

Copyright is owned by the Author of the thesis. Permission is given for a copy to be downloaded by an individual for the purpose of research and private study only. The thesis may not be reproduced elsewhere without the permission of the Author.

LAND PURCHASES BY MISSIONARIES OF THE
CHURCH MISSIONARY SOCIETY BEFORE 1840.

A thesis presented in partial fulfilment of the
requirements for the degree of Master of Arts
in History at Massey University.

Thomas Kenyon

1970

The missionaries of the Church Missionary Society in New Zealand were subjected to criticism as a result of their private land dealings. One critic in 1839, after a brief visit to the Bay of Islands claimed that they had been in the vanguard of a European conspiracy to rob the Maori of their lands. This was neither the first nor the last of such criticisms.

This work will deal solely with the purchases made by members of the Church Missionary Society. Only two Wesleyans are known to have purchased land on their own account whilst there is no evidence that the Roman Catholic missionaries bought land for private purposes in the short time which elapsed between their arrival in 1838 and the signing of the Treaty of Waitangi. The representatives of the three missionary bodies operating in New Zealand before 1840 also bought land for the purpose of establishing mission sites, but since there was no criticism or dispute arising from these purchases it is not proposed to include them in the scope of this work.

The New Zealand missionaries when armed with authority to buy land for their children's maintenance and employment in the eighteen thirties had little thought of the calumny which Grey would heap upon them a decade later. Two of them, Henry Williams and George Clarke, were dismissed from the mission as a direct result of Grey's attacks. Over twenty years of faithful service in the mission was insufficient to protect them from the attacks of a governor whose guile they could not match.

The stand made by Henry Williams and George Clarke in face of the combined pressure from Selwyn and Grey ensured that the families of all the missionary land claimants received more land than would have been the case had these two also meekly submitted. On principle Henry Williams refused to submit even though this meant dismissal; nor did he alter his position.

Thanks are due to Dr John Owens who suggested the topic and who has been ever helpful over a long period of years. Thanks are also due to the staffs of the various libraries which were consulted. In this regard, Miss Green, formerly at the Teachers College and now at Massey University Library deserves special mention. So does Mr J.D. Pascoe, Chief Archivist of National Archives, whose staff, particularly Miss J.S. Hornabrook, the Senior Archivist, were exceptionally efficient and helpful. This study would not have been possible without their active cooperation.

CONTENTS

Chap.		Page
1	THE MISSIONARIES ARE AUTHORIZED TO BUY LAND	1
2	MISSIONARY LAND PURCHASES	11
3	CRITICISMS OF MISSIONARY LAND PURCHASES AND THE REACTIONS OF THE CHURCH MISSIONARY SOCIETY	27
4	FURTHER REASONS FOR THE CRITICISM OF MISSIONARY LAND PURCHASES	47
5	THE LAND QUESTION UP TO 1846	60
6	G. VERNOR GREY'S ATTACK ON THE MISSIONARY LAND PURCHASERS	79
7	EVENTS LEADING UP TO HENRY WILLIAMS' REINSTATEMENT	100
8	THE FINAL SETTLEMENT OF THE 'OLD MISSIONARIES' LAND CLAIMS	111
Appendix		120
BIBLIOGRAPHY		138

LIST OF FIGURES

Fig. 1 following page 12.

S.H. Ford bought land at Waikare.

2 following page 17.

Mission stations in the Bay of Islands.

3 following page 18.

Other Mission stations in the north.

4 following page 19.

Location of Auckland purchases.

5 following page 29.

Tamaki and the Bay of Islands.

Chapter 1

THE MISSIONARIES ARE AUTHORIZED TO BUY LAND

The problems associated with the buying of land did not arise in other C.M.S. missions. Stock suggests that, 'The New Zealand Mission was from the first in a totally different position from those in tropical countries, in that the climate was one in which the missionaries might expect to live in health without furloughs in England, and in which their families could be brought up with a view to the permanent settlement of succeeding generations.'¹ This was not the case in Africa or India where few could settle their children.² Here, the missionary, like other Europeans, came for a brief sojourn and rarely looked for permanency or attempted to raise his family in an apparently hostile environment. Stock adds that in New Zealand, '... the healthy climate and the temperate habits of the missionaries naturally resulted in the rearing of large families.'³ It becomes obvious then that New Zealand provided an environment conducive to permanent settlement whilst the distance, cost, and time involved in sending out a constant stream of replacements reinforced it. Furthermore, to have replaced personnel after a few years service would have reduced the effectiveness of the mission since it took a few years for the missionaries to learn Maori and local customs. Constant replacement would have removed them at the point where they were beginning to be of use. But the

1. Eugene Stock, The History of the Church Missionary Society: Its Environment, Its Men, And Its Work (3 vols., London, 1899), Vol. I, p. 438.

2. *ibid.*

3. *ibid.*

key factor here was the evident desire of most missionaries to remain in New Zealand.

The New Zealand Mission began and continued in a way which involved the missionaries in trading and land buying. When Marsden arrived in the Active in 1814 he came not only to establish the first mission settlement but to trade for flax and spars and bought 200 acres of land at Rangihoua. His policy was to civilize, then evangelize the Maori which involved 'creating artificial wants to which they had never before been accustomed.'⁴ This policy, naturally enough, involved the early missionaries in trading and their very survival depended upon it. As early as 1815 Kendall recognized the importance of the blacksmith 'who was the only guarantee of their survival because he manufactured axes, chisels, hoes, all fine weapons of war, at Maori demand.'⁵ Furthermore, though the rest of the mission were perturbed when Kendall took Hongi to England in 1820 they need not have worried unduly since their safety was ensured by their trading. Kendall, recognizing this, had no fears for his wife and family and duly rewarded their Maori guardians on his return with presents of sundry muskets and pistols. Right from the start then, the mission was necessarily involved in trading, and until 1823 this included trade in firearms.

4. John Liddiard Nicholas, Narrative of a Voyage to New Zealand, Performed in the Years 1814 and 1815, in Company with the Rev. Samuel Marsden, Principal Chaplain of New South Wales (2 vols., London, 1817), Vol. I, p. 17.

5. Judith Binney, A Legacy of Guilt: A Life of Thomas Kendall (Christchurch, 1968), p. 34.

Another factor to be considered was the nature of the mission's founder, Marsden, who kept an eye on affairs in New Zealand till his death in 1838. He was both a successful farmer and a chaplain and saw nothing incongruous in combining the two functions. He encouraged trading, though not in muskets, and mission farming as a means of teaching the Maori useful arts. This policy, reinforced by the creation of the mission farm at Waimate in 1831 naturally lent support to the missionaries when it became necessary to provide for their children.

Finally, in early New Zealand the only way to support the mission was by sending out trade goods which could be bartered for food and used as payment for labour and materials hence from 1814 until the late 'thirties when a cash economy developed the missionaries had no option but to trade. This system was used by the Wesleyan mission also and whilst it was open to abuse the real problem arose over trading for land.

As early as 1829 the New Zealand missionaries were making enquiries of their Parent Committee regarding the provision to be made for their older children. Up till this time a child allowance of £10 per annum plus rations from the store was available for their maintenance. William Williams, the mission secretary, wrote to Dandeson Coates pointing out that there were now fifty children, that they could not all ultimately join the mission and since they wanted the children to 'be brought up under our own eyes' some means had to be found for their support. He proposed the following queries to the Parent Committee:-

1. Whether we may be allowed to make any purchase ... and to what extent?
2. Whether any cattle may be purchased from the Society as for instance one cow for each male child?
3. Whether the Society will assist in procuring a grant of land in the Colony (New South Wales) in the event of a child preferring to go there? 6

Therefore on the 27th of July, 1830 the Parent Committee resolved, 'that purchases of land from the Natives, to a moderate extent should be authorized, as provision for their children after they are fifteen years of age: the nature and extent of the purchase to be, in each case, referred to the Committee for their sanction, after having been considered and approved in a meeting of missionaries.'⁷ This appears straightforward enough, but the resolution was initially hedged with restrictions being ultimately clarified by the following resolutions.

The first, by the New Zealand missionaries in 1833 recommended, 'that an allotment of 200 acres of land be given to each child, on arriving at the age of fifteen.'⁸ whilst the second by the Parent Committee fearing the fecundity of their New Zealand brethren and not wishing to be committed to a particular acreage which could, with the progress of civilization and possible future settlement by Europeans, involve them in increased expenditure, granted in 1835, '£50 to the son of a missionary on completing his

6. W. Williams to D. Coates, 26 December 1829. CM/08.

7. 'Statement of the Committee of the Church Missionary Society, relative to the New Zealand Mission', Report from the Select Committee on New Zealand, 3 August 1840. Appendix No. 21, p. 165.

8. *ibid.*, p. 166.

15th year, and £40 for a daughter.⁹ Thus the missionaries were permitted to purchase land to a moderate extent and given an allowance for their children on completing their fifteenth year with which to do so. There was no suggestion that other purchases could not be made but according to the July, 1830 resolution the missionaries had to refer the land transactions made for their children to the Parent Committee for their sanction. However, having started buying the missionaries avoided seeking this approval except for two blocks known as the 'Children's Land',¹⁰ so that when news of their activities reached London in 1837 the Parent Committee were shocked at the extent and frequency of the purchases made.

It should be noted that the missionaries themselves suggested 200 acres be provided for each child in 1833 yet they did not reveal that £50 in 1835 was sufficient to buy more than this. Furthermore, certain factors operated in their favour which gave the £50 a value far beyond what the C.M.S. could have believed possible.

Firstly, the £50 was taken in goods at London prices though the Society did 'make a charge of 33 $\frac{1}{3}$ % upon the same, and a charge of 25 per cent upon all goods procured by any friend.'¹¹ William Williams went on to ask that these charges be removed suggesting that the alternative was an increase in salaries. Thus, if the Parent Committee did not remove the surcharge which is hardly possible given the alternative suggested by William Williams and

9. *ibid.*

10. This was reported in a minute of 21 August 1834.

G. Clarke to C.M.S. Secretaries, 2 June 1836. CN/08.

11. W. Williams to D. Coates, 26 December 1829. CN/08.

given the fact that it would have involved no loss to the Society since their goods were 'almost always transmitted freight free',¹² in terms of real value in the Bay of Islands their direct purchases at London prices inflated the value of the £50. Put the other way round had the money been transmitted, its value locally, converted into goods on the open market would have represented less than 25% of the value received under the system operated by the C.M.S. With the expansion of the mission in 1835 supplies of trade goods sometimes ran out which led G. Clarke to ask that 'supplies will be sent with as much regularity as possible as delay has sometimes obliged us to purchase articles at a very dear rate in the Bay of Islands or in New South Wales.'¹³

Furthermore, the missionaries could always draw goods against salaries from the mission store which, operated by the missionaries for the missionaries no doubt charged convenient prices. Even so, Henry Williams in 1830 after repeating objections to the surcharge on bills for goods sent direct from London claimed that, 'Every possible care has been observed in the accounts and the utmost scrupulosity in charging for any article which has been appropriated to private use, this is not the case in all missions, and particularly in the Wesleyan with regard to household furnishing, and numberless little matters with which they are supplied, while here the missionary must purchase for himself ... It should be understood

12. *ibid.*

13. G. Clarke to C.M.S. Secretaries, 24 March 1835. CM/0101.

that we obtain our supplies under very unfavourable circumstances.¹⁴ Yet Henry Williams later divulged how the system operated in the missionaries' favour by stating in reference to the provision made for his eldest son Edward that 'he had trade for that purpose out of the store besides £50 as an apprentice fee' whilst his second son, Samuel, 'had various things out of the store such as an iron plough and tools of various kinds to commence work with amounting to £20 besides £50 as an apprentice fee.' He then blandly went on to say that, 'when your letter was received stating that £50 was to be the grant for each child ... any further supply from the store was stopped.'¹⁵ Of course, occasional losses in transit did occur but the increase in the frequency of ship visits to the Bay of Islands noted in the eighteen thirties reduced this risk¹⁶ and it can be concluded that the £50 converted into goods at London prices was worth far more than this in the Bay of Islands.

A second factor which operated in the missionaries' favour and served further to increase the value of the £50 was one which was unknown until titles to land under the Land Claims Ordinance

14. H. Williams to C.M.S. Secretaries, 3 September 1830. CN/094A. J.M.R. Owens, The Wesleyan Mission to New Zealand 1819-1840. Unpublished Thesis (Victoria University of Wellington, 1969), p. 27.

Waterhouse records that the Wesleyan missionaries had only to provide clothes out of their salaries Turner having saved a considerable sum of money by 1841.

15. H. Williams to D. Coates, 7 February 1838. CN/094A.

16. Harrison M. Wright, New Zealand, 1769-1840: Early Years of Western Contact (Cambridge, Mass. 1959), p. 30. A.H. McIntock, Crown Colony Government in New Zealand (Wellington, 1958), p. 41.

were investigated after 1840. This fixed the price of land according to the year of purchase:-

Time when purchase made.				Per acre.	
				s	d
January 1, 1815	to	December 31, 1824		0	6
"	1825	"	1829	0	8
"	1830	"	1834	0	10
"	1835	"	1836	1	2
"	1837	"	1838	2	4
"	1839	"	1839	4	8

17

This sliding scale favoured the missionaries yet this was not all that fell into their laps. Under the ordinance any goods given as consideration for land were valued at Sydney prices then multiplied by three. If one assumes, conservatively, that Sydney prices were 50% greater than London prices before multiplying them by three it can be seen why the £50 taken in goods at London prices was worth so much more for land claims purposes - an increase of 350 per cent. This accounts for the fact that missionaries invariably paid sums which entitled them to receive grants for greater areas of land than they initially received from the Crown.

This system of drawing salaries in the form of goods was necessarily the only practical method until shortly before 1840 and the missionaries would not have been human if they had not operated the system to their advantage. Furthermore, it was the Parent Committee which suggested and fixed the apprentice fee, and they could have had no knowledge of how land claims were to be settled in the future. The missionaries' concern for their children was

17. A.J. Harrop, England and New Zealand from Tasman to the Taranaki War (London, 1926), p. 159.

genuine. They were horrified of the thought of sending them to New South Wales which to them was Kororaraka writ large and preferred to have them near at hand to avoid their corruption. Thus, they turned to the only means available of providing for them - farming. The Waimate farm was a proving ground. Success here paved the way and indicated how their sons might be provided for.

The missionaries' children were quite numerous, in February 1839 numbering 122. With a letter to the C.M.S. in 1847 Henry Williams lists what could be called the old missionaries though Richard Taylor would be an exception. There were 14 of them with a total of 117 children, an average of 8.35 each.¹⁸ One of them, King, had been in New Zealand since 1814 but he was only a novice when it came to raising a family, siring a modest eight whilst two of his friends, Baker and Clarke had thirteen apiece. It seems logical then to accept the view that farming and hence land buying were absolutely necessary in order to provide for the children when they reached the age of fifteen. There were no acceptable alternatives, a point which many later critics conveniently forgot.

Criticism could be offered to this conclusion on the grounds that apart from two exceptions, the Wesleyan missionaries did not buy land. There are two major reasons for this. An examination of the dates of birth of the first born to the Wesleyan missionaries excluding the land buyers, White and Turner, shows that the eldest

18. H. Williams to C.M.S., 1 May 1847. CR/094B

in 1840 was no more than 11 years of age.¹⁹ Hence the pressure to provide for their children's future was never so urgent as it was for the C.M.S. missionaries. In addition, the very favourable circumstances under which the Wesleyans were maintained would have made such provision less necessary even if their children had been older.

19. J.M.R. Owens, The Wesleyan Mission, Appendix 3, pp. 680-2.

MISSIONARY LAND PURCHASES

Statistics about missionary land purchases are given in British Parliamentary Papers for 1845¹ and include all claims whether private or on behalf of the Church Missionary Society which had been gazetted and confirmed up to 6 September 1843. These statistics do not indicate the date of purchase, nor the total area of land allegedly bought. However, the great majority of the original private claims are available and from an examination of these a definite pattern emerges. Of the surviving claims eighteen were for land bought by the missionaries between the years 1830-5, thirteen in 1836, six in 1837, six in 1838 and thirteen in 1839.² Thus, almost seventy seven per cent of the purchases were made before January 1839, almost twelve months before the missionaries were aware of Hobson's mission of the following year. These purchases were made with a certain element of risk.

If the 1839 purchases are examined two were made by mission storekeeper James, son of Richard Davis, who had been in the country since 1824. One purchase was at Waimate where his father lived and was 'from 15 to 21 acres more or less'³ whilst the other, near Kaitia was '4 or 5000 acres more or less'.⁴ However, Gilbert Puckey, giving evidence before Edward Godfrey at Kaitia on 31 Jan-

1. G.B.P.P. 1845 (Cmd. 378) pp. 2-6.

2. O.L.C. 633.

A block of land was often bought piece by piece over a long period of years. Thus, George Clarke's Waimate land was purchased in separate lots from 1832 to 1839 there being 30 separate documents of purchase.

3. Davis to Colonial Secretary, New South Wales. 12 January 1841. O.L.C. 161.

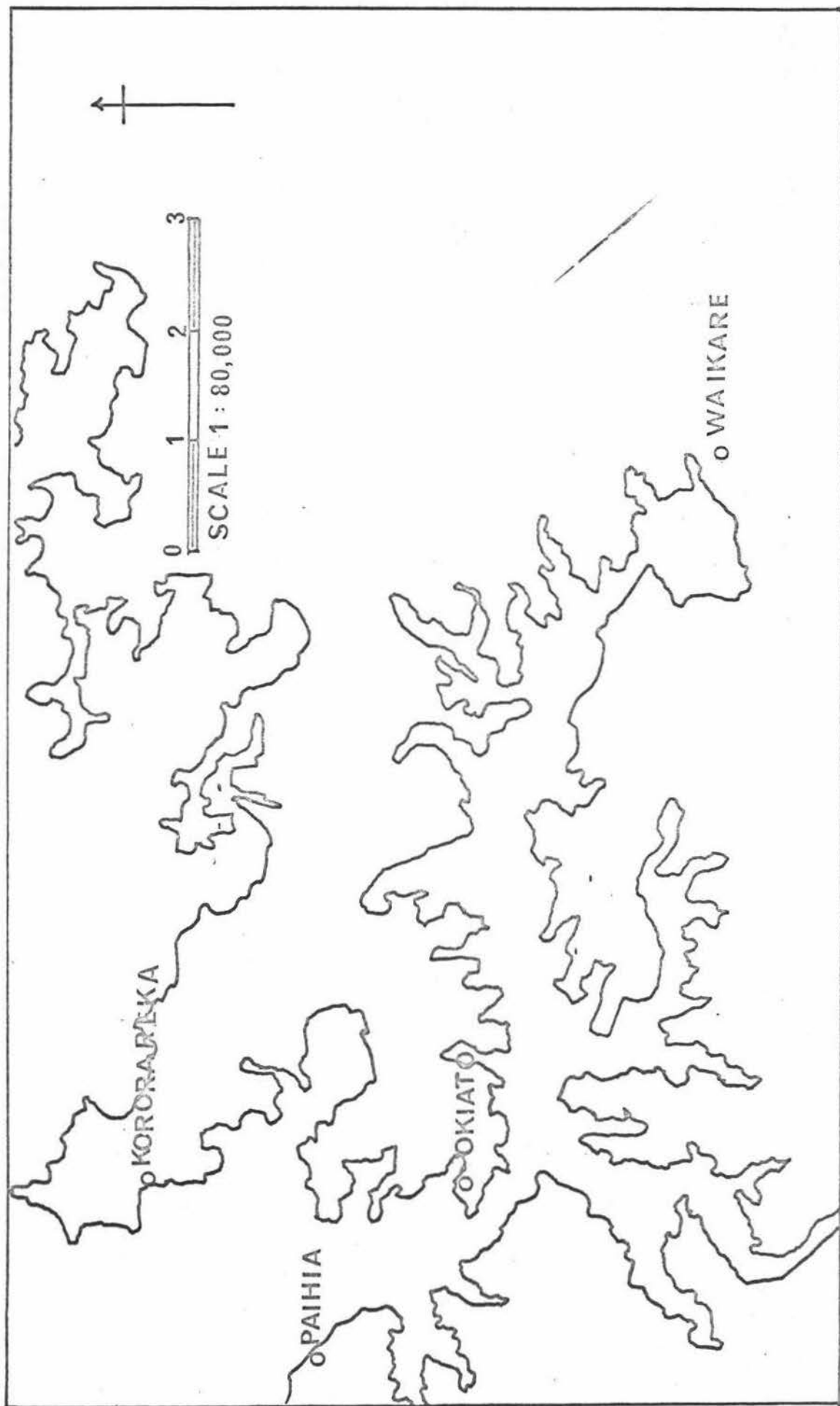
4. O.L.C. 160.

uary 1843 testified that the area was about 1000 acres whilst it was purchased in 1837 and since the land claims commissioner awarded 320 acres he must have accepted this as being the year of purchase since the consideration was £40 in cash. The rate in 1837-8 varied from 2 to 4 shillings per acre hence Godfrey ruled that the price should be two shillings and sixpence per acre. James Davis had been in the country for thirteen years before he made his Kaitia purchase and having spent most of his boyhood here probably looked upon it as his home. And since his father created the farm at Waimate it would have been natural for him to take up farming himself.

