, to have the power to appoint and dismiss officers.

No portion of the revenues should be paid without having been previously appropriated by the Council.

Your Committee recommend that the net revenue arising from sales of land, after providing for the expenses of survey and sale, should be allocated in the same manner as has heretofore been recommended for the district south of Rangitata, viz. :—

Immigration	...	...	...	...	50 per cent.
Public Works and Buildings	...	...	...	...	20 "
Road Boards in such proportions as the Council may deem advisable	...	...	...	...	10 "

The balance of 20 per cent. to be distributed among the various Road Boards in proportion to the amount of revenue derived from the sale of land in each Road District during the financial period.

With respect to the existing debt of the Province of Canterbury, your Committee recommend that it should be apportioned between the two parts of the present Province by arbitration.

Your Committee append to their report a memorandum furnished by His Honor the Superintendent, which they are of opinion should, in justice and courtesy to His Honor, be laid on the table with the report. They also append statistics furnished by the Provincial Auditor.

W. MONTGOMERY, Chairman.

#### MEMORANDUM BY THE SUPERINTENDENT.

UNDERSTANDING that the Committee wish to obtain my opinion as to whether any and what changes are required in the present form of Provincial administration, I have ventured to place my views in the form of a Memorandum for their perusal.

The whole question appears to resolve itself into one of whether the present or any modification of the present form of government is the most efficient and the most economical which could be adopted, as well for the carrying out of works of special and local benefit as for the more general administration connected with education, police, gaols, charitable aid, hospitals, and immigration, or whether it is advisable to adopt some form of government radically different from that which now exists.

It is, I think, admitted on all hands that some change is necessary upon our present system; and in considering what that change shall be, it is desirable to determine generally the points in which that system has become in any degree unsatisfactory, and the reasons why it has become so.

I have no doubt that, to a certain extent, the outlying districts have had just reason to complain of the centralizing of expenditure and of the neglect of their interests by the Provincial Governments, probably more so in other Provinces than in Canterbury; and there have been, here as elsewhere, grounds for complaint of excessive and unnecessary expenditure in salaries and departments, to the neglect of necessary works.

It was natural, in the early days of a settlement, that the centres of population should, in their eagerness for progress, forget the claims of distant districts with smaller populations and fewer representatives. It was natural and right that the reaction should take place which resulted in the General Assembly, in the year 1858, in "The New Provinces Act," and more recently, as especially affecting this Province, in "The Timaru and Gladstone Board of Works Act."

I think it was better that these Acts should have been passed than that the growing evil of centralization of power and expenditure should have continued without check. I think, however, that these Acts have worked fresh evils of a different character to the Colony; the one in the creation of bankrupt Provinces, and both in the promotion of an unsettled feeling of dissatisfaction and disunion, which has paralyzed the action of the Provinces and prevented that healthy development of the Constitution which might have been effected by other means.

These means, I think, should have been, legislation by the General Assembly insisting on a fair apportionment of the Land Revenue, and by the Provincial Legislatures in redistributing and adapting their representation to the growing requirements of the country.

I should not have space in the limits of this Memorandum to enter into the many reasons, both political and financial, which, to my mind, render a system of Counties, disunited from and taking the

place of Provincial Governments, no possible remedy for the evils which have existed. It is enough for me to say, that I believe and hope that the Colony will never consent to the creation of a number of small Governments receiving a share of the taxation raised by the Colony; and that, so far as the Province of Canterbury is concerned, it can be easily shown that no district taking its fair share of the liabilities of the Province already incurred can take upon itself and carry on its works and administration so economically as under a modification of the present system. It is in this belief that the Provincial Government has been handing over to the Board of Works in Timaru the administration of all matters which could fairly be devolved upon it.

Nor do I think we can look to the Central Government to work out for us the problem which we have to solve.

