

# Legislating for Un-Free Public Libraries: The Paradox of New Zealand Public Library Legislation, 1869-1877

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Public library legislation by the central government in New Zealand, which began in 1869 with the intention of importing the provisions of the British legislation for free lending libraries funded by local government, had by 1877 imposed a national system of user-pay lending services and free reference services limited to urban centers. This departure from the Anglo-American tradition, which has parallels in the practice in the Australian colonies, is explained in terms of the social conditions prevailing in such British settler societies in the nineteenth century.

The beginning of the organized settlement of New Zealand by people of British stock in 1840 coincided with the beginning of the free public library movement in Britain. Public libraries came to New Zealand in the baggage, both ideological and literal, of the first settlers. Library collections for several of the settlements were formed in Britain before departure and arrived on the first ships. Libraries of athenaeums, literary institutes, and mechanics' institutes were formed in every town within the first few years of settlement. These libraries, together with museums and similar cultural institutions, were assiduously promoted by the spokesmen of the New Zealand Company (the commercial enterprise promoting organized British settlement in New Zealand) as part of the infrastructure necessary to support civilized living in the model colonies of New Zealand. They were, from the very beginning, to provide the "tone and character to civilization."<sup>1</sup> A prevailing ideology in 1840 was that of self-help, and apart from some small injections of books and money from the Zealand Company, these local libraries were at first left to fend for themselves. They were user-pay institutions, private libraries owned and controlled by their subscribers, offspring of British institutional and proprietary libraries, and distant relations of American social libraries.

In a society of small townships with few subscribers and no rich patrons, self-help was little help; such libraries were poor, their incomes

from subscriptions fluctuated with the fortunes of the economy, and they were subject to frequent collapses.<sup>2</sup> The need for more certain financial support was soon apparent.

Support from taxes was provided within fifteen years of the first settlements, but the source was not local authorities, as authorized in Britain by the Public Libraries Act of 1850 and in the United States by similar state legislation, but the next tier of government, the provinces, and when the provinces were abolished, the central government. The province of Nelson began the process in 1855, followed by Otago in 1862, Auckland in 1869, and then most of the others in quick succession.<sup>3</sup> A similar pattern developed in Australia at about the same time, of the central government of the separate colonies on the continent of Australia providing subsidies from general taxation to subscription libraries in country districts.<sup>4</sup> This radical departure from the British and American norm of public libraries supported by local authorities from local taxation disturbed librarians visiting Australasia, from the Englishman C. W. Holgate in 1886<sup>5</sup> to the American Ralph Munn in 1935.<sup>6</sup>

A pathway for the development of public libraries supported by local authorities from the rates (local taxes based on land values) was opened up by clauses in the legislation establishing municipal and county or shire government in the Australian colonies and New Zealand. Typically a minor clause gave very broad permissive powers to local authorities to establish and support places of public amusement and entertainment, and libraries.

Despite these existing legislative provisions George Maurice O'Rorke introduced a Public Libraries Bill into Parliament in 1869 to enact in New Zealand the separate and very specific provisions of the British act of 1850, thus establishing an additional path for rate-supported public libraries. His bill had no precedent in the Australian colonies<sup>7</sup> and no legislative history or even legislative interest in New Zealand. In Britain an extensive public debate had preceded the introduction of Ewart's Public Libraries Bill in 1850. The act passed by the British Parliament in 1850 was one of the many outcomes of public debate in Britain on the problem of the working classes, on public education, and on the reform of political and social institutions. William Ewart, the champion of the 1850 act, was a radical reformer on social and political issues who worked tirelessly for a system of national education until his death in 1869, only a year short of the passage of the act which was the foundation of public education in Britain. In 1845 he had steered through Parliament a bill to establish public museums funded from local rates, and throughout the 1840s he argued for the application of the same principle to public libraries, eventually persuading Parliament to set up a select committee to inquire into the state of public libraries in Britain. Ewart was not

alone, he was representative of a body of publicly expressed views among reformers and philosophical radicals.<sup>8</sup>