Surgeon S.H. Ford who entered the mission in 1837 made four purchases in 1839, three of them at Waikare where he had made a previous purchase in 1838, and one at Mangonui. When he left the mission in 1841 he lived for a short time at Waikare before moving to Kororaraka. He paid £220 for his Waikare lands which were supposed to be four hundred acres in extent, but when he sold them in 1855 to Robert Bleazard he received £100 only. Furthermore, he received all the land at Waikare that he originally claimed. This area was originally in heavy bush, and enjoyed water access via the Waikare inlet to the Bay of Islands hence Ford may have made something out of the timber, in fact he supplied spars worth £140 to the Government in 1840.⁵ It would seem that Ford's purchase of land at Waikare was a business venture which soon made him independent of mission support.

5. Memorandum: W. Connell, Chief Clerk, to Colonial Treasurer, 28 December 1844. O.L.C. 704.

FIG.1



His purchase at Mangonui was also quite satisfactory.

Though there is no evidence that he or his five children worked it the land ultimately reverted to the Crown Ford receiving £1725 of land credit his initial cost being £220.7.0.⁶

One of Henry Williams' purchases was made on 28 May 1839. It was at Puketona and since he supported 11 children and bought land fairly near to Paihia where he worked this late purchase can be looked upon as rounding off the family estates. It should be noted however, that Henry Williams' deeds are not made out specifically in his name but adopt the style 'to Mr Williams to his children and his seed forever.'⁷ Thus he could rightly claim that his children were joint purchasers.

James Kemp made an additional purchase in support of his 9 children of 70 acres on 30 August 1839 at Kerikeri where he had been employed as storekeeper for many years. Similarly, W.G. Puckey made a second purchase at Kaitia in 1839. He and his family of three lived in the area. Two other purchasers in the far North were the brothers Joseph and Richard Matthews. The former established the station at Kaitia in 1833 and made a second purchase of land there in 1839 whilst his brother, who joined him in 1835, made one purchase only, in 1839, before joining the Rev. John Mason at Wanganui in June 1840.

6. O.L.C. 704.

7. O.L.C. 523.

So far, eleven of the thirteen/¹⁸³⁹ purchases have been described. Apart from Ford, all the buyers were 'old missionaries' or their sons hence it is possible to look upon these purchases as continuing the previous trend. After all as each year passed more of their children would reach or near their fifteenth year and require some sort of provision for their future. It might be that the increase in purchases in 1839 were the result of the possibility of future British intervention. Yet if this had been the case and the missionaries had been inclined to exploit their influence with the Maori they might have bought far more land than they did in 1839 and instead of 11 purchases of modest acreages there could have been a succession of Wentworth-sized claims. The fact that there was not justifies the contention that the early missionaries were generally modest in their land dealings and bought for the practical purpose of providing jobs and support for their families.

A latecomer to the mission, the Rev. Richard Taylor also bought land in the far north, supposed to be 50,000 acres in extent, during the year of his arrival 1839. He was, or at least made himself out to be the victim of circumstances beyond his control. A month after his arrival a large consignment of goods arrived from New South Wales with a letter from Major Christie, one of his Liverpool parishioners, and his successor there, the Rev. J. Duffus, asking him to buy land before New Zealand became a British colony. Mr Hair duly relieved him of the goods giving in return the deed to land which Taylor forwarded to New South Wales. Before this transaction was completed a second consignment of goods arrived this time

from another of his Liverpool parishioners, Lieut. Sadlier, whom Taylor held in high regard and whom he was unwilling to offend. Mentioning these facts to Mr Matthews at Kaitia a solution presented itself. Matthews preferred a settler such as Mr Sadlier 'to the many dissolute characters who were seeking to obtain'⁸ Noble's land and arrangements were quickly made to effect the purchase Taylor providing £100 in addition to the trade goods sent by his friend. The final outcome was that the two became joint purchasers of a block of land stretching southwards for fifteen miles from Cape Maria van Dieman. Of course, the price paid in 1839, £681.9.9 could only justify the award of a small acreage i.e. land at 8/- an acre led to the final award of 1700 acres of which half belonged to Taylor.

Taylor's half share was an acute embarrassment to him and though he offered it to Selwyn for educational purposes it was declined. Similarly, the C.M.S. refused to receive it so Taylor finally turned it into a permanent trust for the Maoris.⁹

Taylor, who worked at Waimate from October 1839 till April 1843 when he arrived at Putiki also bought 300 acres of land near Waimate from George Clarke. The latter claimed on Taylor's behalf

8. Taylor to D. Coates, 9 January 1846.

Janet E. Ross, The Missionary Work of the Rev. Richard Taylor at Wanganui, Unpublished Thesis (Victoria University of Wellington, 1964), Appendix B.

9. *ibid.*, p. 19.

though when the claim was finally settled Taylor's derivative claim appears to have been dropped.¹⁰ As late as October 1842 Clarke was pressing Taylor's claim yet the move to Putiki 6 months later probably led to Clarke's resumption of the land though no record of the transaction can be traced.

The last of the 1839 purchases was another joint one made by W.T. Fairburn and Henry Taylor, a trader, for 300 acres of land at Waiheke. Fairburn was then stationed at Maraetai on the Firth of Thames. He sold his interest to Taylor in 1843 whilst Taylor, now styling himself Edward A. Bell, signed the land over to William Brown on 26 September 1851.¹¹

At a time when European settlers were flocking to the Bay of Islands from New South Wales¹² the missionaries could easily have secured lands had they chosen to speculate and use their undoubted influence with the Maori. As Henry Williams wrote, 'I have been frequently solicited to make purchases and had I been disposed might have had a million acres.'¹³ Similarly, Richard Davis wrote, 'Had the object of your missionaries been ... the aggrandizement of their children by purchasing large tracts of country in order to effect that purpose what, would we ask, was to have hindered them from so

10. Deposition by G. Clarke to Land Commissioners at Kororaraka 18 October 1842. C.L.C. 633/4. 'I have sold of the land included in the Boundaries I have given about 300 acres to the Rev. R. Taylor ...' The date of sale, from Clarke to Taylor, is not known.

11. C.L.C. 455.

12. H. Williams to D. Coates, 7 March 1839. CN/O 101.

13. H. Williams to D. Coates, 7 February 1839. H/N7.

doing? They had not only the whole country before them but they possessed unlimited influence.'¹⁴ But the opposite is the case. Wisely or unwisely the missionaries used their influence in the opposite direction to preserve the Maoris existing lands.

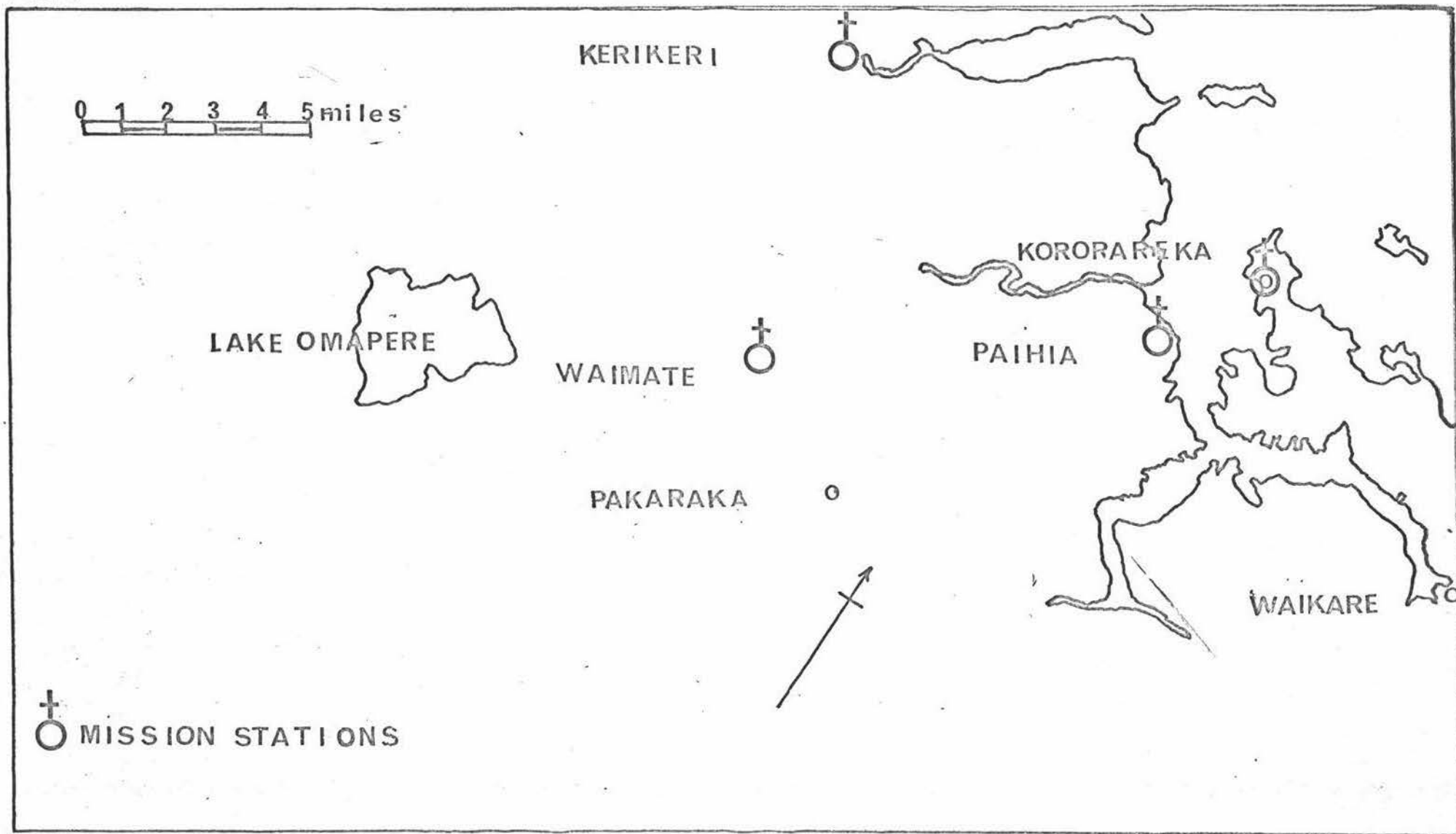
It remains now to examine a sample of the purchases made and for this purpose the claims of the old missionaries will be analysed besides two additional purchases made by them specifically for their children and called the 'Children's Land'.

Reference was made earlier to a list of missionaries supplied by Henry Williams on 1 May 1847 and it is proposed to use this list in order to group the purchases made according to area. If it can be shown that these were made in the area where the missionaries were located it can be assumed that they bought for the practical purpose of providing for their children where a certain amount of control could be exercised over them. Furthermore, the children could continue living at home until the land was developed.

The missionaries could have bought land at varying distances from their stations for their children but this was not done. Two factors appear to have dominated the buying - the desire to locate their children near the parents' station and the desire to keep out ungodly Europeans. The latter reason is best illustrated in the Bay of Islands. The endemic inter-tribal wars of the 'twenties were still likely to erupt in the Bay of Islands in the 'thirties so that for reasons of security the missionaries bought land where they

14. R. Davis to Secretary, C.M.S., 10 September 1840. CH/08.

FIG. 2



enjoyed the greatest influence and where their teaching had produced the greatest impression. In the Bay of Islands other measures were taken by the missionaries to help the Maoris retain their lands and exclude undesirable Europeans. B. Ashwell, C. Baker, G. Clarke, R. Davis, J. Kemp, J. King, J. Shepherd, W. and H. Williams bought land in the Bay of Islands.¹⁵ W.G. Puckey and J. Matthews bought land near Kaitaia.¹⁶ Two others, W.T. Fairburn and J. Hamlin, bought land near Auckland.¹⁷

A reference to those who bought land in the Bay of Islands shows that all except Shepherd who was nearby at Whangaroa, were, in the year 1838¹⁸ stationed there, and apart from Ashwell who entered the mission in 1835 all were old residents. Similarly Puckey and Matthews were old residents who had been at Kaitaia since 1833. W.T. Fairburn's purchase of land at Tamaki became the subject of much controversy in 1838 yet the motive for purchase, to settle an

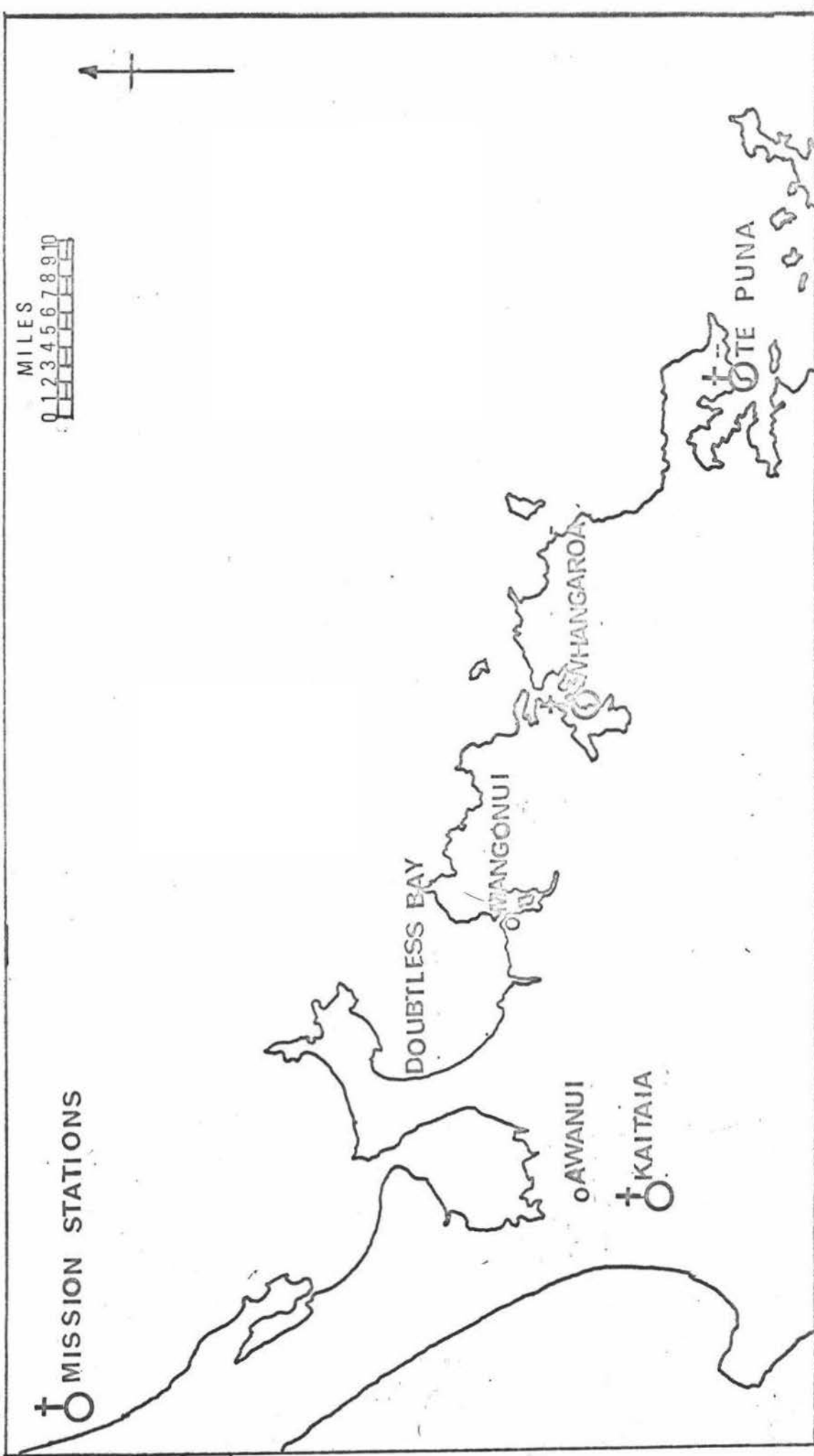
15. Ashwell O.L.C. 729, Baker O.L.C. 545-7, Clarke O.L.C. 633-4, Davis O.L.C. 773, Kemp O.L.C. 594-5, 598-602, King O.L.C. 603-5, Shepherd O.L.C. 802-6, W. Williams O.L.C. 529-34, H. Williams O.L.C. 521-6.

16. Puckey, O.L.C. 774-6, Matthews O.L.C. 328-9.

17. Fairburn O.L.C. 455, 590, Hamlin O.L.C. 897-905.

18. J.R. Elder (ed.), The Letters and Journals of Samuel Marsden 1765-1838, Overseas ed. (Dunedin, 1832), p. 545.

FIG. 3



inter-tribal dispute,¹⁹ was quite laudable. Hamlin was stationed at Mangapourimin 1838 and both his and Fairburn's purchases near the future Auckland were made long before there was any firm hope of British intervention and when conditions in the Waikato were far from peaceful.

If Taylor is excluded from Henry Williams' list of old missionaries it is evident that the desire of the parents to maintain effective control of their children largely dictated the location of their land purchases. Purchases made by others connected with the mission for a few years only - S.H. Ford, J. Edmonds and J. Bedggood - or the older sons of the missionaries, serve to reinforce the pattern established by the old missionaries.

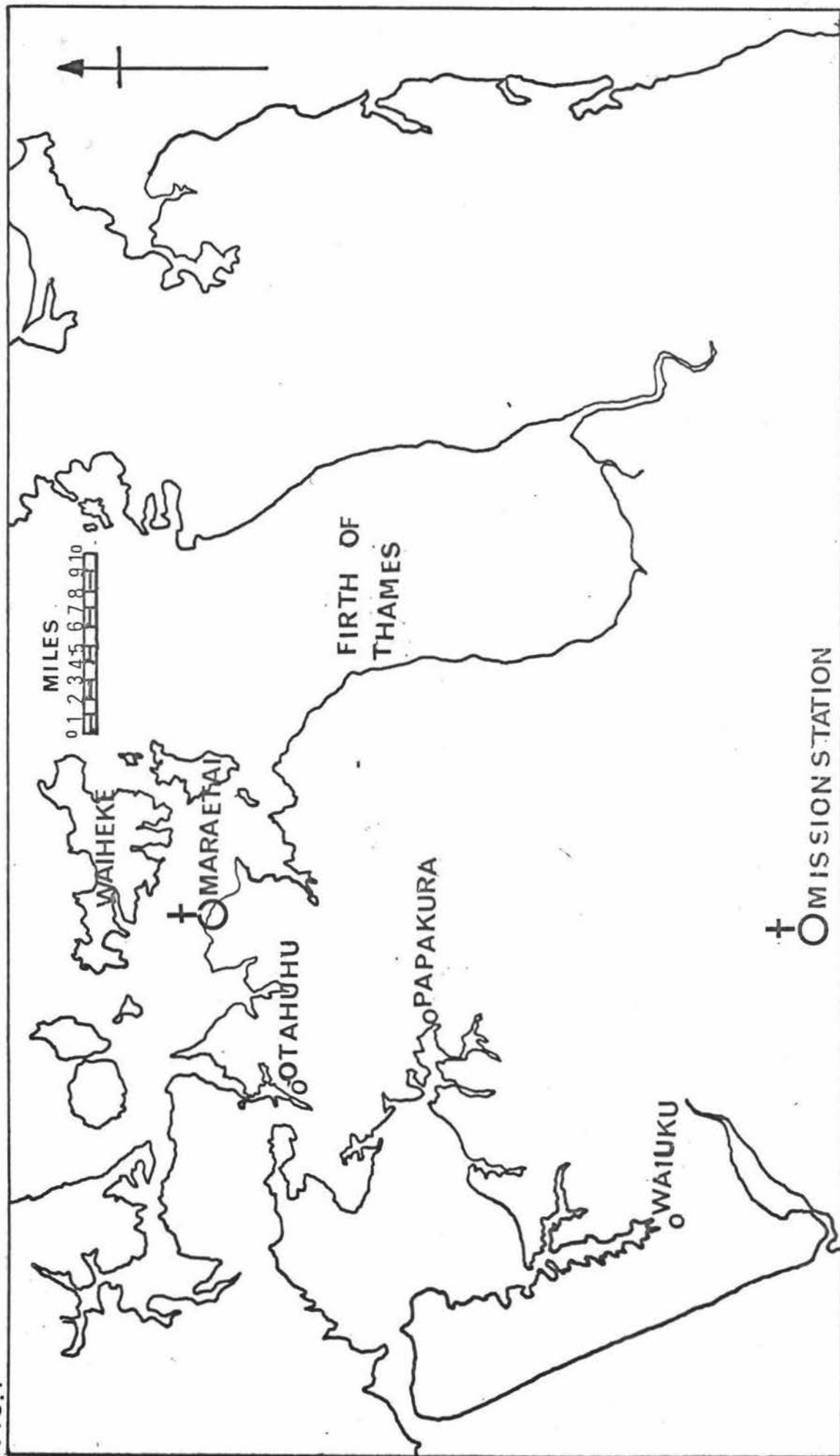
19. L.M. Rogers (ed.), The Early Journals of Henry Williams 1826-40 (Christchurch, 1961), p. 437.