The Native difficulty, and the consequent want of identity or community of interest between the Provinces of this and the Northern Island; the impossibility of obtaining men of leisure, independence, and ability, to form a Central Government capable of meeting the requirements of the whole country; the geographical and other distinctions of the Provinces of the Southern Island,—convince me that we must still look to the Provincial system for efficient *administration*, at any rate in this Island, leaving *legislation* to the General Assembly, and devolving upon the districts, with the share of the revenue to which they are entitled, a proportionate share of self-government.

If this view be correct, and were to be acted on, it would be rather by extending the present ill-determined boundaries of the Southern Provinces than by creating new bodies with narrow political views, bounded by petty selfish interests, that the ultimate harmony and unity of government which are essential to our future greatness as a nation are to be promoted.

The present uncertain and undefined position of the Province is intolerable.

A premium is offered to discontent and disunion in Provinces by the prospect of the establishment of Counties, and outlying districts are led to seek their just rights in the political intrigues of a disorganized body, that knows little of their particular interests or how they may be best served, rather than by bringing legitimate pressure to bear in the Council of their Province.

The natural result is that there is no heart in the Provincial Governments to improve their administration, and to carry out energetically their proper functions in the promotion of colonization and the facilitating communication throughout the country. We require, therefore, as it seems to me—

I. Such legislative enactments as will provide for the integrity of the Province and a more clear definition of its powers.

II. We also require a final assurance of our property in the Land Revenue, and a provision securing the apportionment of a fair proportion of it to the several districts in which it arises.

Our further requirements group themselves under the heads of—

1. Constitutional modifications.
2. Administrative reforms.

On the first point the Committee will have already gathered that I am averse to any revolutionary changes. The development of our Constitution must be continuous; and no one can read the papers connected with its early establishment without recognizing that it was formed with a view to the utmost elasticity, and with great powers of self-adaptation. Spasmodic and hasty introduction of a different class of machinery cannot but create confusion.

Our object is to minimize government, to live within our means, and to do justice to the interests of all the districts of the Province.

The principal modifications which I would suggest in furtherance of this object are those which I have already indicated to the Provincial Council, viz.:—

1. The reduction of the number of representatives in the Provincial Council, and a redistribution of the seats with a special view to giving greater comparative weight to the outlying districts; and
2. The bringing of the Superintendent into closer connection with the Council.

The question of representation is one of considerable difficulty, and one in respect of which no precise or uniform and well-ascertained principle has been acted upon in the case of the representative cities of the Colony or of any of the Provinces.

The difficulty is the greater in the case of Provincial representation from the fact that it is of a population whose principal political rights are represented in a higher Legislature, and with whose interests the Provincial Legislature can only deal to a limited extent. If a population basis simply be adopted, the evils of centralization would be perpetuated and increased.

The representation would seem to be not merely or so much *one of numbers as of districts*, in respect of particular interests and rights, and in respect of the public revenue accruing from those districts. General taxation affecting all classes, for general Provincial purposes, has, so far as I am aware, never been enforced by any Provincial Government. Taxes have been only for strictly local purposes, and dependent on the will of the districts in which they have been received.

The number of representatives should, I submit, be only sufficient fairly to represent all interests in different portions of the Province; and the districts should be determined as far as possible by identity or similarity of interest, and should be coterminous with the boundaries of groups of Road Boards, and for the sake of convenience should not overrun the boundaries of the General Assembly districts. My own view is, that the present Provincial districts, with some modifications, would meet the requirements of the case.

It is very important, with a view to promoting and maintaining a common political interest in the several districts, that when once determined, their boundaries should not be changed. I believe that if one member each were given to, say, twenty-five districts, and one additional member to each of the three most populous districts, making a total of twenty-eight members, a not unfair representation of the Province would be attained.

On the question of bringing the Superintendent into the Council, I am strongly of opinion that the public business would be much expedited by this course. Under the present system, should any difficulty arise in obtaining the services of a member of the Provincial Council to act as political head

of the departments, the Council would be left without the means of obtaining directly the information in matters of detail to which it is entitled. The general work of administration should, I think, be carried on by the Superintendent, through the permanent heads of departments, and there would be no difficulty in his obtaining the advice and assistance of an Executive Council not holding office. This would be given at stated periods, when the general business would be brought before them by the Superintendent.