The bill introduced by O'Rorke into the New Zealand House of Representatives on 3 August 1869 is a model piece of law draftsmanship in its brevity, enunciation of principles, elegance, and simplicity.<sup>9</sup> Its content reveals O'Rorke's familiarity with the latest British legislation, incorporating the amendments of 1855 (raising the rating limit from a halfpenny to a penny in the pound and authorizing expenditure on the purchase of "books, newspapers, maps and specimens of Art and Science" rather than relying entirely on donations) and 1866 (removing the population limit and replacing the two-thirds majority with a simple majority for adoption). The substance of the act, contained in twelve sections occupying two foolscap printed pages, empowers any local authority that has the power to levy rates, whether the power was granted by central or provincial government, to conduct a poll of all eligible ratepayers to adopt the provisions of the act by a simple majority of the votes cast. The local authority is thereupon empowered to levy a Library Rate not to exceed one penny in the pound (1/240th); to borrow against the security of the yearly yield from the Library Rate; to use existing land vested in the authority; to purchase or rent any lands or buildings; and to erect buildings and repair, improve, fit up, and furnish them for public libraries. The management and control of libraries is vested in the authority which may purchase and provide "fuel, lighting and other similar matters books newspapers and maps for the use of the library," cause them to be bound and repaired, appoint and dismiss officers, and make rules and regulations for the admission of the public. Section 12 enacts the principle if not the exact words of the British legislation: "The admission to all libraries established under this Act shall be open to the public free of all charge." The New Zealand act of 1869 expressed the essence of the British legislation then in force.

The act of 1869 appeared in the New Zealand Parliament as a direct implant from Britain. It had no legislative history; no previous bills introduced and rejected or lapsed, no previous resolutions in favor of public libraries; no previous debate in either house. The New Zealand settlers would have been well aware of the British act of 1850; the debate in Westminster was widely reported in the *Times* (London), and articles appeared in the London and Edinburgh periodicals that came to New Zealand, but published local comment is very sparse. A search of the texts of all the general and literary periodicals published in New Zealand from 1850 to 1869, and of the indexes to local newspapers maintained by libraries in the four main centers—Auckland, Wellington, Christchurch and Dunedin—for the same period and a scan of newspapers for the period from the introduction of the bill (3 August 1869) to the

months following its enactment (3 September 1869) have to date produced four references to the British and New Zealand legislation. The *Dunedin Daily Telegraph* in an editorial of 9 January 1864 revealed familiarity with library developments in America and Britain, the 1850 legislation and amendments, and the obvious success of the British act and called for similar legislation to be enacted by the Otago Provincial Council. It stated that “voluntary offerings of books and money would never provide anything worthy of the name of a library in Dunedin, or any other centre of population in the Province”; a permissive library rate was needed, with matching grants of money or books from the provincial government. The *Otago Witness* on 10 June 1865 (p. 2) commented in a similar vein. Both thought it necessary to augment the funds to be derived from local rates with contributions from the provincial government. The *Auckland Daily Southern Cross* published a very favorable editorial on the New Zealand act on 28 December 1869, asserting that the people of Auckland now had the opportunity to provide themselves with a public library worthy of the city. The *Lyttelton Times* carried an article on 26 October 1869 (p. 2) on the debate within the Christchurch City Council on a petition to the mayor to adopt the 1869 act. The council decided adoption was premature, and no further action was taken. However, references abounded in local newspapers to the affairs of the ubiquitous subscription libraries of local athenaeums, mechanics’ institutes, literary societies, and book clubs,<sup>10</sup> to the grants-in-aid made by the provincial governments, and to unfavorable comparisons with the generous funding provided by central government in the Australian colonies of Victoria and New South Wales.<sup>11</sup> The proceedings of the provincial councils also contain numerous references to grants-in-aid to these subscription libraries.

O’Rorke in his brief speech at the first reading of the bill said that his object was to

confer on public bodies, such as municipal councils, town boards and such other public bodies, the same privileges which similar bodies enjoyed at home . . . to tax themselves for the purpose of the creation and support of public libraries. He wished, as far as possible, to adopt the principles of the bill known at home as “Ewart’s Bill” to the circumstance of the Colony. At present, as far as he was aware, there was no library freely open to the public at large in the Colony . . .<sup>12</sup>

The second reading, the committee stages (there were no amendments), and the third reading were a formality, completed on 23 August and recorded in ten lines in the *Debates*.<sup>13</sup> There were no dissenting opinions recorded.