W.T. Fairburn to Colonial Secretary, New South Wales, 5 November 1840. O.L.C. 589-90.

'... in January 1836 the Revd Messrs Williams and Maunsell together with Mr Hamlin and myself met by appointment a large party of Natives at Tamaki to endeavour to obtain peace between the contending parties of the two extensive districts of Waikato and the Thames, which parties had long been in a state of hostility to each other. The land at Tamaki appeared to be the bone of contention, each party claiming it as their own and neither party daring to cultivate any portion of it lest they should be taken by surprise and cut off. Both parties however seemed to wish for peace, and said in order to (secure) its firm establishment we must purchase the whole of the disputed tract in question otherwise they would be soon again embroiled in war and bloodshed. Under these circumstances we found it absolutely necessary if peace was to be made to accede at once to their proposal and purchase the land. Since which period no eruption has taken place ... I have been living on the land with my family upwards of five years and have invited all the original proprietors to return and settle on the land....'

Another version, from Fairburn to Chapman, 4 May 1839 is in G.B.P.P. 1840 (Cmd. 582), p. 175.

FIG. 4



The location of the 'Children's Land' serves to further emphasize the trend. It was nominally bought by J. Kemp and R. Davis being located 'at a distance of from one or two miles from the stations',²⁰ at Kerikeri and Waimate these being the only two blocks specifically bought for the children as distinct from private purchases made by the parents for their children's support. The Kerikeri block was bought partly in 1831 and completed in 1835 being for the children of Kemp, Shepherd, Clarke, Baker, Hamlin, Davis and William Williams whilst the second block at Waimate, bought in 1831, was for the same children who numbered 47 in 1836²¹ but ultimately increased to 74.

This desire to locate their children on land near the stations led to the purchase of land which was not then particularly suitable for farming. In fact the Maoris would not part with good land only. A mixture of good and bad was usually offered. Whilst it is true that the land at Waimate and Pakaraka was volcanic and potentially fertile these more suitable places were surrounded by much poor land and King, who came to the area in 1814, in his desire to locate his family near him at Te Puna bought land nearby which was described by F.D. Bell in 1859 as 'a poor and sterile tract' which 'was really hardly worth having.'²² This suggests that in King's case the desire to locate his children nearby overrode any desire he may have had to procure good farming land.

20. G. Clarke to Secretaries, C.M.S., 2 June 1836. CN/68.

21. *Ibid.*

22. Land Claims Commissioner's Report, 16 April 1859. O.L.C. 603-6.

There was only one exception to the pattern of buying land near to the stations where the parents were located. It was a purchase made by Henry Williams at Wellington details of which will be given later.

The original deeds of the missionaries were written in Maori²³ there being numerous signatories.²⁴ When the claims were investigated by commissioners in the early eighteen forties it was not unusual for the original vendors²⁵ to be present in court to give evidence proving the purchase along with the purchaser and the European witnesses²⁶ to the original deed. Thus, there could never have been any doubts about the validity of the purchases and during the eighteen forties the only Maori claimants to come forward despite Grey's deliberate solicitation of complaints in 1846,²⁷ and 1847²⁸ were those who objected to persons other than the original purchaser occupying the land following the Crown's refusal to grant the whole. This occurred in the case of Fairburn's land when the Crown presuming that his purchase had effectively erased the native title and not confirming the whole to him leased a part to Mr Terry who was told by the Maoris that 'they had not sold their land to

23. O.L.C. 545.

24. O.L.C. 524, 27 signatures; O.L.C. 522, 19; O.L.C. 545, 25.

25. O.L.C. 522.

26. O.L.C. 523

27. G. Grey to Captain Graham R.N., 21 September 1846. Quoted in E. Wilson Wilson, Land Problems of the New Zealand Settlers of the Forties (Dunedin & Wellington, 1935), p. 236.

28. Southern Cross, 25 September 1847.

Government, but to Mr Fairburn, who alone had a right to it.²⁹

This action of government indicates that they accepted the validity of missionary purchases particularly in areas where the land was urgently required for settlement.

Recognizing the facts relating to missionary land purchases and realizing that no Maori complainants came forward in the eighteen forties it must be obvious that the purchases were the result of fair contracts freely entered into by the parties concerned. If this record is compared with the alleged purchases made by Colonel Wakefield in 1839 which were the subject of future dispute at New Plymouth, Wanganui, Porirua and Wairau it can be seen that missionary purchases were conducted fairly. To the credit of the Maori they stood firmly by the original missionary purchasers despite Grey's official attack upon them in 1846. In this they showed far more integrity than the Governor.

It should be noted also that apart from the Auckland purchases all the land originally claimed was occupied or left in the hands of the original purchasers despite the fact that the claims were, in some cases, reduced by the commissioners. And even though some were extended by Fitz Roy's awards in 1844 quite often there was a surplus which could have either reverted to the Crown or been returned to the vendors. In either case the whole was generally retained by the purchaser. Obviously, if accurate surveys were not taken in the early eighteen forties no one could know the extent of

29. W. Brodie, Remarks on the past and present State of New Zealand, Its Government, Capabilities, and Prospects; with a Statement of the Question of the Land-Claims, and Remarks on the New Zealand Land Company ... (London, 1845), p. 50.

the claims hence all the land was left in the claimant's possession. When the old grants were called in during the eighteen fifties it became obvious that the majority of the missionaries had been very modest indeed in calculating the area of the land they originally claimed.

A final word should be said about the way in which the land was used by the children of the missionaries. Generally speaking their land was used for running cattle³⁰ though those on the best volcanic soils at Waimate and Pakaraka did increasing amounts of cropping as more land was enclosed and cleared. The Waimate mission farm started in 1831 served as a training ground for the mission farmers and its continued existence with its water mill and later its threshing machine to some extent was essential to the progress of the new farmers and in some respects determined the pattern of farming adopted. Furthermore the mission stations as a whole provided a ready market for wheat³¹ the consumption of flour in 1830 being no less than 50,000 lb³² hence there were few risks involved

30. G. Clarke to Secretaries C.M.S., 31 May 1838. CN/08.

'I have also been under the necessity of purchasing from 7 to 800 acres of land ... for a cattle run.'

R. Davis to D. Coates, 14 January 1842. CN/08B.

'There is but very little of the land brought into actual cultivation having been used entirely for cattle runs.'

31. H. Williams to D. Coates, 18 June 1838. CN/0101.

'My boys have about 500 bushels of wheat in store to be delivered at the Waimate which will square all (i.e. his account).'

32. M.W. Standish, The Waimate Mission Station (Wellington, 1962), p. 12.

despite the apparent absence of markets. However trade with the shipping in the Bay developed,³³ and the farms progressed to a point where Henry Williams could claim that his sons' farm at Pakaraka 'is acknowledged ... the best farm in New Zealand'.³⁴ There is no doubt, therefore, that the older children of the missionaries were occupied in farming, the better areas being cropped as land was arduously cleared the balance being used for running cattle. George Clarke had, 'about 30 head of cattle and about 50 sheep' in May, 1837 which were 'considerably increased' in the following year.³⁵

It seems evident then that the land was farmed, the better areas on an intensive basis, very satisfactory returns being received in the case of the four young men running Henry Williams' Pakaraka property which, in 1840 carried 'a good flock of sheep, a herd of cattle' and had 'one hundred acres of land in cultivation and well fenced in' of which half was in wheat.³⁶ The following year a further 50 acres were enclosed when Henry Williams indicated that wool 'to a good amount' had been sent to Sydney whilst the flock itself was started from 'a single ewe given to my children in 1823 by Mr Kendall'.³⁷

-
33. H. Williams to D. Coates, 21 October 1841. CN/094B.
In 1841 H. Williams' sons supplied 'three of H.M. Ships under Cap. Ross ... with beef and vegetables' Henry added, 'Their account will not be less than £4000!'
34. H. Williams to D. Coates, 26 April 1844. CN/094B.
35. G. Clarke to D. Coates, 31 May 1838. CN/08.
36. H. Williams to D. Coates, 25 July 1840. H/E7.
37. H. Williams to D. Coates, 21 October 1841. CN/094B.

Accounting for the decline of the mission farm at Waimate from 1836 onwards Standish writes of 'the increasing number of Europeans farming in the district' most of these farms being operated 'by the missionaries on their own account or by their families.'³⁸ It appears clear then that the land was farmed some of it very successfully indeed.

To sum up, the bulk of missionary purchases were effected before 1839. As an influential group had they chosen to speculate in land they could easily have done so. But they preferred to do otherwise their purchases being remarkably modest on the eve of British intervention.

The great majority of purchases were made in the vicinity of the mission where the purchaser was stationed and supports the view that the land was bought as a means of providing for their children. Of course, this led to the danger that the missionaries might spend too much time in secular pursuits to the detriment of their evangelizing activities. Yet criticisms on this score are hard to maintain. The period of land buying coincides with a period of increasing Maori interest in the teaching of the mission which suggests that the missionaries were successfully fulfilling their evangelizing function.

38. M.W. Standish, The Waimate Mission, p. 25.

The two purchases made specifically for the children and the buying of the short term members of the mission serve to reinforce the general pattern established by the early missionaries. Purchases were fairly made the best proof being the lack of disputes with the vendors who were directly solicited by Grey to bring forward complaints at a time, 1846, when after the war in the north, they might have been expected to respond. In comparison with Colonel Wakefield's slipshod buying in 1839 the missionary purchases served as a model for the future.

Finally, the land was farmed both intensively and extensively, according to quality, and served its purpose in supporting the sons of the missionaries when no other practical ways of doing so were available.

CRITICISMS OF MISSIONARY LAND PURCHASES AND THE REACTIONS OF
THE CHURCH MISSIONARY SOCIETY

The first indication that the missionaries had not been buying land in modest quantities was given by an ex-missionary, catechist-cum-agriculturalist, late in 1837. John Flatt who arrived in New Zealand in December 1834 had been sent out to assist Richard Davis at Waimate. The latter did not require him so he was sent to Mata-mata as catechist to assist the Rev. A.N. Brown. The first reports 'if not originating with, had currency given to them by Mr John Flatt'¹ who had left New Zealand in May, 1837 and had by November been gathered under E.G. Wakefield's wing at which time he professed to be contemplating an engagement with the New Zealand Association.² However, having parted with his information his usefulness to that body probably came to an end for in the autumn of 1838 he went to South Australia³ but finished up destitute in the Bay of Islands in 1844.⁴ His revelations were publicized in the pamphlet Mr Dandeson

1. G.B.P.P. 1840 (Comd. 582) p. 166.

2. J. Flatt to Rev. W. Jowett, 6 November, 1837. CH/067.

3. J. Flatt to D. Coates, 13 August 1838. CH/069.

This was a begging letter and gives some indication of his character. Having embarrassed his former employers he now stooped to beg from them. He obviously lacked principle as well as being foolish. Perhaps this is why Wakefield did not employ him.

4. H. Williams to D. Coates, 18 November 1844. CH/094B.

'An old member Mr Flatt has been for a long time residing in this settlement. He has been and still is in very reduced circumstances having been sold up once, and still much in debt. I have endeavoured to put him in the way of meeting his difficulties and he has now learnt a lesson which may be of advantage to him to the end of his days. If some of his friends in England would collect a few pounds for the purpose of procuring for him a yoke of oxen and a dray with some assistance from home he might recover himself and begin afresh.'

Coates and the New Zealand Association in a Letter to the Right Hon. Lord Glenelg, by E.G. Wakefield, Esq. (London, 12 December 1837)

which prompted the Parent Committee to write to their New Zealand brethren on 20 December 1837. George Clarke replied on 31 May 1838 informing them that the statements in the pamphlet were 'unfair and in many points incorrect' admitting however, 'that land has been purchased ... to what would seem to you, or any other person not acquainted with circumstances, to a considerable extent ...'⁵

Four or five months before Clarke's reply was received further evidence relative to land purchasing was given by witnesses appearing before a Committee of the House of Lords in April 1838. Flatt gave evidence and when asked, 'Were you present and privy to any Purchases of Land?'⁶ gave details of a purchase which he witnessed made by William Fairburn which was, 'a Purchase very large; it is termed, by some Europeans in New Zealand, a whole County; it was purchased for his children ... It is not less than Twenty-five Miles long in its greatest Length; it is supposed to be Thirty Miles by some Persons in New Zealand.'⁷ He then went on to indicate that Baker, James Davis, Clark[e], Kemp and King had purchased land 'previous to my Arrival'⁸ adding that, 'the Rev Henry Williams commenced first cultivating a large Tract he purchased at Titirianga' which Flatt having ridden over considered was 'Seven Square Miles'⁹ in area.

5. G. Clarke to D. Coates, 31 May 1838. CH/08.

6. G.B.P.P. 1838 (Cond. 680) p. 37.

7. G.B.P.P. 1838 (Cond. 680) pp. 37-8.

8. *ibid.*, p. 38.

9. *ibid.*

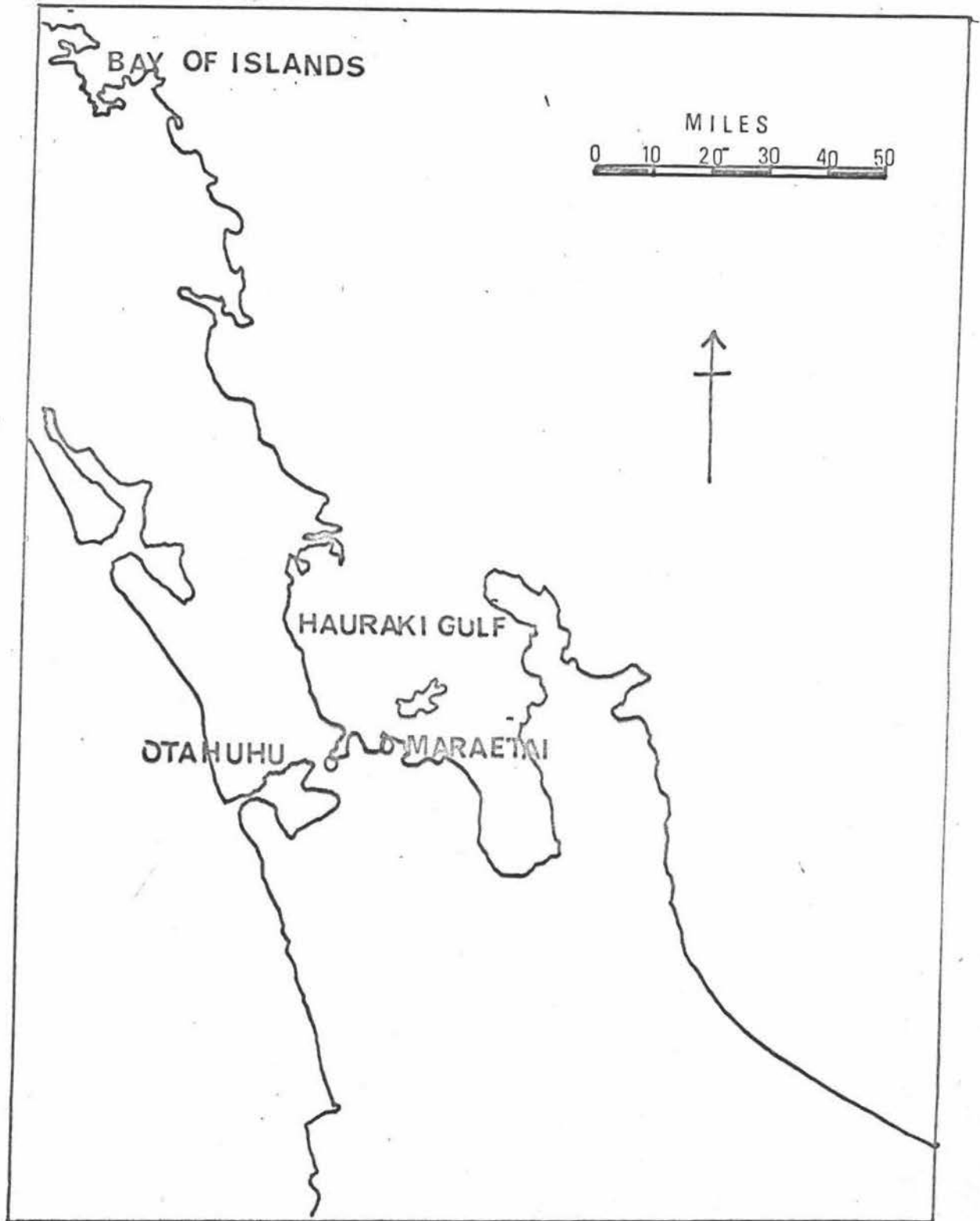
It should be noted that Fairburn's purchase was assumed to include part of the land which the first New Zealand Company claimed to have bought in 1826, 'nearly a Million Acres' being 'tabooed' to the company and according to F. Baring the new company, besides going to Cook's Straits would 'form an Establishment at the Bay of Islands ... to take possession of the Land they have taken of the old company ... and to form a Second Settlement there.'¹⁰ Apart from the misconception regarding the New Zealand Company's ownership of nearly a million acres Baring's geographical knowledge was equally suspect since Fairburn's purchase stretched southward from Tamaki along the Firth of Thames. However, Platt, no doubt hoping for that engagement with the New Zealand Company which he had mentioned to Jowett five month's earlier, dutifully informed the Lords' Committee that, 'there were some Natives that did not sanction it,' stating, 'that it had been purchased by Europeans before, or some Gentlemen in England.'¹¹ Fairburn's letter to the Colonial Secretary, New South Wales has been quoted to show that the land was the subject of a dispute between the Thames and Waikato tribes and it is interesting to compare his version with Henry Williams.' The latter wrote,

It was a disputed piece of land between the natives of Waikato and those of the Thames, ... I was, previous to this transaction, with the natives of both parties, endeavouring to bring about a better understanding among them and was told that the great obstacle was this piece of land; that neither party could take possession, as it would cause an immediate war. In order, therefore, to set this question at rest, I told them that neither should have it, but that I would take it myself, to which all gave

10. *ibid.*, pp. 147-8.

11. *ibid.*, p. 37.

FIG.5



consent. Of course, it was understood that a payment was to be made for it: I had no desire for the land, but felt that it was needful that it should be purchased. I therefore proposed to Mr Fairburn to take it, which he accordingly did, and since that period there has been no word of dispute between the Natives of Waikato and the Thames upon the subject. 12

The only difference between the two versions lies in the problem of who first proposed that the land should be bought. Fairburn states the proposal originated with the vendors whilst Henry Williams claims the credit. Otherwise the versions are in agreement. If Ngati Paoa and Waikato were warring over the ownership of the land it is hardly likely that they then, or later acknowledged any claims deriving from Herd's voyage in 1826 hence Flatt must have been lying. At the time the transaction took place, January 1836, Flatt had been in the country a little over a year hence he was not likely to have been fluent in Maori. Furthermore, his presence is not mentioned by any of the participants.¹³ In addition Flatt could only state that some natives did not sanction it without volunteering details of their names or tribal affiliations. His motive for ingratiating himself with the New Zealand Company in this way can only be surmised. He certainly wanted a position with the Company and was also somewhat piqued at not being permitted to carry out his anticipated duties as assistant to R. Davis on the farm at Waimate¹⁴ being sent to Matamata instead.