An Act of the General Assembly would remove any doubts as to the legality of the Superintendent taking his seat in the Council as under the New Provinces Act. I hope the Committee and the Council will give these questions their consideration.

In conclusion, I would state that I believe the changes to which I have referred would lead the way to considerable administrative reform and reduction of public expenditure. In this Memorandum I have given my opinions freely, as I believe to be the wish of the Committee, and have abstained from entering into details, partly from want of time, and partly that I am not aware of the precise points to which it would wish to direct its inquiries. It will give me great pleasure to afford any information in my power which the Committee may require.

W. ROLLESTON,  
Superintendent of Canterbury.

24th May, 1869.

#### TIMARU AND GLADSTONE BOARD.

*Return showing Revenue from all sources South of Rangitata, and Payments made by the Provincial Treasurer under Voucher from 1st December, 1867, to 30th April, 1869.*

30th April, 1869:	£	s.	d.	30th April, 1869:	£	s.	d.
Land Revenue arising from sale of land south of Rangitata, from 1st December, 1867, to 30th April, 1869...	15,217	11	9	Payments by Receiver of Land Revenue to Board of Works, being 25 per cent. of gross receipts ...	3,804	7	11
Pasturage Licenses for some period ...	21,716	14	0	Payments by Provincial Treasurer on account of following services within the district (see Appendix):—Sub-Treasurer, Expenses of Election, Expenses of Members, Local Gaol, Charitable Aid, Hospital, Harbour, Public Buildings, Insurance, Education, Ferries, Agricultural Statistics, Local Surveys, Contract Surveys, Immigration, Road Boards, General Contingencies ...	10,974	0	11
Miscellaneous Revenue—				Departmental Expenses—(See Appendix, estimated at £73,771 13s. 4d.). The population of the district is rather more than one-eighth of the whole: I take one-sixth of the above amount, say ...	12,295	0	0
Dog Tax ...	605	10	0	One-half the Unsold Land is in the district, and as the Land Fund is the security for the Interest and Sinking Fund of all the Loans, I estimate only one-fourth of the Interest and Sinking Fund payable by the Province (see Appendix) ...	15,352	0	0
Sheep Rate ...	1,002	0	0	Balance (see note at the end of Departmental Summary) ...	2,230	3	7
Publicans' Licenses ...	524	0	0				
Auctioneers' Licenses ...	120	0	0				
Immigration Refunds ...	276	16	8				
Proportion of Consolidated Revenue, estimating the Customs and other sources of Consolidated Revenue within the district at £16,287 per annum ...	5,193	0	0				
	£44,655	12	5		£44,655	12	5

*Abstract of Vouchers certified to from the 1st December, 1867, to 30th April, 1869.—District South of Rangitata.*

	£	s.	d.	£	s.	d.		£	s.	d.	£	s.	d.
Sub-Treasurer ...	12	10	0				Brought forward ...						
	12	10	0				Gaol:—						
	37	10	0				Salaries ...	356	1	6			
	12	10	0				Rations, &c. ...	210	0	0			
				75	0	0	Contingencies ...	86	10	7			
Expenses of Elections ...	2	8	0								652	12	1
	2	2	0				Police—(Departmental Summary).						
	2	2	0				Charitable Aid ...	22	4	0			
	2	2	6					69	13	1			
	4	4	0					49	6	0			
				12	18	6					141	3	1
Expenses of Members ...	64	17	4				Resident Magistrate's Court ...				15	11	0
	55	17	4				Hospital:—						
	27	0	0				Salaries ...	333	6	8			
	8	0	0				Rations, &c. ...	657	18	2			
	12	5	6								991	4	10
	12	5	6				Harbour ...	75	0	0			
	12	5	6					43	7	4			
	21	8	6					58	6	8			
	20	16	6					69	8	9			
	10	8	0								246	2	9
				254	4	2							
Carried forward ...	£						Carried forward ...	£					