On 24 August 1869 the bill received its formal first reading in the Legislative Council without debate. On 25 August Mr. Gisborne opened the second reading. He spoke at length on the educational benefits to the inhabitants of the colony and on the success of the English act, the extent of which would “astonish” honorable members, quoting extracts from a highly favorable account of its operation since 1850, emphasizing the low losses associated with unrestricted admission and lending and the extended range of material now made available to the humbler classes, including theology and politics, previously excluded by express rule from some public libraries. Gisborne made it clear that the object was that of “establishing circulating libraries, and getting books of reference for the use of the surrounding district.” Minor dissenting voices were raised. Mr. Menzies thought it would benefit many rural districts but that the real need was for a national system of primary education to meet the needs of the rising generations, so that they could take advantage of a public library. Mr. McLean did not oppose the bill but did not see why it was required.

In the South, in all the places which were centres of population, a mechanics’ institute was to be found; and where people were not willing to assess themselves for the education of their children, he scarcely saw any hope of their assessing themselves for these libraries. He knew the bill would do no harm, but doubted if it would do good.

Mr. Paterson noted that “in the South, in every little village, there was a public library, managed voluntarily by the people of the district. The bill, it was true, was permissive, but he feared it would be looked upon as compulsory, and would not produce any good result.” Mr. Nurse “thought that the style of books at these libraries would not be of the style which the public should be taxed for. He thought the bill would afford an opportunity to the minority to tax the majority.”<sup>14</sup>

Thereafter the passage of the bill was a formality: it went through the rest of the stages on the same day (25 August) without amendment and received the assent on 3 September 1869. The benefits of the act were much less evident to the prospective beneficiaries, the twenty-one or so legally constituted municipal local authorities in 1869. It was ten years before the first local authority adopted the act (there were special circumstances in Auckland in 1879), and only a small number had adopted the act by 1900.<sup>15</sup>

In 1875 O’Rorke, now the parliamentary leader on public library matters, introduced a minor piece of legislation to remedy an anomalous situation, which he claimed had arisen in the Auckland province following

the Provincial Council's promotion of the establishment of public libraries through subsidies available under its Common Schools Act of 1869. These "public libraries" were not the free public libraries funded and controlled by local governments envisaged in his act of 1869 but subscription libraries controlled by their subscribers. O'Rorke explained to the House of Representatives in the second reading debate<sup>16</sup> on his Public Libraries Powers Bill that the status of the unincorporated "public libraries" encouraged in Auckland was such that they could not enforce their rules and regulations and worse still, could not legally accept endowments of land or money. He argued that because large fortunes were being made in New Zealand, successful colonists would be gratified by the ability to endow bodies such as public libraries, "so that the youth of the Colony, after they had passed from their schools, might continue their education, and thereby probably assume higher attainments than would have been the case without such a means as public libraries afford."<sup>17</sup> Until then institutions such as athenaeums and mechanics' institutes had sought to obtain incorporated status by means of acts of the central or provincial governments, and the New Zealand statute books are littered by scores of such acts. O'Rorke's solution, because he claimed he could find no precedents in imperial legislation, was to turn to the North American colonies where he found suitable legislation which he had adapted for New Zealand circumstances. His answer was simple and ingenious. Any group of not less than ten people could file a declaration of intent, accompanied by details of the name, purpose, funds available, names of the first trustees, and machinery for electing future trustees and creating by-laws, with the registrar of the local Supreme Court and thereby formally incorporate itself as a body corporate with all the legal benefits of such status. Existing institutions could, by following similar procedures, also achieve legal incorporation. The bill then provided specifically that by-laws and fines for breaches of such by-laws were legally binding on members. O'Rorke was the only speaker on the second reading, and the bill passed through both houses without further debate or amendment, receiving the assent on 21 October 1875.