12. Copy of extract from H. Williams to C.M.S. 29 January 1839. CN/0101. A slightly different version dated 11 January 1839 is in G.B.P.P. 1840 (Comd. 582), p. 175.

13. Wilson and Flatt of Matamata were at Puriri on 21 December 1835. L.M. Rogers (ed.), The Early Journals of Henry Williams 1826-1840 (Christchurch, 1961), p. 433.

14. G.B.P.P. 1838 (Comd. 680) p. 33.

Others who gave evidence of missionary land purchases were J.B. Montefiore and J.S. Polack. The former was a substantial Sydney trader who visited New Zealand in 1830. He met no missionaries on his four month trading trip even though he visited Kororareka. Whilst off Entry Island he boarded the Elizabeth sailing with Captain Stewart whilst Te Rauparaha's prisoner from Akaroa, the Ngaitahu chief Tamaiharanui was still confined aboard. Polack was a Kororareka trader who had been in New Zealand for six years leaving in May 1837. The less friendly called him a grog dealer.

Montefiore stated, 'But it is a notorious Fact that the Missionaries do hold very large Quantities of Land in New Zealand.'¹⁵ The use of the emotive term 'notorious' coupled with the fact that this 1830 visitor had no first hand knowledge of missionary land purchases admitting that his knowledge came 'only from public Report',¹⁶ in New South Wales, could have had little effect. J.S. Polack remarked, 'There has been much Noise, I am sorry to say, about buying Land; for instance, some of the Missionaries have been enabled, by their Knowledge of the Language, to have a better Chance of purchasing Land than others.'¹⁷ However, though a resident of the Bay and only a mile or so from Paihia Polack chose not to give details of missionary purchases which would not in any case have been accepted as gospel since a later witness J.D. Tawell, a surgeon, who visited New Zealand for health reasons and in the interests of science for

15. *ibid.*, p. 59.

16. *ibid.*, p. 62.

17. *ibid.*, p. 81.

two months in 1837 stated, 'I am in possession of One or Two Facts of my own Knowledge which would make me disbelieve him on his Oath under any Circumstances.'¹⁸ Polack had indeed been wise in refusing to divulge evidence of missionary purchases.

The Rev. F. Wilkinson an Anglican parson who was in New Zealand for three months in 1837 with Marsden, admitted that the missionaries possessed land adding that, 'The Land from Waitangi round to Kawkau [Kawakawa] belongs to the Missionary Society, to Mr. Henry Williams, and Mr. Fairbairn's [Fairburn's] Children.'¹⁹ Captain Fitz Roy, Royal Navy, who commanded the Beagle in 1835 when, with Darwin aboard, she spent 10 days in the Bay of Islands, also admitted that the missionaries possessed land but did not volunteer details.

John D. Tawell, the surgeon who disbelieved Polack, confirmed that the missionaries had bought land maintaining that the fact of their becoming landed proprietors to a greater extent than the Wesleyans impeded their spiritual labours 'very materially.' He assumed that the greater number of communicants among the Wesleyans proved the point though he admitted that, 'The Bar of the River Hokianga has been the Safety as it were, of the Western Side ... The Risk connected with it has been made a Bugbear; but the Fact of the Bar raising the Insurance has prevented the Whalers going.'²⁰ Here was one of the first public statements hinting that

18. *ibid.*, p. 111.

19. *ibid.*, p. 101.

20. *ibid.*, p. 123.

ownership of land interfered with the missionary vocation though Flatt also had indicated that the missionaries visited their farms frequently though this was later hotly denied by Henry Williams.²¹ There is no evidence to indicate that land purchasing interfered with the evangelizing work of the missionaries. Earlier it was noted that the period when the land was bought is associated with the greater receptivity by the Maori of the missionary message and whilst it is true that the reasons for this are complex and contentious²² land buying did not delay the process. In fact, when associated with peace negotiations as in the case of Fairburn's land its results were beneficial.

Flatt's revelations first given in 1837 and repeated in April the following year were the only ones that had been made up till that time. However, as a mere catechist, his words would carry little weight, and though he had received a testimonial²³ from the C.M.S. his association with E.G. Wakefield at that time would have served to discredit him. However, Fitz Roy, an evangelical and pro-missionary, had admitted that missionaries possessed land whilst another Anglican, the Rev. F. Wilkinson, went a little further and gave details of some of the land purchased without offering details of private purchases. At this stage the evidence

21. H. Williams to Lay Secretary, C.M.S. 7 February 1839. H/M7.

22. J.M.R. Owens, 'Christianity and the Maoris to 1840', The New Zealand Journal of History, Vol. 2, No. 1 (April, 1968), pp. 18-40.

Judith Binney, 'Christianity and the Maoris to 1840: A Comment', The New Zealand Journal of History, Vol. 3, No. 2 (October, 1969), pp. 143-165.

23. G.B.P.P. 1838 (Comd. 680) p. 33.

brought forward was too light to be damaging leaving C.M.S. influence in a dominant position hence the Lords Committee resolved 'that Support, in whatever Way it may be most expedient to afford it, of the Exertions which have already beneficially effected the rapid Advancement of the religious and social Condition of the Aborigines of New Zealand, affords the best present Hopes for their future Progress in Civilization.'²⁴

Thus, no damage was done, but the Parent Committee were anxious to have details of the extent of the purchases made. It could be asked, 'What could they do about the situation?' New Zealand was assumed to be and treated as an independent state therefore the Committee had no right to interfere. Furthermore, private purchases, had never been explicitly forbidden and the missionaries had fulfilled the Parent Committee's request to supply details of the 'Children's Land.' In any case the Committee could take no action until details of the purchases were received from the buyers in New Zealand where, in December 1838 they were visited by the first Bishop of Australia, Broughton. He was far from condemning their land purchases. After the signing of the Treaty of Waitangi he pressed the Governor of New South Wales 'that their lands should at once be confirmed to them.'²⁵ This did not seek confirmation of all the land that the missionaries had bought, but was meant to

24. *ibid.*, p. III.

25. D. Coates to Lord J. Russell, 12 December 1840. CH/L3. Bishop Broughton's impression of the New Zealand Mission which was generally favourable is located in G.B.P.P. 1840 (Comd. 582) pp. 171-2.

cover land to a moderate extent - 200 acres per child. The bishop clearly objected to the missionaries holding land in excess of this quantity.²⁶ Further public verification of land purchasing by the missionaries was provided by a peppery Presbyterian from New South Wales in his New Zealand in 1839; or Four Letters, to the Right Hon. Earl Durham, Governor of the New Zealand Land Company, ... On the Colonization of that Island, and on the present Condition and Prospects of its Native Inhabitants. J.D. Lang, the author, is described as 'Presbyterian clergyman, politician, educationist, immigration organizer, historian, anthropologist, journalist, gaol-bird, and in his wife's words engraved on his statue in Sydney, "Patriot and Statesman".'²⁷ Being a Doctor of Divinity, and no doubt fully aware of the meaning of Christian love and charity did not prevent Lang from casting aspersions on the qualifications and conduct of the missionaries claiming that he had a dossier containing a record of their behaviour. He was not only prejudiced against the C.M.S. but being a particularly belligerent body carried his congregation into separation from his own church. His pamphlet published in July 1839 when added to previous criticisms led the Church Missionary Society to feel the need to issue their first Statement²⁸ on the issue in the following November.

26. Extract of letter from Bishop of Australia to the New Zealand Missionaries, 28 September 1840. Selwyn, G.A. Letters. Pamphlet, 1848.

27. D. Pike (ed.), Australian Dictionary of Biography (3 vols, Melbourne, 1967), Vol. 2, p. 76.

28. 'Statement of the Committee of the Church Missionary Society, relative to the New Zealand Mission', 29 November, 1839. G.B.P.P. 1840 (Cond. 582) pp. 165-173.

Lang, with only a cursory knowledge of the situation following a brief stay in the Bay of Islands confidently wrote,

'I was unfortunately unable, my Lord, to ascertain exactly the real extent of the land possessed or claimed, on the ground of alleged purchases from the natives, by the Church Missionaries and their sons in New Zealand, either in English acres or square miles ... but your Lordship will be able to form some idea on the subject, when I state, on the authority of several intelligent persons residing on the spot, and unconnected with the society, that if the valuable live timber growing on the land so claimed, or possessed, were to be cut down and disposed of, it would be worth, at the present market price in New South Wales, not less than half a million sterling.

In short, the largest seignories in New Zealand, are the property of the Church Missionaries and their sons; and the poor ignorant and deluded natives have thus, my Lord, been "scattered and peeled" by the very men who ought to have been their natural protectors ...²⁹ Lang went on to assert that the mission was a failure because, '... instead of confining themselves with the disinterestedness that became their office to the conscientious discharge of their important duties, as the professed disciples of "Him who, though rich for our sakes became poor, that we through his poverty might be rich," the missionaries of the Church Missionary Society in New Zealand, utterly incredible as it may appear in England, have actually been the principals in the grand conspiracy of the European inhabitants of the island to rob and plunder the natives of their land.'³⁰

Henry Williams considered Lang's remarks 'but as jokes' and mentioned that he had been absent during his visit. At Paihia Lang 'saw the press at work and the New Testament complete. The following day he went up the Kawakawa and expressed himself highly delighted with the orderly state of that Settlement ...' Henry added that 'the

29. J.D. Lang, New Zealand in 1839, pp. 35-6. (London, 1839)

30. *ibid.*, p. 33.

Doctor afterwards spent his time amongst the Grog merchants about the Bay.' He went on, 'that the Doctor could say "that the C.M.S. in New Zealand was worse than a failure" while he held in his hand the New Testament printed into that language and possessed by thousands of New Zealanders who were reading for themselves the wonder of Redeeming Love is strange indeed! and bears upon the very assertion the mark of a Lie!'³¹

Naturally enough Lang's criticism was taken far more seriously than Platt's and the Parent Committee were obviously seriously embarrassed by letters from the provincial Church Missionary Associations seeking further information on the alleged purchases in order to placate their members and bluntly asking the Parent Committee to determine its policy on the issue.³² Lang's pamphlet influenced Mr John Walter, (1776-1847), the chief proprietor of The Times who considered the missionaries 'very bad indeed' for his neighbour, the Rev. Geo. Hulme, wrote to the C.M.S. asking for the answer which had been given to Lang because it was 'important not to let one who has the command of such a powerful instrument remain under prejudice.'³³

Clearly, then, it was necessary for the Parent Committee to stem the flow of criticism and to determine its policy. It had to act and, if possible, show that its own hands were clean. Furthermore, it dared not prejudice the humanitarian experiment soon to begin at Waitangi by condemning its missionaries. It was, in short,

31. H. Williams to D. Coates, 23 January 1840. CH/O 101.

32. Rev. Barbut and others to C.M.S., Received, 25 October 1839. CH/O71.

James Knight to Rev. W. Jowett, 28 April 1840. CH/O73.

33. Rev. Geo. Hulme to C.M.S., 14 November 1840. CH/O73.

in a dilemma and issued a statement which on the one hand it hoped would satisfy local supporters of the mission and on the other do no injury to its missionaries.

Prior to this on December 4th 1838, as a result of Flatt's revelations and the evidence given to the House of Lords the Parent Committee resolved, 'That while the committee give the missionaries entire credit for the purity of their motives in the purchases of land in New Zealand, with a view to provide for their families as they grow up, and are not prepared, on the information now before them, to condemn the purchases so made, they very much regret that the subject was not referred to them for their consideration previously to the missionaries entering on such a course of proceeding; and that the nature and extent of the purchase in each case were not reported to them for their sanction, as directed by their resolution of July 27, 1830.'³⁴ This resolution appears to have been written for local use to absolve the Parent Committee from responsibility for what had occurred in New Zealand. Private purchases had never been prohibited and the missionaries were not obliged to seek the Committee's sanction for them as in the case of the 'Children's Land.'

The Committee issued its Statement in November, 1839 and after reviewing its resolution of July 27, 1830 authorizing the purchase of land as a provision for their children 'to a moderate extent' recalled the fact that the missionaries themselves on

³⁴. G.B.P.P. 1840 (Comm. 582) pp. 166-7.

April 9th 1833 fixed 'the maximum of land to be acquired ... for each child at 200 acres.' They then referred to a further resolution of the Parent Committee of July 13th, 1835 refusing to grant this fixed quantity but substituting instead forty or fifty pounds for each child on completing his or her fifteenth year. This enabled them to dodge responsibility by stating, 'it was proposed by the missionaries themselves to fix, by the authority of the committee, the maximum of land to be acquired by the missionaries for each child.'³⁵

The committee, clearly could not condemn their missionaries for buying land stating, 'the information before the committee is still too imperfect to enable them to pronounce an opinion either justifying or condemning' them and asked, 'their friends and the public to refrain from coming to a conclusion upon a case as yet so imperfectly understood.' They went on to state that, 'much of the land ... has been assigned to them by the natives, to secure it from improvident alienation to other white persons' such property being 'held by the missionaries as their trustees.'³⁶ In order to refute allegations regarding the failure of the mission the committee quoted the evidence of witnesses who had been to New Zealand; Captain Fitz Roy, Rev. S. Marsden, Rev. F. Wilkinson and Bishop Broughton and confirmed their resolution of July 27, 1830 resolving that it should be adhered to.

^{35.} *ibid.*, p. 166.

^{36.} *ibid.*, p. 167.

In an effort to close the stable door after the horse had bolted they resolved, 'That, with regard to purchases of land by missionaries out of their private resources, ... while the committee disapprove of such transactions in general ... they do not feel themselves justified in assuming to lay down a prohibitory rule upon their conduct, in respect of such purchases ... they desire that any purchase of this description, ... be entered on the minutes of the missionary committee of the district... and that such minute be forwarded to the home committee.'³⁷ Finally it was determined to send a 'deputation to New Zealand, composed of one clergyman and one layman.'³⁸ to investigate the mission.

In pursuance of their intention to send a deputation to New Zealand the Parent Committee wrote to the Rev. P. Gell of Derby asking if a Mr Shirley might be a fit person to fulfil the duties as their delegate.³⁹ To allow for possible disappointment a similar letter was sent to the Rev. G. Hodson asking whether a Rev. Garbolt might suit their purposes.⁴⁰ However, the Committee was at this time hopeful of securing the appointment of a bishop to New Zealand the first moves being made on the 3rd and 4th of December⁴¹ but Lord John Russell's reply to their request stated that, 'until the Sovereignty shall have been acquired of some part of New Zealand, it

37. G.B.P.P. 1840 (Comd. 582) p. 167.

38. *ibid.*, p. 173.

39. W. Jowett to Rev. P. Gell, 27 November 1839. CH/L3.

40. W. Jowett to Rev. G. Hodson, 19 December 1839. CH/L3.

41. E. Stock, The History of the Church Missionary Society (3 vols., London, 1899), Vol. I, p. 413.

will not be in the power of Her Majesty's Government to take measures with a view to that object.⁴² This obviously did not rule out the possibility and the Committee no doubt confident that sovereignty would be secured scrapped the idea of sending a deputation and wrote again to the Rev. P. Gell stating that they might be able to influence the appointment of^a bishop and asking if Shirley would serve in this capacity.⁴³

Thus, the idea of sending a deputation was dropped and on the 14th of December 1839 the committee sent out supplies of two printed forms - one for private purchases the other for land bought with the Society's funds - which were 'calculated to obtain full and explicit information as to the quantity and nature of the land acquired by each individual.'⁴⁴ This was followed by a letter of the 18th February 1840 which required that, 'all purchases of land' for private purposes' shall be discontinued,⁴⁵ whilst indicating that 'the period ... is not far distant when the mode of providing for your children, ... may be defined and limited, if not discontinued altogether.'⁴⁶ The committee admitted being embarrassed by land purchases and took strong action against William Fairburn, the only

42. W. Jowett to Bishop of London, February 1840. CH/L3.

43. W. Jowett to Rev. P. Gell, 22 January 1840. CH/L3.

44. G.B.P.P. 1840 (Comd. 582) p. 174. Note that Henry Williams' returns are shown in G.B.P.P. 1849 (Comd. 1120) p. 88.

45. G.B.P.P. 1840 (Comd. 582) p. 178.

46. *ibid.*, p. 177.

really big landowner of whom they had information.⁴⁷ Yet evidence suggests that Fairburn had no intention of retaining the whole area which he believed was considerably over 40,000 acres. On 5 November 1840 he wrote that he had returned to the Maoris one third of the area⁴⁸ and later stated before the land commissioners that 'on the 12th July 1837' he had 'made over one third of the whole of this purchase to the Natives for ever' adding that on the 5th of April 1840 he 'made over one third of the purchase to the Church Missionary Society for the benefit of the New Zealand Mission.'⁴⁹ Later when asked if he had given the Natives a deed transferring a third of the land to them he replied 'No, but they understand the promise.' When asked if he had given any deed to the C.M.S. he replied, 'I sent them a copy of the form of transfer written on the back of the Deed - as also that of the Natives.'⁵⁰ Of course, he could not legally transfer land after 1840 but the sworn statement in respect of returning one third of the land to the vendors in 1837 was a different matter. It can only be assumed that Fairburn's deed with the form of transfer to both the Maoris and the C.M.S. was not sent to the Parent Committee until April 1840 by which time they had acted in ignorance of his good intentions. Unfortunately, the Committee had heard from Mr Chapman that Fairburn had refused to

47. *ibid.*, p. 175.

48. W.T. Fairburn to Colonial Secretary, New South Wales, 5 November 1840. O.L.C. 589-90.

49. Statement by W.T. Fairburn, 1 September 1841. O.L.C. 589-90.

50. Statement sworn before Godfrey and Richmond, 1 September, 1841. O.L.C. 589-90.

sell 500 acres of his land to the Society for a mission station and assumed that he had bought the land solely for his personal advantage. At the time Fairburn could only look forward to the grant of 2560 acres and he probably felt uneasy parting with almost a fifth of this.

The committee resolved on the 7th of January 1840:--

1. That the committee are of opinion that Mr. Fairburn's retaining, for his own private advantage, the large tract of land ... is incompatible with his office and connexion with the Church Missionary Society.
2. That it is incumbent on the committee, in order to vindicate their own character, as implicated in the acts of the missionaries, to assert the right of dealing with such a transaction as that under consideration in such a manner as, under all the circumstances of the case, shall appear to be just and equitable.
3. That if this right be denied by Mr. Fairburn, the committee must adopt the painful alternative of declaring his connexion with the society terminated. ⁵¹

However, the committee were careful to indicate that Fairburn would be compensated for any land he gave up and furthermore, knowing that he wished to retire indicated that consideration would be given to providing him with superannuation until the income from his remaining land rendered this unnecessary. The fact that Flatt's and Lang's revelations had to some extent been confirmed by the missionaries including Fairburn himself⁵² compelled the Committee to take action. He was also unfortunate that his land was coveted by the New Zealand Company and perhaps they felt it wise to eliminate any possible cause for complaint by that influential body.

51. Minute upon the case of William Fairburn, in 'Further Statement of the Church Missionary Society relative to the New Zealand Mission'.

G.B.P.P. 1840 (Comd. 582) p. 175.

52. *ibid.*, pp. 175-6.

A Further Statement⁵³ was published on 31 March 1840 outlining these developments. Meanwhile, the Committee had to wait for the return of the forms sent out in the previous December before it could take any further action. However, the missionaries initially evaded them R. Davis observing, 'we should have immediately complied with your request and made the required returns of our land, so far as it had been in our power, were it not that Government has declared all titles null and void and as a maximum grant will not allow any person more than 2560 acres.'⁵⁴ Henry Williams wrote in a similar vein adding 'the returns recently sent out are now under consideration but it will be impossible for us to comply with them owing to the land not having been surveyed.'⁵⁵ These delaying tactics proved quite effective Henry Williams waiting until 15 March 1843 before sending in the required returns and then only after his claims had been through the Land Commissioner's Court and had been gazetted i.e. 28 September 1842.⁵⁶ Any action the Committee might have then chosen to take was therefore circumscribed the purchases having been legalized by the government.

Meanwhile the missionaries were generally incensed at the attitude adopted by the Parent Committee and the tone of their letters indicated that they felt that their actions in providing for their children were completely justified. Henry Williams asked,

53. *ibid.*, pp. 173-181.

