attendance. Along the line of route to the Town Hall nearly all the buildings were crowded with spectators." On the decorations at the Town Hall the Mercury reporter really let his head go - "a large number of willing workers [had] completely transmogrified it into a fairy bower of beautiful ferns and foliage of Illawarra growth."

It is hardly necessary to say that there was another orgy of speechifying, again pretty predicable, though some of the later speakers, possibly flown with eloquence and wine, grew wilder and wilder in their prediction of Illawarra's future greatness - Mr Franklin for instance saying that the resources of Illawarra would pay off the National Debt of England if they were fully developed.

Finally His Excellency (whose staying power must have been fantastic) and the official party reeled off back to the station, to be taken to Kiama to hear it all over again.

WOLLONGONG OR RANDWICK

Which Was The First Municipality in 1859?

"The Municipality of Wollongong" was proclaimed in the New South Wales Government Gazette of Tuesday, 22 February 1859, as was "The Municipality of Randwick" in the same issue. Yet in the introduction to the official history of Randwick Municipality ("Randwick 1859-1976", by W.B. Lynch and F.A. Larcombe, Randwick Council, 1976) the then mayor writes:

It is with pride, therefore, that Randwick remembers as an historic event that day, on 22nd February, 1859, when it was proclaimed a Municipality under the Municipalities Act of 1858. It was the first of all districts in Australia to be so proclaimed and the fact is perpetuated in the motto on which rests its common seal and crest - "Semper Prima".

What grounds does Randwick have for declaring "it was the first of all districts in Australia to be so proclaimed", with no mention of Wollongong? None, in fact.

According to the Municipalities Act of 1858 a petition was to be lodged by the local residents of any area seeking declaration of a Municipality, and the Governor was to:

"cause the substance and prayer of such Petition to be published in the Government Gazette; and unless a Counter-Petition, signed by a greater number of house-holders, resident as aforesaid, should be received by the Colonial Secretary within three months from the date of such publication, the Governor, with the advice aforesaid, might by Proclamation published in like manner, declare such a City, Town, or Hamlet, or such Rural District, to be a Municipality, by a name to be mentioned in such Proclamation, and might also, by the same or any other Proclamation define the limits and boundaries thereof; and that upon such publication the Municipality should be constituted accordingly . . . ."

(N.S.W. Gov. Gaz., 22 February 1859)
Therefore, as both Wollongong and Randwick Municipalities were gazetted (and therefore constituted) on the same day, Randwick Council has no grounds upon which to state it was the first of all districts in Australia to become a Municipality. It may have been the first, but so also was Wollongong.

Lynch and Larcombe (p.63) had actually stated "Wollongong shared the honour with Randwick of being proclaimed on the same day". Perhaps the Mayor had not bothered to read the work to which he was writing a Foreword!

As recently as 1985, Randwick Municipal Council had proclaimed in its Yearbook:

The Municipality of Randwick, with the exception of the City of Sydney, is the oldest in New South Wales, having been proclaimed by the State Government on February 22, 1859 - more than 126 years ago.
The City of Wollongong has frequently claimed the honour, and although Wollongong was proclaimed a municipality on the same day, Randwick must take precedence since its application for incorporation was made more than a week ahead of Wollongong."

According to the Act of 1858, the date of lodgement of the Petition seeking incorporation as a municipality is inconsequential. It is only the date of Proclamation, as published in the Government Gazette, which is significant. Therefore the "first Application" argument has no legal basis.

In summary, the Councils of Wollongong and Randwick can both lay claim to being the first districts to attain Municipality status. However for either to singularly proclaim such, to the exclusion of the other, shows a disregard for the working of the 1858 Act upon which any legal argument should be based.

Wollongong therefore has just as much right to proclaim itself the first Municipal Council in New South Wales as does Randwick, though both forget that the Council of the City of Sydney had existed before either of them.

Michael Organ
20 August 1988

[If Randwick's motto is "Semper Prima", ours might be "Nulli Secunda" "Second to None" - Ed.]

A QUESTION OF RIGHT-OF-WAY
(Continued from August Bulletin)

One would have thought that the collision would have scared all concerned into good behaviour, but a letter from Mr. Billett published in the "Mercury" of 20th December 1887 claimed that the Gladstone was still misbehaving.

DANGER ON THE LINE.
To The Editor of the Illawarra Mercury
Sir, This morning I was coming down the Mount Pleasant Company's tramway with 26 wagons of coal, when I saw the railway contractors' engine "Gladstone" emerge from the cutting immediately north of the crossing at full speed. Up to that time the engine-driver had given no sign of his approach by blowing the whistle, and I had all I could do to stop my engine before getting dangerously close to the crossing. The "Gladstone" Driver was travelling at four times the speed I was making, and it was only