O'Rorke's Public Libraries Powers Act of 1875, introduced to remedy a particular need in the Auckland province, provided a neat solution for the legal incorporation of libraries elsewhere in New Zealand, but it appears, like its predecessor of 1869, to have fallen on barren ground. It may have been used in the Auckland province, but athenaeums, mechanics' institutes, and libraries elsewhere in New Zealand, seeking incorporation or legal powers over land, continued to wend their way to Wellington for an empowering act of Parliament. Colonel Whitmore, in introducing the Literary Institutes and Public Libraries Bill to the Legislative Council in 1878, legislation to amalgamate and tidy up the public

libraries acts of 1869, 1875, and 1877 (of which more later) and to avoid the need for empowering acts of Parliament, commented that “the Act of 1875 has not been taken advantage of, and was, to a certain extent, a dead-letter.”<sup>18</sup>

When the provinces were abolished in 1876, local government was granted additional responsibilities under the Municipal Corporations Act of 1876 and the Counties Act of 1876. Both acts gave more explicit powers to establish and maintain public libraries, without the rating limits of the 1869 Public Libraries Act, but there is no evidence that they were used during the nineteenth century. The only “public” libraries in existence in 1876, those of the literary institutes, mechanics’ institutes, and athenaeums (there were some two hundred), were funded by membership subscriptions supplemented by small grants from the provincial councils, some in cash, some in books.<sup>19</sup> A move was made in 1877 to replace the former provincial subsidies by subsidies from the national government and at the same time to provide incentives for the adoption of the 1869 act. Mr. O’Rorke moved on 9 August 1877 that a sum of £5,000 be appropriated by Parliament to be distributed as a pound-for-pound subsidy for any free public library which adopted the 1869 act and a ten-shillings-in-the-pound subsidy for monies raised by other libraries.<sup>20</sup> In further debate on 15 August, O’Rorke noted the success of the subsidies offered by the Auckland Provincial Council in encouraging existing libraries and calling more into existence.<sup>21</sup> He admitted that the 1869 act had “failed to come into operation” and that he “could not say how this had occurred.”<sup>22</sup> His proposal would clearly favor the municipalities which adopted the 1869 act; the others, less favored, could, he argued, adopt the 1869 act to improve their position. There was opposition to the differential treatment proposed because it would disadvantage country areas which lacked the population to form towns. O’Rorke responded that he would “be only too glad”<sup>23</sup> to see all libraries receive the pound-for-pound subsidy. There was no real opposition to the proposal, and it was passed by the House on 15 April 1877 with the amendment that all libraries were to receive a pound-for-pound subsidy; libraries under the Public Libraries Act of 1869 would receive the amount raised by the rates, and other libraries would receive the amount raised by membership subscriptions.

Just over a month later, on 26 September, Mr. Wakefield introduced a Public Libraries Bill, as he explained in the second reading debate, “simply to provide a machinery by which libraries in existence under the provincial system might be continued.”<sup>24</sup> He originally proposed to repeal the 1869 act “which . . . had proved to be quite useless,”<sup>25</sup> but in the end thought better of it. O’Rorke spoke in favor of the bill, but pleaded for the retention of his 1869 act. The bill provided that any

library established and supported by voluntary subscriptions, or any library incorporated under the 1875 act, would be deemed a public library, and any committee appointed by subscribers would qualify as a Library Committee. Any such Library Committee which certified that it had received voluntary subscriptions of ten pounds or more for the support of its library would be eligible to receive a pound-for-pound subsidy to be paid by the colonial treasurer on receipt of such a certificate. Section 7 gave legal powers to Library Committees for general management, and Section 8 provided that "The admission to all libraries established under this Act shall be open to the public free of charge: Provided that no person not being a contributor of any sum not less than five shillings a year shall be entitled to take books out of any public library."

The proviso relating to charges for borrowing was new to New Zealand legislation, but not new to practice. It restated the prevailing practice in both Australia and New Zealand at the time: that where government funding was provided library admission was to be free, but that lending could be restricted to subscribers.

On 26 November the bill was considered in committee.<sup>26</sup> It was given a new short-title as the Public Libraries Subsidies Act, and amendments were made to slightly broaden its coverage. A public library was now defined as any library supported or partly supported by voluntary subscriptions in any district, or any library established under the Public Libraries Act of 1869 or incorporated under the Public Libraries Powers Act of 1875. For those local bodies adopting the Public Libraries Act of 1869, a subsidy equal to the amount raised by the library rate was to be provided. For other public libraries sums were to be made available to Education Boards, to be distributed in books or in cash in proportion to the amounts raised by voluntary subscriptions. The grants for such libraries were to be apportioned among the various provincial districts according to their population. The House of Representatives voted to delete the proviso in Section 8 limiting borrowing to those who subscribed at five shillings or more.