54. R. Davis to C.M.S., 10 September 1840. CN/08.

55. H. Williams to D. Coates, 3 August 1840. CN/094B.

56. H. Williams to Lay Secretary, 15 March, 1843. H/N7.

'that a strict examination be instituted as to those who have engaged in their private farms, or private concerns, or land jobbing, and let all such be dismissed without hesitation.'⁵⁷ The missionaries desired examination by a deputation⁵⁸ and were deeply distressed when they heard that this was not going to be sent.⁵⁹

Henry Williams illustrated the quandary that the Parent Committee were in. He observed that in their last letter, 'respecting Mr Fairburn you order a Com. (Committee) to sit in judgement upon him and upon his disputing the right of the Parent Com. to interfere with his private affairs that his connection with the Society shall be dissolved. Should the same question be put to the members of the Mission individually I think but one answer generally would be given. For myself I could never admit such a right of interference ... Should Mr. F. be dismissed ... which will be the possible consequence ... I would merely say that the place would soon be occupied either by the Papists or Wesleyans or both. Follow up the same line of proceeding and our stations would soon fall a prey to the enemy.'⁶⁰ It is obvious that the Parent Committee had to tread very carefully. Their hopes lay in securing the appointment of their nominee, Shirley, as the first bishop of New Zealand.

57. H. Williams to D. Coates, 3 August 1840. CH/094B.
 58. H. Williams to D. Coates, 22 June 1841. CH/O 101.
 59. R. Davis to C.M.S., 11 November 1840. CH/08.
 60. H. Williams to D. Coates, 3 August 1840. CH/094B.

Despite the Parent Committee's confidence in their ability to influence the appointment the selection 'nominally that of the Crown, was virtually in the hands of the new Colonial Bishops Fund; ... They did not even consult the Church Missionary Society at all.⁶¹ This fact is confirmed by Venn's letter to Henry Williams that 'the selection of the individual to fill the office was made independently of the Society',⁶² though the C.M.S. was providing half his stipend and being subjected to criticism by its evangelical supporters for doing so.⁶³ Selwyn was consecrated on Sunday, 17 October 1841 and the Parent Committee, strange as it may seem, could not trust him to do what they would gladly have asked Shirley to do. Thus with no deputation, and a young bishop they could not trust to perform the duty of examining the mission, the C.M.S. allowed the situation to drift.

61. E. Stock, The History of the C.M.S., Vol. I, p. 415.

62. *ibid.*, p. 416.

63. H. Venn to Rev. H. Moule, 15 March 1842. CH/L3.

D. Coates to Rev. R. Simpson, 20 May 1841. CH/L3.

FURTHER REASONS FOR THE CRITICISM OF MISSIONARY LAND PURCHASES

Criticism of the missionaries was made after 1840 because they appeared to be acting contrary to the believed interests of the settlers. Before and after 1840 they had acted to prevent the Maoris from selling their lands to other Europeans. In pursuit of this aim before 1840 they tried to execute deeds of trust with certain Maoris to protect their lands from grasping Europeans and Henry Williams was foolish enough to buy land at Wellington in 1839 which left him wide-open to charges of speculating. Furthermore, their paternal attitude towards the Maori was coupled with an attitude of mind towards their own countrymen which did not encourage good relations. In addition, the extent of their land claims became public knowledge following their publication - in New Zealand in the Government Gazette from 21 July 1841 onwards, in England in Parliamentary Papers - and this, no doubt, provided ammunition for those predisposed to criticize.

But it must be remembered also that the C.M.S. missionaries through their parent body had, along with the Wesleyans, attempted to influence Colonial Office policy. Even Ian Wards who denies the traditional view of colonial policy admits that the 'Colonial Office seriously flirted with the idea of imposing British government in accordance with the precepts of advanced, nineteenth century evangelical thought'¹ and when drafting Hobson's instructions recognized that 'the active co-operation of the Church and

1. Ian Wards, The Shadow of the Land: A Study of British Policy and Racial Conflict in New Zealand 1832-1852 (Wellington, 1968), p. 23.

Wesleyan missionary societies would be necessary,² care being taken to see that statements in the original draft which were conducive to this co-operation were not removed.

Colonial Office policy involved the recognition of the Maori right to all land in New Zealand whether occupied or so-called waste. To ensure that the Maori did not in the future dispose of land indiscriminately the Crown was to enjoy the right of pre-emption. Furthermore, the pre-Waitangi purchases were to be investigated and titles given only after the purchase had been examined. This latter provision struck at the core of the New Zealand Company's venture. Colonel Wakefield claimed to have bought 20 million acres in 1839 at a cost of something like a half-penny per acre. Subsequent investigation by Commissioner Spain was to reduce this large acreage to negligible proportions. This hurt the Company financially and accounts for criticism of the missionaries who were concerned to maintain the provisions of the Treaty.

In a sense, Colonial Office policy under the first two governors appeared to be a logical extension of the one followed by the missions flowing naturally from the 'Committees of the House of Commons in 1833, 1836, and 1837, and of the House of Lords in 1838'³ which found expression in Hobson's instructions.⁴ The

2. *ibid.*, p. 29.

3. *ibid.*, p. 21.

4. G.H. Scholefield, Captain William Hobson (Oxford, 1934), pp. 203-212.

implementation of this policy by Hobson and Fitz Roy suggest that it was an experiment without precedent in colonial affairs. Compared with the freedom enjoyed by settlers in the Australian colonies where there was no nonsense about protecting native land rights and where, in Tasmania particularly, extermination of the aborigines proceeded without hindrance the policy which found expression in the Treaty of Waitangi and acted upon ⁱⁿ the spirit of that treaty, certainly until Fitz Roy's departure, was a marked contrast. Yet the people emigrating to Australia or New Zealand were the same, having identical attitudes, hopes and believed rights. Implementation of this policy, therefore, which necessarily depended for its execution on the assistance given to the first two evangelical governors by missionaries would have brought forth criticism and ill feeling upon their heads whether they had bought land or not. In 1838 the 'aggressive opposition'⁵ of the missionary societies was a factor in preventing the New Zealand Association from obtaining Parliamentary approval for their colonization scheme. This prompted their unilateral action of sending the "Tory" out in May, 1839 and later other ships with the first body of settlers, in an effort to buy land before the act of cession could take place. This attempt to circumvent the future pre-emptive clause of the Treaty of Waitangi, coupled with the loose and irregular mode of purchasing adopted by Colonel Wakefield inevitably created difficulties for the company and brought it into conflict with the

5. P. Knaplund, James Stephen and the British Colonial System (Madison, 1953), p. 83.

Maori, the missionary and the governor.⁶

In the circumstances of a novel experiment involving the Crown's recognition of the Maori title to all land in New Zealand and faced by the illegal purchases of the company it was inevitable that in protecting Maori rights the early governors and their missionary advisors were going to be the subject of much ill feeling and ill-informed criticism. Missionary land purchasing provided a baton which E.G. Wakefield and his supporters could use to weaken missionary influence in order to promote their own ends. And the missionaries by their own actions added fuel to the fire.

As early as 1835 Henry Williams was concerned, 'that the natives may in a short time be bought up and ruined unless some paternal care be exercised toward them.' He had on that occasion drawn up 'a deed of trust for a portion of land belonging to the natives living on the Kanakana (Kawakawa) River' to prevent those not the real proprietors from selling to 'the numerous arrivals of Europeans.'⁷ George Clarke, three years later, referred to the

-
6. Bishop Selwyn to Captain Fitz Roy, November 1845. G19/1. pp. 78-80. Selwyn summarises the situation, 'In the South, the work of colonization began with a disagreement between the Missionaries and the Agents of the Company, fomented by an opposition of a more important character between the main bodies in England. To this succeeded an altercation between the Colonial Office and the Company; carried out with still greater asperity in this country, and expressed in the most abusive manner at Public Meetings, and in the Colonial Newspapers, against every Governor in succession. The Church obtained its share of censure, though in a less virulent form.'
7. Copy of extract of letter from H. Williams to Rev. R. Hill, 7 December 1835. CN/O 101.
- * A copy of this trust deed is in G.B.P.P. 1840 (Cmd. 582) p. 164.

same topic stating that, 'The missionaries have endeavoured to devise some means whereby the land might be preserved more sure to the rightful owners - or the sale of land to be more difficult or less general - but have not succeeded.' He added that, 'There are two large tracts of country now held in trust for some of the tribes in the Bay of Islands. This has been the means of preserving the land at present to these tribes but it has been objected [to] or disapproved of by the Corr Com. (Correspondence Committee, N.S.W.)⁸ and Henry Williams again referred to it a few months later.⁹

In 1839 Henry Williams 'arrived in Cooks Straits as the purchase of Port Nicholson and Queen Charlotte's sound were completed. ... I therefore purchased two tracts for the sole benefit of the Natives (he omitted to mention his private purchase at Lambton Harbour) - one to the South^d of Port Nicholson' and the other in the river Wanganui with the country north and south for some distance.¹⁰ By executing a trust deed with the Maoris of Putiki,

8. G. Clarke to D. Coates (copy), 1 March 1838. CN/O 101.

9. H. Williams to D. Coates, 18 June 1838. CN/O 101. '... for some years since in consequence of the general influx of Europeans, we have had great difficulty in restraining the Natives from disposing of their lands. ... At this settlement we hold two large tracts of country in trust for the Natives of the Kawakawa.'

10. H. Williams to D. Coates, 23 January 1840. CN/O 94B. 'Journal entry of 2 December 1839 reads '... Made arrangements to purchase Wairarapa to the Southd. of Port Nicholson as a sitting place for the natives.' Lawrence H. Rogers (ed.), The Early Journals of Henry Williams 1826-40 (Christchurch, 1961), p. 459.

Wanganui, Henry Williams could in part, be blamed by Colonel Wakefield for his difficulties there¹¹ despite the slipshod methods of purchase adopted by his nephew, Jerningham Wakefield¹² which was the basic reason for his difficulty. The missionary element added further cause for complaint when George Clarke Junior later assisted Commissioner Spain to investigate the alleged purchases of the company.¹³ It appeared to the Colonel that the missionaries as a body were bent on frustrating his assumed legitimate interests at every turn. These trust deeds were later 'delivered up to Mr. Clarke as the Protector of Aborigines',¹⁴ though their value as legal instruments was nil and no action was taken since the Treaty of Waitangi made them unnecessary, the Crown itself serving as trustee for Maori land.

By 1837 George Clarke could write 'anything in the form of a Government would be preferable to anarchy'¹⁵ whilst his senior colleague later indicated that he did not favour settlement by

-
11. H. Williams to D. Coates, 13 April 1842. CH/O 94B. Williams replying to Somes' allegations made in a letter to Lord J. Russell on 19 April 1841 stated that the Wanganui trust deed was 'drawn up at the instance of the Natives themselves before any person belonging to the Company was there ...'
 12. John Miller, Early Victorian New Zealand: A Study of Racial Tension and Social Attitudes 1839-1852 (London, 1958), p. 55.
 13. G. Clarke, Notes on Early Life in New Zealand (Hobart, 1903) p. 48 et seq. gives a good account of the Colonel's attitude at the time and the abuse hurled at Clarke.
 14. H. Williams to D. Coates, 2 December 1841. CH/O 101.
 15. G. Clarke to Secretaries C.M.S., 31 March 1837. CH/O8.

Europeans. Both Henry Williams and Clarke wanted the control of lawless Europeans, but were not in favour of settlement, as late as 1839 desiring British support for Maori authority.¹⁶ The arrival of Europeans disturbed their paternalism. In 1838 Henry Williams had indicated his attitude to the possible settlement of the country by the New Zealand Association in terms which left no room for doubt. 'I hope our letter to you relative to our view respecting the New Zealand Association will arrive in sufficient time to be of some use to you in preventing so great an evil to this people as the establishment of such a Company in this land.'¹⁷ The following year he again revealed that his paternal attitude to the Maoris was the root of his opposition to European settlement writing, 'European settlers now appear to be flocking in upon us - every vessel brings us a fresh supply, who may be generally regarded as declared enemies of the natives.'¹⁸

Even Henry Williams' mild-mannered brother, William, proposed 'to reserve as much land as possible to the Society for the natives' at Wairoa, Gisborne and Waipu 'before it all falls a prey to these rapacious land hunters.'¹⁹ He had previously heard from his brother that 'Agents of the Company have in certain ways bought land to a very great extent - they profess to have purchased the whole from 40th degree to the 43rd' the natives being 'captivated like little children with a few Red Blankets and Double barrelled

16. Ian Wards, The Shadow, p. 20, Quarterly Review, No. CXXIV, p. 37.

17. H. Williams to D. Coates, 18 June 1838. CH/O 101.

18. H. Williams to D. Coates, 7 March 1839. CH/O 101.

19. W. Williams to C.M.S., 31 December 1839. CH/O8.

fowling pieces'.²⁰ William Williams went on to say that Europeans had been buying land in the Bay of Plenty referring to their activities as 'nefarious' and indicating that 'they have gone thither with Deeds of Sale prepared by the Lawyers in New South Wales, and giving merely an earnest have induced the natives to sell large tracts of land and to sign the deeds with a promise of making good the payment hereafter.'²¹ Clearly, William Williams' attitude to land buyers, whether the New Zealand Company's or the individuals operating in the Bay of Plenty as reported to him by George Clarke, was decidedly antagonistic. Given this attitude of mind towards settlement by Europeans in general, and the New Zealand Company in particular, it is little wonder that the missionaries in turn, were criticized. Confirmation of the missionary attitude is found in the response of Henry Williams to the Wairau affair. He wrote, 'I cannot say that I am surprised having contemplated such an occurrence' adding 'that the Governor does not appear desirous to follow up this sad affair by adding thereunto and all seem to cast the whole blame upon the unhappy men who fell in the transaction.'²² That an Englishman, an ex lieutenant of the Royal Navy, could hold such an attitude in 1843 is proof of the extent of his paternalism. More importantly, Governor Fitz Roy did not take action against Te Rauparaha and Te Rangihaeata despite the clamour for revenge²³ being expressed by the settlers of Cook Straits. Colonel Wake-

20. *ibid.*

21. *ibid.*

22. H. Williams to D. Coates, 19 July 1843. CN/O 94B.

23. John Miller, Early Victorian New Zealand, pp. 79-81.

See Ian Wards, The Shadow, p. 79, for the Wellingtonian response to Wairau.

field wrote, 'the time was not far distant when the rising generation of Anglo-Saxons would take ample vengeance for the opposition their fathers had encountered.'²⁴ This indicates the wide divergence of attitude towards the Maori held by the missionaries and many of the Central Districts settlers. The New Zealand Company appeared to be hampered at every turn. Their claim to 60,000 acres at New Plymouth was reduced to 3,500 on the strength of George Clarke junior's letter to his father, the Chief Protector of Aborigines, on 27 June 1844.²⁵ Behind every frustration lay the spectre of the missionaries. This invited retaliation.

Henry Williams had visited Port Nicholson in November 1839 after Colonel Wakefield had been and ostensibly bought land there.²⁶ Whilst there he procured a block of land by Lambton Harbour from Reihana or Richard Davis, a native teacher trained in the Bay of Islands. Returning in May 1840 with the Treaty Henry Williams came to an arrangement with local representatives of the Company whereby he executed a deed granting the land to them in return for two sections of one acre each to be allocated to himself and Richard Davis. This was a most unwise procedure. Firstly he would have known that pre-1840 purchases were to be examined by Commissioners and, secondly, he should have been able to anticipate the criticism which followed. He wrote that the land was 'not less than sixty acres,

24. A.S. Thomson, The Story of New Zealand: Past and Present - Savage and Civilized (2 vols., London, 1859), Vol. II, p. 79.

25. John Miller, Early Victorian New Zealand, pp. 83-4.

26. Keith Sinclair, The Origins of the Maori Wars (Wellington, 1961), pp. 113-4.

26. Lawrence M. Rogers (ed.), The Early Journals of Henry Williams, p. 449.

in the first situation in the town, at that time worth not less than Ten Thousand Pounds.²⁷ Naturally, the Company accepted this generous gesture for their own title to Lambton Harbour was deficient²⁸ and even 60 acres was a gift horse they could not turn away. Henry Williams reserved to himself the right to select 'any two acres' from the block after it had been surveyed and divided into building allotments of one acre each the block extending from the beach 'to the mountain called Tinakori' being bound on the south by Pipitea Stream and on the north by the Raurima.²⁹

Trouble was not long in coming. Here was a heaven-sent opportunity for Colonel Wakefield to attack Henry Williams and he rushed into print - The Times, 5 September 1840 - a copy reaching the Rev. J. Hobbs of the Wesleyan Mission at Mangungu who obligingly sent it to Henry Williams for his comments. 'I have refrained from writing down all I have heard of the opposition of the church mission to the Company's objects and the difference between the conduct of its members and those of the Wesleyan ministers and of M. Pompallier (Pompallier) whose enlightened views I learned in several interviews with that accomplished prelate at the Bay of Islands; but, as regards their grasping and selfish acquirement of territory, their overweening claims on the sole right to a profitable intercourse with the natives, and the positive injury, both moral and worldly, their domination has inflicted on the natives wherever I have seen their native apostles, I can

27. H. Williams to Rev. J. Hobbs, 10 November 1841. CH/O 94B.

28. John Miller, Early Victorian New Zealand, pp. 46-48.

29. H. Williams to Rev. J. Hobbs, 10 November 1841. CH/O 94B.

confirm most fully what has been so ably exposed by Dr Lang.³⁰ Thus London learned of Henry Williams' imprudent conduct in Wellington. It was grist to Edward Gibbon Wakefield's mill - he had earlier, in July, attacked the mission when giving evidence before a Committee of the House of Commons.

Wakefield included in his evidence a letter of John Ward's, Secretary of the Company, to the Reverend John Beecham, Wesleyan Mission House which included:- 'Among these evils, the most prominent and destructive has been the custom of Europeans to make purchases of land without reserving any portion for native use, and thus depriving whole tribes of their means of subsistence. In effecting such purchases the religious influence of missionaries over the natives appears to have been extensively employed. Individual missionaries have first, in their sacred character as preachers of the Gospel, persuaded native tribes to place land beyond the competition of purchasers in general, by means of the superstitious rite of taboo, and have then, not as missionaries but as settlers, purchased such land for themselves at a nominal price; in some instances acquiring the whole property of a tribe, and thus impelling that tribe to make war on its neighbours for the purpose of acquiring land on which to subsist.'³¹

Whilst this letter was quoted by Wakefield to justify the Company's retention of land previously bought for the Wesleyan Mission at Port Nicholson its general tenor served to implicate

30. *ibid.* Quote corrected after reference to The Times, 5 September 1840.

31. G.B.P.P. 1840 (Comd. 582) pp. 46-7.

the missionaries as being parties to a conspiracy to deprive the Maoris of their land whilst he, making reserves for them - the so-called tenths - was their altruistic champion. Henry Williams' slip at Wellington must have been gleefully received serving, when suitably garnished and distorted, to support his earlier evidence. Clearly, missionary land buying had now become inextricably mixed with politics. The extensive purchases of Fairburn and Taylor provided additional ammunition which E.G. Wakefield was not slow to use.

To sum up, the attitudes of the missionaries both towards the Maori and their own countrymen were not conducive to friendly relations with the latter, particularly in the Central Districts. Furthermore, the very nature of the humanitarian experiment which began at Waitangi would have created trouble for them in any case, not merely because they were associated with its implementation, but because the effective execution of this policy in the face of Colonel Wakefield's blunders was held by many of the settlers of the Central Districts to be contrary to their legitimate interests. It was easy for the Colonel to blame the governor and his missionary advisors for his own shortcomings. Hence criticism of the missionaries was both part of local politics in New Zealand and used by E.G. Wakefield in England as part of his campaign to gain concessions for the company.

It could be said that the missionaries should not have bought land and thus exposed themselves to the various charges made by the London supporters of the company which served to embarrass their parent body placing it in an awkward position when trying to

contain the company's growing influence. But this view denies the real needs and motives of the missionaries. It denies the evidence that as late as 1839 they were looking for a different kind of British intervention which would serve to bolster existing Maori authority and exclude European settlement. If the Taylor and Fairburn purchases are excluded the area of land bought for the support of their families was relatively modest. But their activities to prevent other Europeans from buying land was a different story. So were the activities of the Protectorate Department in which the Clarkes were involved. These paternalistic concerns of the missionaries were the activities which aroused the anger of the Wakefields their criticism of missionary land purchases being the natural outcome.