The amended bill was given its second reading in the Legislative Council on 29 November.<sup>27</sup> Mr. Hall was the only speaker. He outlined the provisions of the bill and indicated that the subscription libraries might not get grants equal to their subscription income because of the limit of £5,000 to be made available for the purposes of the act. He also raised questions about the desirability of insisting that country subscription libraries should be open to the public free of charge. In committee the council amended the bill to limit free access to those libraries within boroughs (a small minority at the time) and to reinsert the proviso restricting borrowing to subscribers paying five shillings a year or more.<sup>28</sup> The act was assented to on 8 December 1877.

Subsidies were paid in terms of the act for only three years. When, after an interregnum of two years from 1880–1881 when no monies were appropriated, in 1883 £6,000 was voted, Parliament bypassed the Education Boards and the act of 1877 and by resolution distributed grants directly to libraries in proportion to the income generated by each library with special provisions to weigh the distribution in favor of small country subscription libraries. These special provisions were increased by later resolutions of Parliament, until in 1919 most libraries in boroughs and towns were excluded, and the only beneficiaries were the small subscription libraries in country districts, some 273 in 1919.<sup>29</sup>

By the early twentieth century most of O'Rorke's separate legislation for local government rate-supported public libraries had been removed from the statute books and the main provisions subsumed into general local government legislation, with the effect of limiting the generous powers previously granted in the Municipal Corporations and Counties Acts. In 1900 the provisions in the 1869 act relating to boroughs were incorporated in the Municipal Corporations Act, thereby importing the penny-in-the-pound rating limitation. The provisions of the 1877 Public Libraries Subsidies Act as they related to boroughs were similarly incorporated. Although admission to rate-supported public libraries was to remain free, boroughs were specifically empowered to pass bylaws to impose charges for lending books, and most took advantage of the opportunity to continue the practice. The provisions of the 1869 act relating to other local authorities (counties, road districts, and town districts) were incorporated into the Libraries and Mechanics' Institutes Act of 1908 (part of the consolidation of the statutes in 1908) and finally repealed in 1979. The legislation relating to all local government rate-supported libraries was subsumed into the Local Government Act of 1974 as amended in 1979. The rating limitations disappeared, and residents of a district were given the entitlement to join the library free of charge, but councils could by resolution make charges for the lending of books and other materials. The 1877 Public Libraries Subsidies Act, ignored by Parliament since 1883, was repealed by the Statutes Repeal Act of 1902 when redundant and inoperative legislation was purged from the statute books. The powers of the 1875 act providing for the incorporation of athenaeums, mechanics' institutes, and public libraries managed by trustees are still in force in the Libraries and Mechanics' Institutes Act of 1908.

What then were the practical effects on public libraries in New Zealand of O'Rorke's intervention of 1869 to give New Zealand local authorities the same advantages as their counterparts in Britain, and of the subsequent legislation of 1875 and 1877? In the debate in 1869, Mr. McLean in the Legislative Council said that he knew the bill

would do no harm, but he doubted it would do any good. With the benefit of hindsight, McLean's sanguine evaluation could well be challenged.