THE LAND QUESTION UP TO 1846

The Parent Committee's instructions to the New Zealand missionaries were basically incompatible. They wrote enjoining them to afford their 'cordial support and cooperation' to Captain Hobson, the Lieutenant Governor, whilst warning, 'with politics as such, you have, as missionaries, nothing to do, and it is your duty to keep yourselves as much as possible disentangled from all secular affairs.'¹ Obviously, by giving support to Hobson the missionaries were taking direct part in political matters. Colenso was worried enough about missionary influence being used to urge the Maoris to sign the Treaty that he expressed the point firmly to Hobson seeking to ensure that the clauses of the Treaty were fully understood before the signing took place so that in the event of 'a reaction taking place, the Natives could not turn round on the missionary and say, "You advised me to sign that paper, but never told me what were the contents thereof".'² His objections were brushed aside and the signing began.

Hobson duly acknowledged missionary help stating, 'they have rendered important services to this country ... but for them, a British Colony would not at this moment be established in New Zealand.'³ Henry Williams justifiably claimed, 'that the Colony

1. Extract of letter from C.M.S. to New Zealand Missionaries, 17 July 1839. In D. Coates to Lord Stanley, 14 August 1844. CH/L4.

2. W. Colenso, The Authentic And Genuine History Of The Signing Of The Treaty Of Waitangi, New Zealand, February 5 and 6, 1840 etc. (Wellington, 1890), p. 33.

3. Extract from Captain Hobson's speech, 14 December 1841. In D. Coates to Lord Stanley, 14 August 1844. CH/L4.

would not have been formed had I withheld my support'⁴ hence the missionaries' first political task was performed successfully despite the fears expressed by Colenso. Once committed to this course of action, their own paternalism precluded any turning back. They had assumed a political role and could not cast it off.

Normanby's instructions to Hobson necessitated the creation of a body whose special function was to look after Maori interests hence Hobson had to turn to the missionaries for the necessary personnel since their knowledge of the language and influence with the Maori were prerequisites for the job. He wrote to George Clarke⁵ offering him the post of Protector of Aborigines whereupon the northern committee feeling that 'it is considered most desirable that the office of Protector General should be held by a member of our body' resolved 'That Mr. Clarke be recommended to accept His Excellency's provisional appointment and that the Parent Committee be written to/^{to} recommend them to interest themselves to get Mr Clarke regularly appointed by the home Government.'⁶ Clarke duly became Chief Protector being joined by two of his sons as sub-Protectors. Thus an ex-missionary held a key post in the government which necessarily brought him into conflict with the New Zealand Company in particular, and the southern settlers generally.

4. H. Williams to C.M.S., 30 January 1850. CN/O 94B.

5. W. Hobson to G. Clarke, 4 April 1840. In R. Davis to C.M.S., 20 April 1840. CN/O8.

6. Extracts from Minutes of Committee held at Waimate, 14 April 1840.
ibid.

As a land purchaser* and a missionary of long standing Clarke was associated with his former colleagues⁷ who themselves persisted in interfering in political affairs when this interference, despite being based on a desire to protect Maori rights could be misinterpreted. The problem was that, to the Europeans, the missionaries appeared to be more interested in protecting Maori interests when they might have tried to understand that their own countrymen's welfare was also important. Undoubtedly, the Protectorate Department's policy of protecting Maori interests prevented war in the Central Districts and was at the time in the best interests of both races yet the Europeans did not see the situation in this light.

Into this situation stepped Bishop Selwyn in June, 1842. His arrival, the removal of William Fairburn⁸ and clarification of the Rev. Richard Taylor's supposedly extensive purchase together with the effective working of the land commissioner's court could be expected to lead to a quietening of the criticism of the missionaries.

Selwyn promoted both the Williams brothers soon after his arrival and this, plus an evident desire on his part not to raise the land question, served to lend authority to the rightness of their previous actions. However, Selwyn was concerned to keep his

* For details of Clarke's purchases see Appendix I.

7. R. Davis to C.M.S., 20 April 1840. CN/08.

'Mr. Clarke will not only not be removed from the Missionary Field but will have open before him a still extensive field of general usefulness and which will not fail to increase the influence of the Church Missionary Society throughout the Country.'

8. Fairburn resigned in December 1841.

clergy from secular pursuits using his ecclesiastical authority to place missionaries at some distance from their land holdings, where these existed, and limiting any stock they possessed to the glebe. This policy was effected by refusing ordination to those who did not agree to these conditions. An unusual contrapuntal situation developed the C.M.S. in London being chary of Selwyn and determined to limit his authority over the mission whilst Henry Williams, the senior missionary, had nothing but praise for him during this period welcoming his assumption of authority particularly over placement.

In pursuance of their refusal to give Selwyn the necessary authority to perform the functions which Shirley would readily have received, the Committee of the C.M.S. commissioned S. Kempthorne to report on the state of the mission. His reports served to confirm their suspicions about Selwyn which was reflected in their actions, but no major changes in the management of the mission were effected till 1847.

Throughout the period 1840 to 1846 the missionaries were still closely involved in politics and the war in the north coming as it did in an area where the mission had been established for thirty years came as an acute embarrassment. This same period was marked in England by the growing influence of the New Zealand Company being reflected in the 1844 Commons Report and the generous arrangements made between the company and the government at a time when the outlook for it looked black.

Finally, before his departure Fitz Roy authorized extended grants of land to some of the missionary claimants which could have only served to confirm the correctness of their actions. The

matter now seemed to be at an end.

The resolutions of the Parent Committee of the 7th of January, 1840 regarding W. Fairburn's land, given his previous desire to retire coupled with his refusal to sell the Society 500 acres for a mission station,⁹ left him no room to manoeuvre and he accepted the inevitable. This disposed of one large purchaser, the other, the Rev. Richard Taylor, had less difficulty. The commissioners awarded him as his half share of the 50,000 acre block at North Cape a mere 850 acres which was valueless and not worth the cost of survey. Even the Church Missionary Society later refused to accept it.¹⁰ Furthermore, Taylor explained that he wished the conquered Aupouri to return to the land¹¹ which he later claimed was the prime motive for purchase in the first place.¹² Thus Taylor only wished to be rid of an embarrassing encumbrance. With these two large purchasers out of the way the major sources of criticism were removed.

9. G.B.P.P. 1840 (Cond. 582) p. 175.

10. Resolution XIII of the Central Committee, 10 February 1851. 'That the Committee are obliged to Mr Taylor for his offer but do not in the present state of things accept the same.' Documents of the Central Committee of the New Zealand Mission 1847-1854.

11. R. Taylor to Thompson, Colonial Secretary, N.S.W., 12 November 1840. Janet E. Ross, The Missionary Work of the Rev. Richard Taylor at Wanganui, (Unpublished Thesis, Victoria University of Wellington, 1964), App. B.II.

12. R. Taylor to D. Coates, 9 January 1846. Ibid., App. B.I.

Meanwhile the land commissioner's court went on with its business determining the extent of the grants to be issued to missionary and other buyers which afforded official recognition of their rectitude. Unlike other purchasers, particularly the 1839 land sharks, the missionaries paid more than was required to justify the award of the acreages that they claimed.¹³

The bishop's arrival at Paihia was hailed with joy by Henry Williams who expressed 'profound astonishment that such an [a] one could have been selected from all England to the office of Bishop of New Zealand.' In the course of a service shortly after his arrival Henry Williams must have had a traumatic experience the old seaman being unable to 'refrain from shedding a tear of joy and gratitude that the Great Head of the Church had thus regarded us in our low estate and I felt an assurance that God was about to fulfil his promises towards us. ... In this Bishop we see a protector and I should hope that the report His Lordship may be enabled to forward will put many doubts at rest and give a fresh impetus to the real friends of the Mission in New Zealand.' He assumed that the placement or 'the disposal of the missionaries will more particularly devolve upon the Bishop' ending his letter by congratulating 'the Society upon the appointment of so great a man' and trusting that it would end 'all unpleasant feeling of every kind between the Society and the Members of the Mission.'¹⁴ A month later Henry Williams wrote, 'The Bishop towards myself has paid every mark of respect which I

13. Memo by R.A. Fitzgerald, 2 May 1844, O.L.C. 633-4.

'Mr. Clarke appears to have paid to the Natives enough to entitle him to 26,000 acres; he only claims 5,500 acres ...'

14. H. Williams to D. Coates, 27 June 1842. CN/O 94B.

had certainly no reason to expect from all which has been said upon the land question ... to His Lordship.¹⁵ It seems that Henry Williams viewed the Bishop as a protector who would vindicate the missionaries and use his authority in the interests of the mission.

However, Selwyn was in an unenviable position being initially dependent upon the mission for quarters at Waimate. Furthermore, he was very young, in the early thirties, whilst the old missionaries, the principal land buyers, were an aging group, and although a vice-president of the C.M.S.¹⁶ his authority over the mission lay in his leadership in ecclesiastical affairs only.¹⁷ Therefore he had to tread warily and to gain ^{the} support of the Williams brothers, the two senior missionaries, he appointed William as Arch-deacon for the East Cape and Henry as Commissary of the Bishop for the District of the Bay of Islands which the latter accepted 'as a mark of approbation from His Lordship of my conduct in the Mission.'¹⁸ Thus Selwyn secured the loyalty of two key men in the mission, Henry, the born leader, and William, the scholar. This had the effect of weakening the power of the lay members who had hitherto maintained a majority with resultant difficulties in terms of placement. H. Williams appreciated this improvement stating, 'We anticipate many changes this year in the position of those members of the Mission who come up for Ordination as all but Mr Chapman will

15. H. Williams to D. Coates, 25 July 1842. CH/O 94B.

16. G.A. Selwyn to C.M.S., 27 October 1841. CH/O 77.

17. H. Venn to Capt. B.I. Sullivan, 28 January 1847. CH/O 95.

'The ecclesiastical laws of our Church place every ordained Minister under the control of the Bishop of the Diocese in matters purely spiritual. In all temporal matters the Society has retained its full control over its missionaries.'

18. H. Williams to D. Coates, 25 July 1842. CH/O 94B.

be required to make movements never anticipated under the old mode of proceeding.¹⁹

Henry Williams was further attached to the Bishop by the latter's acceptance of his second son, Samuel, as a candidate for holy orders,²⁰ and by his further promotion to Archdeacon early in 1845 at which time he continued to praise the Bishop reporting that he was 'in full active service. In perpetual motion as relates to schools and every other Missionary duty taking the lead in all things.'²¹ Henry Williams seemed to have gone overboard in his praise discounting rumours of Selwyn's Puseyism though remarking that, 'Some of the Bishop's clergy do not appear of the first order. Segars and Cards are amongst the newly imported qualifications.'²²

The Bishop's attitude to land purchasing was ambivalent at this period. Although he felt strongly about 'the evils arising out of this subject' he had received no instructions from the Society upon the point and 'considered it out of his jurisdiction.' Even so he was reported as having said that, 'if the door could in uprightness be closed upon the past, it would be most desirable.'²³ The committee system played an essential part in controlling the mission and any onslaught against the land purchasers would have found Henry Williams in the vanguard of the opposition.²⁴ These

19. H. Williams to D. Coates, 26 April 1844. CH/O 94B.
 20. H. Williams to D. Coates, 20 February 1844. CH/O 94B.
 21. H. Williams to D. Coates, 22 August 1844. CH/O 94B.
 22. H. Williams to H. Venn, 3 November 1842. CH/O 94B.
 23. S. Kempthorne to C.M.S., 29 April 1843. H/N2.
 24. *ibid.*

committees which were initially dominated by lay members²⁵ could have rendered the Bishop's position untenable. Hence the Bishop's attempts to get the senior missionaries on his side. Selwyn objected to the principle of committee control and wished for more specific authority from the Parent Committee.²⁶

The Bishop, therefore, could not interfere in the land issue except to ensure that the missionaries were not distracted by secular pursuits which involved his assumption of authority regarding placement. In this he had the support of Henry Williams who realized the importance of speed in filling vacancies which could not be effected if the matter were referred by a district committee to the Parent Committee for a decision.²⁷ However, though the Parent Committee disagreed with Selwyn's assumption of absolute authority over placement they could not control the conditions he chose to impose on those seeking ordination as deacons. Candidates for ordination had to agree to go where he chose to send them

25. H. Williams to D. Coates, 11 January 1838. CN/O 101.

'The lay members feel their strength and importance in proportion to their numbers ... every question must be determined by the Lay members. The whole Government of the Mission is in their hands.'

26. S. Kempthorne to C.M.S., 29 April 1843. H/N2.

'The principle of the Committees he objects to.'

27. S. Kempthorne to C.M.S., 29 April 1843. H/N2.

Kempthorne reported that this was the Bishop's view quoting him as saying, 'I think the Society had much better leave the appointment of Stations in my hands; these things often require to be done promptly and it would be a great loss of time and opportunity if we have to wait 12 or 15 months for decisions of the Home Committee who after all cannot be the judges of circumstances here.'

and to limit their stock to five head of cattle.²⁸ The Bishop would not ordain Hamlin and license him to work near Auckland where he had land even though 'he understood that Mr Hamlin would withdraw his application for orders, if the Bishop removed him.'²⁹ Later, in a letter to Matthews at Kaitia Selwyn wrote, 'I also informed you of my general rule, that I could not, except under special circumstances, license clergymen to districts in which they have private landed property; a rule which^I stated to Mr. Hamlin at this place [Auckland] this day three years ago; and in accordance with which he has now removed to the Wairoa.'³⁰ Furthermore, Selwyn refused to license or ordain if the Society claimed the right to withdraw the salary of a clergyman without his consent.³¹

Thus Selwyn, incapable of making a direct assault on the land buyers had to content himself by using his authority to license and ordain to place missionaries away from the temptation of engaging in secular pursuits. But even he could not control the children of the missionaries for in 1854 the Lay Secretary of the New Zealand mission protested 'against private cattle running [and] the trading of Missionaries' sons on the Station.'³²

Following the appointment of Selwyn as bishop the Parent Committee commissioned S. Kempthorne, the brother in law of Josiah

-
28. A.G. Bagnall and G.C. Petersen, William Colenso (Wellington, 1948), p. 179.
 29. S. Kempthorne to C.M.S., 29 April 1843. H/N2.
 30. Selwyn to Matthews, 25 June 1845. Selwyn Papers 1839-1865, Vol. I, p. 51.
 31. S. Kempthorne to C.M.S., 29 April 1843. H/N2.
 32. R. Vidal to C.M.S., 12 December 1854. CH/O 90.

Pratt, to report on the state of the mission. Had their own choice, Shirley, been appointed there would have been no need to send Kempthorne. Clearly, they could not trust Selwyn. Kempthorne arrived late in 1842 but without any written authority. Furthermore the missionaries had no copies of his instructions and he lacked the necessary formal authority to assume any direct responsibility.³³ He was, in short, in a most delicate situation³⁴ and far from treading warily he antagonised the missionaries to a point where the C.M.S. had to withdraw his commission on July, 17th 1844.³⁵ He was extremely critical of missionary land purchases and wished 'To keep the Society clear from the imputations which attaches to many of the Missionaries' recommending them in the strongest manner

33. S. Kempthorne to H. Straith, 29 June 1847. H/N2.

'Let it be remembered, that the Missionaries had no copies of my instructions sent to them, and that I did not come to them backed as I ought to have been, and was led to expect that I should be, by the clear determination of the Home Committee to support me in the discharge of the delicate duty entrusted to me ...'

34. H. Williams to D. Coates, 16 May 1843. CN/O 94B.

'We shall be glad to hear the nature of your instructions to Mr Kempthorne concerning his authority as general Superintendent over us ... We merely wish to learn the desires of the Committee ... We informed Mr Kempthorne that we had not received any instructions from the Society relative to himself and consequently could not act with him.'

35. S. Kempthorne to H. Straith, 29 June 1847. H/N2.

'the last reason assigned for the termination of my Agency is this, that having through my own indiscretion excited the ill will of the Missionaries it was impossible that I could act harmoniously with them ...'

- 1st. To act fully and immediately in every case, upon the declared rule which governed the Society in Mr Fairburn's case.
- 2nd. To institute a full enquiry into the state of the accounts and of the Society's property in general.
- 3rd. To relieve the Missionaries from all future control of the Society's property. 36

The Committee dared not undertake the adoption of the first resolution since this would have led to a break up of the mission. Furthermore, according to a memorandum of interviews held with Governor Fitz Roy on 29 December 1843 and 3 January, 1844 he had written that the governor 'in the case of Individual Missionaries' proposed to give them 'additional lands, 200 acres for each son, beyond the maximum of 2560 acres; so that an Individual with 5 sons will have 3560 acres.'³⁷ Clearly, Kempthorne, was concerned more to voice his own opinions than to see the matter settled quietly. Governor Fitz Roy, the highest authority in the land, an evangelical, and nominee of the C.M.S., proposed to be generous and settle the land question quietly and lawfully but Kempthorne's attitude blinded him from seeing what was in the best interests of the mission as a whole. He acted more like an agent provocateur than a responsible advisor reporting in turn on the bishop's alleged Puseyite tendencies³⁸ and on the alleged mismanagement of mission

36. S. Kempthorne to C.M.S., 7 June 1843. H/N2.

37. S. Kempthorne to C.M.S., 9 January 1844. H/N2.

38. S. Kempthorne to C.M.S., 29 April 1843. H/N2.

'The Bishop disavows himself the holding Puseyite views and professes not to know what they are (which it appears is not an uncommon subterfuge in the case of those who do hold them) but you must be aware that the Tendency of his school is in that direction and I feel convinced that he is quite under their influence. Both his chaplains Revd W. Cotton and Revd H. Whytehead are decided Puseyites. (Mr Whytehead has since died at Waimate).'

property³⁹ in terms which indicated that he had a taste for retailing scandal.

The Parent Committee had no intention of raising a hornets' nest which would only serve to destroy the mission hence they terminated Kempthorne's commission and left the land question in the hands of the land commissioners knowing that Governor Fitz Roy, whom they trusted, would also use his influence to settle the land question peacefully. They had no alternative. Their very act of commissioning Kempthorne to investigate the mission indicated a lack of trust in the bishop hence the former's failure left them no choice but to leave the matter to one man, Fitz Roy. Fortunately, his arrival was hailed with delight by the missionaries who looked upon him 'as one appointed by Divine Providence to aid us by his example and acts in our great cause'⁴⁰ hence Fitz Roy was acceptable to both parties, and as such an ideal referee. Thus, the Parent Committee had to be content to leave the land question in Fitz Roy's hands.

It seems clear that the Parent Committee were chary of Selwyn. Kempthorne had reported the missionaries feared 'that he is disposed to exercise unlimited authority over them and the Society's affairs in the Colony'⁴¹ and 'had turned the whole Mission over their heads.' He added that the Bishop 'feels conscious that he has already very much exceeded' their instructions

39. S. Kempthorne to C.M.S., 7 June 1843. H/N2.

40. R. Burrows to D. Coates, 15 January 1844. CN/O8B.

41. S. Kempthorne to C.M.S., 14 January 1843. H/N2.

pointing out that, 'the Bishop intends to have the press under his own management; he acts now as if this were entirely the case.'⁴² After consultation with the Parent Committee Fitz Roy noted their lack of confidence in Selwyn writing, 'I wish you would convince people here and the C.M.S. particularly that you are not a Pusey-ite! I am sure they are more or less afraid of you on that score.'⁴³ The committee indicated that they would not give him absolute authority over the mission or their missionaries refusing to allow him to get control of their landed property, or to support his college at Auckland which they suggested was being run on lines 'at variance with the spirit of the English Church.'⁴⁴ Hence they proposed the setting up of a Central Committee which had the duty of locating the missionaries 'subject to the Bishop's approval' retaining in their own hands 'the ultimate authority and direction' of the mission. Furthermore, they placed all the Society's landed property in the hands of 13 of their missionaries.⁴⁵ By its actions, therefore, the Parent Committee clearly indicated its determination to limit the bishop's authority over its mission though they were kind enough to invite Selwyn to serve as President of the Central Committee. It should be noted that this clear policy was introduced before the land question erupted again in 1846. Meanwhile the dangers associated with meddling in politics

42. S. Kempthorne to C.M.S., 29 April 1843. H/N2.

43. R. Fitz Roy to G.A. Selwyn, 31 October 1846. Selwyn Papers 1839-1865, Vol. I, p. 61.

44. Draft of letter, C.M.S. to G.A. Selwyn, September 1846. H/N7.

45. C.M.S. to Central Committee, New Zealand, 7 September 1846. H/N7.

were emphasized during the war in the north when the missionaries in the Bay of Islands played a prominent part in the peace negotiations.⁴⁶ In performing this task their motives were misunderstood. Henry Williams being accused by Lieut Philpotts, son of the Bishop of Exeter, of 'traitorous conduct' whilst one of Henry Williams' boat crew heard a sailor of the Hazard remark that Henry Williams ought to be cut to pieces and hung up as beef is hung up.⁴⁷ The missionaries continued involvement in politics was a danger. Henry Williams noted 'the antipathy' towards them adding that 'there is no want of ill will to receive anything which may be given out to the prejudice of the members of the mission.'⁴⁸

So long as Fitz Roy remained governor the hostility shown towards the missionaries could be contained. He wrote, 'To accuse Archdeacon Henry Williams the tried, the proved, the loyal and indefatigable of being a Traitor, of having acted traitorously seemed to me so utterly absurd to say the very least.'⁴⁹ The problem for the future was, would the next governor support them in a similar manner? If not, their continued interest and interference in politics might not have been to their advantage. Dandeson Coates appreciated this possibility and was aware of their vulnerability to criticism noting that 'an attempt is to be made, in some way or other, to throw the blame of the collision in the Bay of Islands on the missionaries.'⁵⁰

46. Peter D. Gibbons, The Protectorate of Aborigines 1840-46 (Unpublished thesis, Victoria University of Wellington, 1963), p. 200.