The 1875 and 1877 acts both provided incentives for the proliferation of small, weak, and unfree subscription libraries and for the subsidies flowing from the 1877 and subsequent resolutions of Parliament for their perpetuation until well into the twentieth century. The 1869 act proved in practice not to be an empowerer but a straightjacket, holding down the income from rates available to the potentially stronger local authority libraries in the cities and towns until 1938 when the limit was raised to two pence in the pound and to three pence (3/240ths) in 1946. A penny-in-the-pound rate may well have been appropriate for the large cities of Britain, but it was woefully inadequate for the small towns and villages of New Zealand. By 1867 the colony of New South Wales in Australia, recognizing the problem, had raised the rate to three pence.<sup>30</sup> The 1877 act placed on the statute book a definition of and a prescription for a free public library: it was henceforth in New Zealand until well into the twentieth century any library providing free access to a reference collection and charging for the lending of books. It sent New Zealand in the opposite direction from Britain and the United States where practice, public opinion, and finally the law prescribed that a free public library was a free lending library, and it effectively closed off all the other options available to New Zealand to solve the problem of library services to small scattered populations through cooperation or regionalization. Local authority libraries, faced with this prescription, and starved for funds by the penny-in-the-pound limitation, developed as free reference libraries with lending branches dependent almost entirely on subscription income, and therefore on public taste, for their funding. The lending collections of the local authority libraries were predominantly popular fiction and were little better than those of the subscription libraries so often criticized in Parliamentary debates as collections of popular fiction lacking any permanent value or educational influence. A survey of the spending of the central government's subsidies in 1913 revealed that fiction made up 81.5 percent of all public library buying and that 123 libraries bought nothing but fiction.<sup>31</sup>

Why did O'Rorke's intervention, intended to promote free local authority public libraries on the British model, prove so ineffective in New Zealand? The immaturity of local government provides most of the answers. In both Australia and New Zealand central government, created by the British Crown, preceded local government. Despite the pressures from London in the 1840s to reduce the costs of central government by creating extensive local government institutions funded by the users,<sup>32</sup> New Zealand developed a tradition of strong central government and

weak local government. Local government was a creature of central government and was given no more authority than was deemed necessary. Education, for example, was never a local government responsibility in New Zealand. Cities and towns in the colonies were small with a weak tax base, and because they were so new had large demands for drainage, roads, and other basic services. In the pioneering period local government was too weak to provide public library services on the British model, and in both Australia and New Zealand a partnership developed between local institutions and central government to provide a minimal and substantially user-pay public library coverage to small and scattered populations. Britain in 1850 was a rich country, densely settled, with rapidly growing large urban concentrations of population and the associated problems. The population of the United Kingdom at the 1851 census was 27.4 million. The local tax base was strong, and growing. A penny-in-the-pound rate as authorized by the 1850 act would raise a sum sufficient to support a public library in the average town, but it was inadequate for centers under 10,000.<sup>33</sup> New Zealand was a poor agricultural country, deeply involved in extended wars between the indigenous Maori people and the settlers over land, that in 1869 had an estimated population of 237,249 (far lower than that of any one of the British cities of Liverpool, Manchester, or Birmingham at that time) widely scattered over a land area of the same size as England and Wales. At the 1871 census Dunedin had a population of 14,857 (swollen by the gold rushes), Auckland of 12,937. The other six major towns had populations ranging from 7,931 (Christchurch) to 1,837 (New Plymouth). A library rate at the maximum of one penny in the pound would have yielded £432.19.0 in Auckland in 1869–70, but the amount collected would have been closer to £329.<sup>34</sup> In 1871 a penny-in-the-pound rate was estimated to raise £300 in Auckland.<sup>35</sup> In 1869 it was estimated that a penny-in-the-pound rate would raise about £300 in Christchurch.<sup>36</sup>

O'Rorke's legislation did not emerge out of the needs of the colonial environment but out of another and more hospitable environment some 13,000 miles away. It was not until the late 1930s, when the population was just over 1.5 million, and cities and towns had reached a respectable size,<sup>37</sup> that New Zealand began to take significant steps toward adopting the Anglo-American free lending library tradition. In 1934 Ralph Munn wrote: "The free public library as it exists in Great Britain and the United States is almost unknown in New Zealand. With rare exceptions, public libraries here are subscription libraries with borrowing privileges limited to members."<sup>38</sup> He advocated a move to rate-supported free lending libraries, but the legacy from the past was strong, and it took another twenty years of persuasion and subsidies in kind from central government to bring about the change.

## Notes

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1. James E. Traue, "Once Upon a Time in New Zealand: Library Aspirations and Colonial Reality in the Early Years of Settlement, or, The Tone and Character to Civilization," *Stout Centre Review* 3, no. 2 (1993): 3–8.

2. In most cases the collections went into storage for a few years until a new management raised the funds to resuscitate the service under a new name.

3. See Cyril W. Tolley, "Library Legislation and Government Aid. Part I—The Provincial Period," *New Zealand Libraries* 22, no. 8 (1959): 169–78.