47. H. Williams to Governor Fitz Roy, 20 March 1845. CN/O 94B.

48. H. Williams to G.A. Selwyn, 21 July 1845. CN/O 94B.

49. R. Fitz Roy to H. Williams, 2 April 1845. CN/O 94B.

50. D. Coates to R.H. Inglis, M.P., 21 July 1845. CH/L5.

This period was marked in England by the continuing interference of the C.M.S. in New Zealand affairs as expressed in their frequent communications to the Colonial Office⁵¹ and through the watching brief exercised by Dandeson Coates⁵² over developments in the House of Commons. In this they were as concerned as their New Zealand missionaries to preserve the Treaty of Waitangi intact and Coates wrote, 'this saved, I cared not how favourable the terms might be which the Company made with Her Majesty's government.'⁵³ However, Coates noted that the Company's 'influence was considerable' in the House of Commons and looked upon the appointment of the 1844 Select Committee as an attempt by 'the New Zealand Company to coerce the Government.'⁵⁴ Certainly, the report of this committee created distress among the New Zealand missionaries⁵⁵ which was

-
51. D. Coates to Lord Stanley, Secretary of State for Colonies, 10 December 1845. CH/L5. A memorial was enclosed which included:- 'Your Memorialists also know on the best authority that one of the missionaries of the Society, especially Archdeacon Henry Williams, did for a long time exert great influence in allaying the irritation of the Natives, and in preventing the spread of disaffection, to which His Excellency Governor FitzRoy and the Bishop of New Zealand have borne the most satisfactory testimony.'
- D. Coates to Hon. W.E. Gladstone, 24 December 1845. CH/L5. 'On the 10th Inst. I transmitted to Lord Stanley a Memorial ... The Committee have since that date received communications from New Zealand containing information which they consider to be their duty to impart to Her Majesty's Government.'
52. D. Coates to R.H. Inglis, M.P., 21 July 1845. CH/L5. 'I shall hope to be at the House of Commons this Evening at 5 o'clock in case there should be any point on which you should wish to communicate with me.'
53. D. Coates to R.H. Inglis, M.P., 22 March 1845. CH/L4.
54. *ibid.* This letter reviews the developments from the Lords' Report 1838 to the time of writing with a full account of the New Zealand Company's activities and the pressure then being applied in the House of Commons. Inglis was being well briefed.
55. H. Williams to R. Fitz Roy, 20 February 1845. CH/O 94B.

only allayed by a perusal of Stanley's letter to Fitz Roy which the latter forwarded to H. Williams.⁵⁶ It is clear from the Williams-Fitz Roy correspondence that the missionaries were still very much involved in politics.

The growing influence of the New Zealand Company was accompanied by changes at the Colonial Office. Stanley was superseded by Gladstone in December, 1845 who was, after a brief period, replaced by Earl Grey. The latter, as Howick, had served as Chairman of the 1844 Select Committee which, contrary to the Treaty of Waitangi, would treat unoccupied Maori land as belonging to the Crown, later supporting Buller's motion in the Commons - June 1845 - when the former attacked the Treaty and Fitz Roy's Penny-an-Acre Proclamation. Furthermore, he happened to be the father-in-law of Durham. Later, in 1847, he concluded an agreement with the Company which for a period of three years was to enjoy 'the entire and exclusive disposal of all Crown lands, and the exercise of the Crown's right of pre-emption of lands belonging to the natives in the southern government of New Zealand',⁵⁷ as well as granting it generous financial assistance. However, Colonial Office policy, despite the influence of the Company, could not be changed overnight. The Treaty was honoured till Grey invaded the Waikato in 1863.

56. Fitz Roy to Henry Williams, 18 February 1845. CH/O 94B.
'I send you Lord Stanley's original despatch in reference to the resolution of seven members of the House of Commons and the Parliamentary Report. Pray return them at your convenience.'

57. A.J. Harrop, England and New Zealand from Tasman to the Taranaki War (London, 1926), p. 239.

The growing influence of the Company was not a happy augury for the missionaries. It used its influence in the Commons to attack the mission through the land purchasers by publishing their claims separately⁵⁸ prompting Coates to write 'the animus of the proceeding cannot, I think be mistaken. It can scarcely be regarded otherwise than as an attempt to throw obloquy upon the Society's missionaries and by so doing to weaken the case which the Committee have established with regard to the rights of the Natives of New Zealand in their land, as confirmed to them, by the Treaty of Waitangi.'⁵⁹ Hence when Grey assumed his duties as governor the policy of the Colonial Office was soon in the hands of Earl Grey, whose past record indicated that he was predisposed to promote the welfare of the Company whose anti-missionary tendency was given full rein both through the press and its influence in the Commons.

S. Kempthorne's report of his interviews with Fitz Roy on 29 December 1843 and 3 January 1844 indicated that the governor was going to treat the missionary land claimants generously.⁶⁰ Accordingly, late in 1844 he issued extended grants to some of the missionaries thereby signifying his approval of their conduct and legally justifying their purchases; in some cases, of areas of land above the 4 square miles envisaged as a maximum under the Land Claims Ordinance.⁶¹

58. G.B.P.P. 1845 (Cond. 378).

59. D. Coates to R.H. Inglis, 20 March 1845. CH/14.

60. S. Kempthorne to C.M.S., 9 January 1844. H/N2.

61. J. Rutherford, Sir George Grey K.C.B., 1812-1898: A Study in Colonial Government, second ed. (London, 1961), p. 129.

There were 24 extended grants 10 of which were in 'favour of
cont. on p. 78

The majority of the buyers, who bought land in the Bay of Islands, remained, despite the war, in undisputed possession. Even Selwyn recorded that 'During thirty years the Missionaries have gone to and fro without injury in any one instance to their persons: and in one or two instances only have sustained any loss or destruction of property. They have placed their children as Farmers in the very midst of the Native population with perfect confidence: and a confidence not unfounded, as may be judged from the one instance that Kawiti leading his armed force through Pakaraka, a farm belonging to the sons of Archdeacon (Henry) Williams, found one of the young men alone and lying in bed sick of a fever; but was so far from taking advantage of his state to plunder the place that he sat down by his bedside, and conversed with him; and then went on his way to join Heke.'⁶² This account from Selwyn should be kept in mind in view of his later activities.

Fitz Roy's acts finally appeared to have settled the land question. Despite the criticisms, despite the war, peaceful and honourable possession was assured in proof of which the claimants held Crown Grants - there could be no better title.

61. (cont.) persons connected with the Church Missionary Society.' Some of the non-missionary grantees were awarded very large areas:- 'the whole of Great Barrier Island (24,269 acres) to Abercrombie, Nagle and Webster. Kawanau Island, containing nearly 5,000 acres ... was awarded entire to J.F. Beattie. The large grant of 12,422 acres was made to J.R. Clendon ...'

62. Selwyn to Fitz Roy, November 1845. G19/1. pp. 19-20.

GOVERNOR GREY'S ATTACK ON THE MISSIONARY LAND PURCHASERS

Any assumptions that the missionaries held that the land question was finally settled by their receipt of Fitz Roy's extended grants of late 1844 were abruptly shattered by his successor George Grey. Grey deliberately sought to destroy missionary influence in the government and more particularly in the Protectorate Department. Once he had begun this attack he could not retrace his steps the outcome being a general weakening of the mission.

On 30 March 1846 George Clarke, the Chief Protector of Aborigines, wrote a long report for Governor Grey¹ which the latter received as 'not only a defence of Mr Clarke's own conduct, but an elaborate defence of the acts of my predecessor.'² Grey, determined to destroy the Protectorate Department in contravention of Colonial Office policy, reacted strongly to the report officially informing Clarke that 'the letter appears to have been wholly uncalled for, and that ... it not only contains many statements which are wholly incorrect; but much which is imprudent and improper',³ Grey being absent the report was not forwarded to the Colonial Secretary until the 30th of April and kept back by Grey until June 12th when he forwarded it to the Secretary of State. Grey 'used the time between 30 April and 12 June to prepare the mind of the Colonial Office to discount Clarke's report'⁴ and

1. G. Clarke to Colonial Secretary, 30 March 1846. G30/10.

2. Grey to Stanley, 12 June 1846. G30/10.

3. Clarke to Colonial Secretary, 7 May 1846. Quoted in P.D. Gibbons, The Protectorate of Aborigines 1840-6 (Unpublished thesis, Victoria University of Wellington), p. 201.

4. *ibid.*, p. 202.

receptive to an uncritical acceptance of the 'Blood & Treasure' despatch. Using the technique *argumentum ad hominem* he added critical and unsubstantiated allegations about the missionaries in the form of marginal notes viz: 'I believe that the desire to recover from some of the Missionaries, the large tracts of land they claimed, was the cause of the revolt of the natives.'⁵

Here Grey clearly imputed that the Maori desire to recover missionary held land was the reason for the war in the north adverting to the same topic later and adding 'I believe the large pretended purchases of some of the Missionaries to have been the chief cause of the disaffection of the Northern Chiefs.'⁶

The statements are unequivocal and once launched on a course of this nature Grey could not retract. He became a prisoner in the tangled web of his own deceit further enmeshing himself and unable to turn back. Gibbons suggests that Grey's 'assault upon the missionary land purchases have a rational explanation only if they are seen as an attempt to break the alleged political power of this group.'⁷ This is probably true. The missionary party had proved apparently hostile to the New Zealand Company yet his political masters wished him to promote their interests hence his actions must be viewed as an attempt to promote the interests of one party by attacking and thus limiting the influence of the other.

5. G. Clarke to Colonial Secretary, 30 March 1846. Grey's annotation, p. 185. G30/10.

6. *ibid.* Grey's annotation, p. 186.

7. P.D. Gibbons, The Protectorate, pp. 200-1.

The ground prepared, Grey sent his 'Blood and Treasure' despatch on the 25th of June. He referred to two classes of claimants; those who bought land under Fitz Roy's Penny-an-Acre Proclamation and those who had received extended grants adding 'these individuals cannot be put in possession of these tracts of land without a large expenditure of British blood and money.'⁸ Coming on top of his marginal notes on Clarke's report this accusation could have only served to reinforce the belief that missionary purchasers were culpable. Furthermore, in anticipation of the criticism publication of his despatch would foster. Grey, shrewd as always added, 'I must admit, that the individuals interested in these land claims form a very powerful party. They include amongst them, those connected with the public press; several members of the Church Missionary Society, and the numerous families of these gentlemen; various gentlemen holding important offices in the public service, (and who are therefore acquainted with every movement of Government,) and their friends and relations.'⁹

Extracts of this despatch were sent to the President of the Church Missionary Society, the Earl of Chichester, on February 20th, 1847 along with the more direct charges mentioned and appearing in Grey's annotations on Clarke's report.¹⁰ As a result the committee declared that 'no missionary or catechist of the Society can be allowed to continue in connexion with the Society who shall retain for his own use and benefit large tracts of unoccupied land' adding

8. G.B.P.P. 1849 (Cmd. 1120) p. 78.

9. G.B.P.P. 1849 (Cmd. 1120) p. 79.

10. Earl Grey to Earl of Chichester, 20 February 1847. G.B.P.P. 1847 (Cmd. 837) p. 70.

'They must leave to their (the missionaries) own decision the mode of disposing of the land, which those who continue in connexion with the Society may, under the operation of the foregoing resolution, be compelled to part with.'¹¹ The committee resolved that 'it appears necessary to declare that no missionary or catechist of the Society can be allowed to continue his connexion with the Society, who shall retain for his own use and benefit, a greater amount of land, than shall be determined upon as suitable, by the Lieutenant-Governor of New Zealand, and the Lord Bishop of New Zealand, jointly, or by such other referees or referees, as they may be pleased to appoint for the determination of this question, the adoption of which measure, is not to be regarded as casting any reproach or suspicion upon the past integrity of the missionaries.'¹²

There were grounds for differences of interpretation right from the start. On the one hand the missionaries were free to dispose of the excess land in whatever manner they saw fit whilst on the other no member of the mission could retain more land for his own use than was determined by the Bishop and the Governor. The instructions were obviously incompatible. Governor Grey could not accept this solution. He had to maintain the truth of his accusations. He could hardly allow the missionaries to dispose of land when he had referred to their purchases as 'pretended'. In their letter to the governor enclosing their minutes and resolution Hector Straith was vague as to the disposal of any surplus land noting, 'It is impossible for the Committee ... to venture upon any opinion

11. *ibid.*, p. 72.

12. *ibid.*

as to the amount of land and property that they should respectively possess; or the ultimate disposal of such surplus land as they may be willing to relinquish.¹³ No doubt, the allegations in the despatch created a sense of panic the Parent Committee hastening to assure Earl Grey that their 'proposed resolution will effectually withdraw the influence of the Church Missionary Society from the opposition apprehended by Governor Grey.'¹⁴ The Committee wished to avoid responsibility and thrust the burden of settling the question onto the Governor and Bishop even though they had previously been unable to trust the latter with a similar commission. Furthermore, they clearly understood that their missionaries were not involved in purchases under Fitz Roy's Penny-an-Acre Proclamation,¹⁵ and should have known that they had remained in undisturbed possession of their lands. In addition, they recorded their 'astonishment at such charges being brought against any one of the Missionaries of the Society, since abundant evidence exists, furnished from various quarters, directly opposed to the opinion of Governor Grey.'¹⁶ Furthermore, knowing and trusting Fitz Roy, they would surely have realised that he would not issue grants for lands which were the subject of dispute. However, caution was not in evidence and the one man with a thorough knowledge of New Zealand affairs who might have seen through Grey's manoeuvre, Dandeson

13. H. Straith to Grey, 1 March 1847. Williams H. Correspondence, Reports of Meetings etc.

14. G.B.P.P. 1847 (Cmd. 837) p. 72.

15. *ibid.*, p. 71.

16. Secretary C.M.S. to Earl of Chichester, 17 February 1847. CH/L5.

Coates, had died before 'Blood and Treasure' was written hence the missionary recipients of extended grants were tossed to the wolves; to the Governor whose lies created the situation - he now became the judge in his own cause - and the Bishop whom they had previously been unable to trust. Perhaps the Committee might be excused for appointing the bishop as referee since their senior missionary in a letter received by them as late as 29 December 1846 had written, 'I cannot conceive that any Bishop could be appointed who has so deeply at heart the interest of the C.M.S. and I am fully of opinion that the welfare of the mission requires ... His Lordship's full continuance and support.'¹⁷ However, Henry Williams had also indicated that Grey was ever willing to listen to criticisms of the missionaries whilst there was a general move afoot to get rid of them.¹⁸ There was more than enough evidence available to warrant an extremely cautious approach. His letter was received on 29 December 1846 i.e. before 'Blood and Treasure' was communicated to the Parent Committee. It was unfortunate that Henry Williams' praise of the bishop was acted upon without taking similar note of his comments about the governor who showed 'evident marks of having been gained over to the Company and consequently ... the willing receiver of all the Statements industriously circulated by them to the prejudice of the Mission.'¹⁹

17. H. Williams to D. Coates, 23 May 1846. CH/094B.

18. *ibid.*

19. *ibid.*

It must not be inferred that the Parent Committee condemned their missionaries. The contrary is true, their letter to them dated March 1st, 1847 being 'well received' by George Clarke who noted, 'The kind and christian spirit throughout' and added 'the manner in which you have vindicated the character of your missionaries, cannot fail to impress, deeply, all their minds; and lead them, I trust, to a ready acquiescence in your wishes.' He went on to say these had been anticipated by their 'giving up their Lands to their children' and that 'it only therefore remains for them to do legally by a transfer or deed of trust'²⁰ what had in effect been done earlier. The point was, would Selwyn and Grey see the Parent Committee's instructions in the same light?

Grey's determination to destroy the Protectorate department was accompanied with unfortunate consequences for the mission. He offered George Clarke the post of Native Secretary, at a reduced salary, and disposed of the services of two of his sons. Clarke refused the demotion and returned to the mission being appointed lay secretary. Grey's animus against Clarke was marked and this was not a happy augury for the newly constituted Central Committee of which Selwyn had accepted the Presidency²¹ and which was to be convened for the first time in Auckland, 'the first week in September, 1847'²² shortly after the Parent Committee's letter of March 1st had been received.

20. G. Clarke to C.M.S., 4 September 1847. CH/08B.

21. G. Clarke to C.M.S., 27 March 1847. CH/08B.

22. *ibid.*

Meanwhile on August 6th Grey on the one hand refused to serve as referee indicating that 'as Governor of the Colony I am bound to secure to the missionaries that extent of land to which they are by law entitled' adding that 'as an individual I feel objections to missionaries purchasing large tracts of land from the natives they are sent out to instruct' and on the other set out his terms for settlement. Maintaining the fallacy that Fitz Roy's extended grants were illegal and indicating that 4 square miles was the maximum, he offered to 'incur the responsibility of allowing the Missionaries to select this land in any number of blocks not exceeding four',²³ adding that survey expenses would be borne by the Government. This was an apparently generous offer permitting the missionaries to pick out the best spots of land, where these existed, and freeing them from the expense of survey.

However, before the Central Committee met Henry Williams, having read Grey's allegations in 'Blood and Treasure', went on the attack asking that the Governor reply to the following questions:

- Firstly. If at any period application was made directly or indirectly to the local Government in this country by any missionary, or the son of a missionary, to be put in possession of land claimed by him under any circumstances, but more especially by the aid of any military force.
- Secondly. If the late military movements in the north were in any respect connected with the missionaries, but more particularly for the establishing of a missionary in the possession of his land.
- Thirdly. If during the late war with the aborigines or subsequently any missionary, or the son of a missionary, was dispossessed of his land or disturbed by the aborigines.

23. Grey to H. Straith, 6 August, 1847. Williams H. Correspondence: Reports of Meetings etc.

- Fourthly. If any complaint has at any time been preferred to the local Government by any missionary, or the son of a missionary, against the aborigines.
- Fifthly. If any complaint has at any time been preferred to the local Government and attempted to be substantiated by any of the aborigines against any missionary, or the son of a missionary.
- Sixthly. If a smaller military force be required for the establishing a settler in his grant of land for 5 acres than for his grant for 5,000 acres, or if a military force for the establishing of a settler be regulated by the number of acres granted to him by the Government.
- Seventhly. If any exception in these respects will be made by the aborigines in favour of land purchased from them by the Government, but withheld by the aborigines from the Old Settlers who purchased directly from themselves long before any intimation was given of the formation of a British Colony in this country. 24

These questions could only prove Grey's allegations unfounded if answered truthfully. But Grey wished to avoid being cornered knowing full well that his annotations on Clarke's report of the 30th March were unequivocal hence he wrote to Selwyn stating that, 'I have only delayed answering Archdeacon Henry Williams' letter, because I wish in no manner to aggravate or complicate an affair which is already difficult enough' hinting also that 'some of the Missionaries are quite satisfied with the proposed arrangement.' In addition, he denied responsibility 'for any remarks on them which may result from the publication of my private despatch of the 25th June, 1846.' He was obviously holding out the hope that the matter would be settled if Selwyn were to use his influence to this end. Furthermore, he again maintained that Fitz Roy's grants were

24. H. Williams to Colonial Secretary, 16 August 1847. *ibid.*, and G.B.P.P. 1849 (Cmd. 1120) pp. 78-80.

illegal and 'opposed to the rights of the Natives' threatening to have them, 'set aside by the Civil Courts of the Country.'