4. See Peter Biskup, *Libraries in Australia* (Wagga Wagga: Centre for Information Studies, 1994), 81–5.

5. Clifford W. Holgate, *An Account of the Chief Libraries of Australia and Tasmania* (London: Whittingham, 1886), 32.

6. Ralph Munn and E. R. Pitt, *Australian Libraries: A Survey of Conditions and Suggestions for their Improvement* (Melbourne: Australian Council for Educational Research, 1935).

7. Except for the four-line Tasmanian Public Libraries Act of 1867 empowering municipalities to "apply such sum as it sees fit out of the rates . . . in and toward the formation and maintenance of public libraries," which, according to Biskup (84) only a few municipalities adopted.

8. For details see Thomas Kelly, *A History of Public Libraries in Great Britain, 1845–1965* (London: Library Association, 1973) and Stanley M. Max, "Tory Reaction to the Public Libraries Bill, 1850," *Journal of Library History* 19, no. 4 (1984): 504–24.

9. The texts of bills introduced into Parliament are available in the bound Bill Books held by the Parliamentary Library in Wellington.

10. Annual general meetings and special meetings were regularly reported, as were changes in accommodation, major accessions, and public criticisms.

11. For example, *Daily Southern Cross* (Auckland), 15 January 1863, p. 3. The editorial laments the lack of a public library in Auckland, makes comparisons with the Australian colonies, asks why Auckland should be behind other communities, and draws the Provincial Council's attention to the problem. Other references to the provincial governments' provisions are given in Mary A. Ronnie, *Books to the People: A History of Regional Library Services in New Zealand* (Clayton, Victoria: New Zealand Library Association in conjunction with Ancora Press, 1993) ch. 1, 1–13, and in Tolley, "Library Legislation and Government Aid."

12. *New Zealand Parliamentary Debates* (NZPD) 6 (1869): 221–2.

13. *Ibid.*, 669.

14. *Ibid.*, 713–15.

15. It is difficult to establish exact numbers. The published statistics, in the regular census, the *Yearbook*, and the reports to Parliament, do not differentiate between local authority public libraries and other "public" libraries. The archival records for the nineteenth and early twentieth centuries have disappeared.

16. *NZPD* 19 (1875): 601–2.

17. *Ibid.*, 602.

18. *NZPD* 28 (1878): 175–9. Whitmore's bill lapsed because of a procedural problem.

19. See Ronnie, *Books to the People*, and Tolley, "Library Legislation and Government Aid."

20. *NZPD* 24 (1877): 213.
21. In the first year of operation, 1871, nineteen libraries received subsidies (*Journals of the Auckland Provincial Council* 1871, paper B.7); in 1873 there were thirty-three (*Journals* 1873, paper B.4).
22. *NZPD* 24 (1877): 430.
23. *Ibid.*, 431.
24. *Ibid.*, 221.
25. *Ibid.*
26. *Journals of the House of Representatives* 1877: 372–3.
27. *NZPD* 26 (1877): 564.
28. *Journals of the Legislative Council* 1877: 213–14.
29. For a summary see Tolley, “Library Legislation and Government Aid,” *New Zealand Libraries* 23, no. 1 (1960): 1–12.
30. An Act to Establish Municipalities, 1867.
31. *Appendices to the Journals of the House of Representatives* 1913, E.10.
32. See Graham Bush, *Local Government and Politics in New Zealand* (Auckland: George Allen & Unwin, 1980), 12, 14.
33. Kelly, *History of Public Libraries*, 35.
34. Calculation based on the penny-in-the-pound rate levied for sewerage in Auckland, 1869–70. *Report of Proceedings of the City Board of Commissioners from 1st July 1869 to 30th June 1870* (Auckland: City Board of Commissioners, 1870).
35. *Journals of the Auckland Provincial Council, 1870–71*, p. 30.
36. *Lyttelton Times*, 26 October 1869, p. 2.
37. In 1934 four cities had populations of over 50,000 and ten of 10,000–30,000.
38. Ralph Munn and John Barr, *New Zealand Libraries : A Survey of Conditions and Suggestions for their Improvement* (Christchurch: Libraries Association of New Zealand, 1934), 13.