Naturally, this could not be done 'without inflicting great injury upon the influence of the Mission.' He went on to state his terms of settlement as outlined to the C.M.S. adding that these had been communicated to the land claimants through George Clarke by letter on the 13th.²⁵ Obviously, enough, if he could force the missionaries to accept his proposal their submission would appear to prove the truth of his allegations and substantiate his claim that Fitz Roy's grants were illegal.

Selwyn duly sent a letter to the land claimants indicating that he had protested to Fitz Roy against the issue of extended grants and was in agreement with Grey's proposition which he wished them to comply with adding, 'I would further beg you to dismiss from your minds all questions upon the particular terms of the Governor's Despatch to Mr Gladstone. This can have nothing to do with the real merits of his proposal' maintaining, of course, Grey's view of the illegality of Fitz Roy's grants. He went on to say, 'I cannot see that Governor Grey's remarks apply to the Missionaries/^{more} than to many other claimants' and assumed that 'the Society, in requesting His Excellency to act as their advisor, clearly intimate their opinion that neither the matter nor the manner of his remarks is unjust or harsh.'²⁶ This was an assumption the Bishop was not

25. Grey to Selwyn, 30 August 1847. Selwyn G.A. Letters, Pamphlet. 1848.

26. Selwyn to Missionary Land Claimants, 1 September 1847. ibid.

entitled to make.

The bishop's letter of the 1st of September was forwarded to Henry Williams on September 4th whereupon he replied that it was his 'intention to abide strictly by the Society's Resolution of Feb. 22/47 covered by their letter of March 1/47' and that he never did propose 'to retain any portion of the said purchases' for his "own" private "use and benefit". He went on to remind the bishop of the fact that within the first week of the bishop's arrival at Pahiia he had indicated that he was not at liberty 'to interfere in the "Land question" as Bishop any more than a Bishop in England could interfere with any Clergyman who might wish to purchase an Estate within his Diocese.'²⁷ On the same day Selwyn wrote to the Society indicating that if Henry Williams' interpretation was accepted it would, 'embroil the whole question with the Government; outrage public opinion; break your Resolutions; and set aside my award; and all for no possible benefit either to themselves or their children.'²⁸ In addition, Selwyn refused to meet the Central Committee until Clarke and Henry Williams acceded to the Governor's proposals.²⁹ Two day's later William Williams, Maunsell and Kissling urged the Bishop to meet the Central Committee

27. H. Williams to Selwyn, 7 September 1847. MS Papers 179
(Church Missionary Society) Folder 23.

28. Selwyn to Venn, 7 September 1847. Selwyn G.A. Letters,
Pamphlet. 1848.

29. G. Clarke to C.M.S., 8 September 1847. CN/08B.
'... he would not sit in Committee with Archⁿ. H. Williams and myself unless we complied with His Lordship's wishes.'

holding out hope that the matter could be adjusted.³⁰ On the 10th William Williams interviewed the Bishop and Clarke acceded to the Bishop's propositions ... provided that all lands over and above that proposed, be transferred to the Church of England to be held in Trust for the Education of the Native Population.³¹

Selwyn wrote to William Williams on this same day promising that should the missionaries 'confirm their practice strictly to the Law of the Colony, and the Resolutions of the Society, they will never want a friend as long as I live, to protect their interests, and vindicate their character, at any sacrifice of personal comfort and popularity to myself.'³² Henry Williams, therefore, wrote acceding to 'any proposition relative to the land question which you may suggest, however opposed to my own judgment, as to the reading of the Society's Letters to the Missionaries of March 1/47: but I cannot receive any New Grant until the severe animadversions cast upon the past conduct of some of the missionaries by His Excellency the Governor be either fully established, or fully

-
30. Minute upon the case of Henry Williams, November 1847. H/N7. Their letter, dated 9 September 1847 and Selwyn's reply in which 'he declined any official intercourse with those members of the Committee' who disagreed with him are in: Williams H., Correspondence, Reports of Meetings etc.
31. G. Clarke to Central Committee, 10 September 1847. H.S. Papers 179 (Church Missionary Society) Folder 23. Clarke was duly notified by the Colonial Secretary on 22 September 1847 that Grey would not accede to his qualified acceptance. Grey had to maintain the truth of the fictions expressed in his despatches. To have accepted Clarke's offer might have cast doubts on his previous statements. H. Venn to E.G. Marsh, 10 November 1849. CH/L7.
32. G.A. Selwyn to W. Williams, 10 September 1847. H.S. Papers 179 (Church Missionary Society) Folder 23.

and honourably withdrawn.³³ The Central Committee had no doubts about the Bishop's interpretation of the Society's letter and resolution³⁴ hence Henry Williams, with the assurance that the Bishop would clear the missionaries of the allegations, finally submitted. The question was could Grey retract?

The Bishop in accordance with his promise to clear the missionaries from the allegations made by Grey approached him for an interview. It can be inferred from Grey's letter to Selwyn³⁵ that when they met on the 27th in company with Archdeacons Brown and William Williams he attempted to justify his allegations in 'Blood and Treasure' by referring to conditions in the Hutt denying thereby that he had specifically attacked the missionaries. He did not, of course, inform the clerics of the more specific and unequivocal charges made by him on Clarke's final report as Protector. Grey refused to recant whereupon the Bishop proposed to William Williams that his brother, Henry, should write out further questions for the Governor. A further set were duly prepared and handed to the Bishop on the 28th.³⁶ The Bishop, however, fully aware of the Governor's reaction to the initial seven of 16 August, proposed a set of his own to which Henry Williams objected.³⁷ Assuming that Selwyn had, according to his own judgement, acted rightly so far he now blundered badly failing to honour his pledge to vindicate the character of his missionaries.

33. Henry Williams to Central Committee, 13 September 1847. *ibid.*

34. Central Committee to Henry Williams, 13 September, 1847. *ibid.*

35. Grey to Selwyn, 27 September 1847. Williams H. Correspondence: Reports of Meetings etc.

36. Minute upon the case of Henry Williams, November 1847. H/W7.

37. *ibid.*

Selwyn knew that Grey's allegations were unfounded and had himself written confirming that the missionaries had remained in peaceful possession of their lands. Furthermore, he had in his 'own house at Waimate' seen Thomas Walker almost compel John Heke 'to sign that letter of apology which though much ridiculed would ... have secured the peace of the country if the Flag-Staff had not been again erected.'³⁸ He knew enough about the war in the north to realize the missionaries were not implicated. He knew how much Henry Williams had worked to bring peace. He knew of Fitz Roy's support and praise for Henry Williams. Later, in a discussion with R.A. Fitzgerald³⁹ he stated that the Governor had disavowed the allegations. Knowing this, why did the Bishop not publicly state that Grey had done so or demand that he put his disavowel in writing? Clearly, he was either in collusion with the Governor or afraid of offending him, or both, Henry Williams noting, 'The whole is a deep laid plot. On the part of the Governor to ruin the character of the Missionaries and their influence with the Natives - on the part of the Bishop to reduce the power of the Missionaries and their families so as to render them dependent upon himself for support, whereby he may command their services.'⁴⁰

38. Selwyn to Fitz Roy, November 1845. G19/1.

39. R.A. Fitzgerald to Selwyn, 6 November 1848. Williams H. Correspondence: Reports of Meetings etc.

40. H. Williams to C.M.S. Secretaries, 29 October 1847. CH/O 94B.

There is evidence of their collusion. In a letter of Grey's he reiterates two aspects of the Bishop's policy towards the land claimants which had certainly existed long before the Bishop was nominated as referee. Grey adverted to his request to the Bishop 'to make some arrangement by which those missionaries who claimed large tracts of land in the Bay of Islands, and whose families are nearly all engaged in secular pursuits might be removed ... to some district where they had no such claim' and to his 'reason to complain of their occasioning a great chance of the renewal of hostilities from the fact of themselves or their children keeping quantities of Cattle which destroy the cultivations of the Natives.'⁴¹ Of course, Grey had to try and maintain the truth of his earlier allegations culminating in 'Blood and Treasure' but the coincidence is marked Grey requesting the removal of land holding missionaries 'soon after his arrival in the Colony.'⁴² It seems the Governor was bent on supporting the Bishop whom he believed 'exercised some control over the Society'⁴³ (in New Zealand) but subsequently found otherwise, in his moves to gain control of the mission in return for which services the Bishop supported Grey.

Far from fulfilling his promise to clear the missionaries the Bishop made an allegation of his own that 'the affections of the Natives have been alienated from their Missionaries' but when asked to prove this⁴⁴ his reply of 14 December merely asserted, 'I reserve to myself the full right of determining when that necessity

41. Grey to Venn, 12 April 1847. CN/O 14.

42. *ibid.*

43. *ibid.*

44. H. Williams to Selwyn, 7 December 1847. CN/O 94B.

may be considered to have arisen.⁴⁵ This reply is not particularly satisfactory, and certainly a Bishop should have been able to do better than this. Selwyn was obviously in a dilemma. He had been given power as referee as the result of a crisis and had to either support Grey or his missionaries. The Governor, shrewd, calculating and full of guile had already committed himself beyond the point of no return and could not retract. It was therefore an either or situation. Selwyn, no doubt eager to exercise the authority which had been denied him for so long, acted in support of the Governor. It was, perhaps, easier to act with the Governor than to support the missionaries. Furthermore, the Governor's authority was tangible, his own, over the missionaries, required reinforcement.

Following Henry Williams' qualified submission made to the Central Committee on 13 September Selwyn wrote to him on the 30th asking him to surrender his 'augmented grants'⁴⁶ but in the meantime further evidence of Grey's chicanery came to light. A report of Grey's activities in the Bay of Islands indicated that he had been discussing missionary lands with the Maoris and preparing their minds 'for the reception of the "missionary and old land claimants' legal (?) spoliation scheme'. The correspondent added, 'Did His Excellency think that without some preparatory effort of this kind, it would be unsafe to proceed against the missionaries?

45. H. Williams to C.M.S., *ibid.*

46. Selwyn to Henry Williams, 30 September 1847. Minute upon the case of Henry Williams, November 1847. H/N7.

Or, was it necessary to first excite the cupidity of the natives before they could receive back their lands?⁴⁷ Grey had overplayed his hand. From his point of view he had to substantiate his allegations yet the Bay of Islands Maoris refused to cooperate. Greater proof of the falsity of his allegations would be difficult to find.

In September 1846 Grey had solicited complaints from the Maori whilst in April 1847 the authorities had made 'a strong effort' to get Henry Williams' sons to charge Heke with theft for not having returned a borrowed horse 'the Governor desiring an excuse to apprehend him.' When his sons 'said they had no charge to make against Heke', who had never molested them, 'many highly objectionable remarks were made against both myself and my sons.'⁴⁸ This was a cunning request. Had the boys complied and charged Heke with theft their mana with the Maori would have been lost which might have resulted in their readiness to respond to Grey's solicitations. The latter's actions culminating in the account in the Southern Cross were part of a pattern no prudent administrator should have attempted to establish.

47. Southern Cross, 25 September 1847.

'I think you will like to learn how little our great Governor has made himself by talking to the natives about the Missionaries in the manner he has. On Friday, Moka's people came here - they had much to say about what the people of the steamer and the Governor had told them - that Te Wiremu (Henry Williams) had had "he totohe" [a strife] with the Governor - that the Governor was going to take all the Missionaries' lands, and give it back to the natives, and if they did not give them up, they would be sent away, and that was what Te Wiremu and the Missionaries were gone to Auckland about - to fight about their land.'

48. H. Williams to C.M.S., 13 August 1847. CN/O 94B.

No wonder Henry Williams retracted his conditional acceptance of the Bishop's proposals. He wrote, 'The main reasons for my change, Your Lordship will find in the Newspaper Southern Cross of last Saturday, the 25th. inst. where I see that no faith is to be kept with Captain Grey ... The safety of my family alone humanly speaking depends upon the respect shown to me by the Chiefs of the various tribes. This, Captain Grey has endeavoured to set aside.' He ended, 'I must request that your Lordship will never again name the subject of land to me. It is a reproach and an offence to me, and will be injurious to both...'⁴⁹ Thus, insofar as their conduct as missionaries was concerned the decision as to their future was thrown upon the Parent Committee.

The steps taken by the Parent Committee and the Central Committee are fully outlined in the 'Minute upon the case of Arch-deacon Henry Williams and his land claims',⁵⁰ but they merely indicate the unwillingness of either committee to take the fateful step of terminating Henry Williams' employment whilst there was still hope of submission. But he stuck to his guns resting his case, to the discomfort of Grey, on the principle that first the allegations would either have to be substantiated or withdrawn. Finally, by a resolution of 24 November 1849 the Parent Committee ended his connection with the Society because of 'his unhappy

49. H. Williams (On board the Undine-Schn) to Selwyn, 30 September 1847. Williams H., Correspondence, Reports of Meetings etc.

50. H/N7.

behaviour upon the interests of the Society.⁵¹ Unfortunately, their resolution was made when the Privy Council decision regarding the illegality of Fitz Roy's extended grants was known but before news of Grey's Crown Titles Ordinance⁵² had been received. R.A. Fitzgerald had informed them of the Supreme Court decision which they had received on 28 November 1848.⁵³ Thus, at the time the decision to dismiss Henry Williams was made his title to his lands had been legally confirmed by an act of the Governor who had maligned him. If the committee had known of this decision it is probable that their actions would have been quite different. George Clarke was duly dismissed by the Central Committee which met in Auckland on 5 September 1850.⁵⁴

The refusal of Henry Williams to submit placed Grey in a quandary. He had maintained, wrongly,⁵⁵ that Fitz Roy's extended grants were illegal hence the refusal to submit forced him to prove his assertion by taking action in the courts. Accordingly, writs were issued in January 1848 against Henry Williams, Clarke, Davis and Kemp.⁵⁶ The animus of the proceeding is obvious since there were 14 other holders of extended grants some of whom received acreages far in excess of the missionaries named in the writs.

51. *ibid.*

52. Session X, No. 4 (25 August 1849)

53. R.A. Fitzgerald to H. Venn, 31 July 1848. GN/O 17.

54. Documents of the Central Committee of the New Zealand Mission 1847-54.

55. J. Rutherford, Sir George Grey K.C.B., 1812-1898: A Study in Colonial Government, second ed. (London, 1961), p. 131.

56. *ibid.*, p. 138.

They were not disturbed. George Clarke was duly chosen as the guinea pig and in June his case came before the Supreme Court. The court on the 24th of June validated Fitz Roy's extended grants hence Grey appealed to the Privy Council but, before the result of their deliberations was known he passed the Crown Titles Ordinance⁵⁷ which rendered the Privy Council's decision of June 1851 inoperative leaving the recipients of extended grants in full possession of their lands. Grey passed the Crown Titles Ordinance as a result of the dispute over two separate grants made by Fitz Roy for the same copper mine on Kawau Island.⁵⁸ Since the first clause of the ordinance is unequivocal confirming the validity of all Crown grants it is strange that the Privy Council case over Clarke's grant was not withdrawn. Nearly two years elapsed before the decision was finally made.* But the judgement was, in any case, invalid. Grey had to maintain the fiction of the illegality of Fitz Roy's grants as long as he could.⁵⁹

Thus, if Grey's attack on the missionaries was designed to limit their landholdings it was a failure. However, if it was merely a bi-product of his determination to destroy the Protectorate Department and limit missionary influence it was a resounding success. That Grey could get away with conduct of this kind was

57. Session X, No. 4. 25 August 1849.

58. J. Rutherford, Sir George Grey, pp. 139-40.

59. J. Kemp, Journal 1832-52. The entry for 30 July 1849 indicates that Grey had issued a proclamation legalizing Fitz Roy's grants. The effects were fully understood by the missionaries.

* The Privy Council decision was made on 25 June 1851. Report of F.D. Bell, 15 April 1859. O.L.C. 634.

not so much a reflection of the relationships which then existed between the Colonial Office and their dependencies, but rather the result of Grey's ability to reconcile the apparently irreconcilable. In his first governorship he maintained the sanctity of the Treaty of Waitangi yet was also able to promote the interests of the New Zealand Company at a time when their influence in the House of Commons was marked and thus reflected in the very favourable arrangements they were able to make with the government. This pleased his political masters, particularly Earl Grey, and accounts for his apparent ability to avoid being called to account.

His attacks however did irreparable damage to the mission whose interests he claimed to be fostering. Selwyn, too, hoped to justify his actions on the same grounds yet between them they achieved the opposite result. Had Selwyn played a part more consistent with his office - admittedly it would not have been easy - the missionaries would have been cleared and the dismissals avoided. That both later relented and pressed for Henry Williams' reinstatement is to their credit⁶⁰ but the necessity to do so should never have arisen.

R. Davis summed up the effects of the land problem in a letter to Selwyn; 'The evils resulting from the agitation of the land question are awful in their nature and disastrous in their effects; the thoughts thereof make me tremble and fear. All those people whom we found labouring in the Mission, on our arrival, twenty six years ago, have either been disconnected, or have died, or have been superannuated.'⁶¹ This was the price the mission paid.

60. *ibid.*, p. 140

61. R. Davis to Selwyn, 26 October 1850. Selwyn Papers 1839-1865, (Vol. 1) p. 191.

EVENTS LEADING UP TO HENRY WILLIAMS' REINSTATEMENT

On 27 June 1848 the Parent Committee of the C.M.S. reinterpreted their resolution of 22 February 1847¹ resolving that the views of the Bishop and Governor regarding that resolution should be complied with. If Henry Williams continued to refuse submission to their authority he was to be regarded as dismissed. Henry Williams' response was conveyed to Selwyn on 30 November 1848. The Central Committee met in April 1849 requesting that he resign his extended grants into the hands of their appointee, and to avoid the responsibility for his dismissal asked that his reply be sent direct to the Parent Committee. Henry Williams informed them on 17 May 1849 that he would not comply with the proposal whereupon the Parent Committee² on 30 November 1849 declared the connection between Archdeacon Henry Williams and the C.M.S. to be dissolved.³

The grounds for his dismissal - his refusal to comply with their request to give up his extended grants - were based upon the assumption that Grey's view of their invalidity was correct. Yet the minutes of their November 1849 meeting suggest a certain amount of uneasiness. Henry Williams was to be allowed his salary for 12 months after the receipt of their resolution in New Zealand. Furthermore, their resolutions were not to be regarded 'as giving any countenance to the charges against Archdeacon H. Williams' nor

1. G.B.P.P. 1847 (Comd. 837) p. 70

2. Minute upon the case of Archdeacon Henry Williams and his land claims. H/W7.

3. C.M.S. General Committee, 30 November 1849, Williams, Correspondence, Reports of Meetings 1840-1849.

'as contravening his declaration that he has acted upon his sense of what has been due to his own character and his family interests.' In addition, the committee ventured 'to record their confident hope that the general interests of Christianity in New Zealand may not suffer any loss by this measure, but will still receive the aid of the Archdeacon's experience and labor as long as he shall continue to reside in that Island.'⁴

The ambivalent attitude of the Parent Committee is obvious. Henry Williams was being dismissed because of the alleged injury inflicted 'upon the work and reputation of the Society by the extensive land claims of its Missionaries'⁵ yet they did not countenance the charges against him. There was no question of his losing his orders. On the contrary it was hoped that he would continue to serve the cause of Christianity in New Zealand. Clearly, the Parent Committee were on the horns of a dilemma. Their actions were inconsistent yet having taken the fateful step of dismissal they were compelled to adopt a series of expedients to justify their decision.

The Parent Committee's difficulties arose from their apparent acceptance of the allegations made in Grey's 'Blood and Treasure' despatch. Henry Williams wrote that the contest between Grey and the land claimants 'was in no respect related to the land but was altogether a political movement of Govr Grey - a crusade against the Missionaries ... The delusive and appalling despatch of

4. *ibid.*

5. *ibid.*

June 25/46 upon which all your conclusions appear to be grounded ... was a fable ... for the purpose of "putting down the Missionaries".⁶ This assumption was reinforced by the C.M.S. Jubilee Volume which contained the following to which Henry Williams took exception:

Civil commotions, internecine? contest, and perplexing difficult questions respecting land claims have at once put to the test the religious principles of the Natives, agitated their minds throughout the length and breadth of the land and caused the character of the Missionary Agency to be scrutinized with severity by friends and foes. We claim not for every individual subject for such scrutiny, exemption from censure but the substance in which the Society's Missionaries have been betrayed into errors of judgment and wordliness of conduct should not tarnish the honour of the Missionaries as a body.

Henry Williams recording this paragraph in his letter noted that it 'seemed to confirm the charge that the Missionaries were responsible for the war.'⁷ It seems clear, therefore, that the real basis upon which he was dismissed derived from the Parent Committee's uncritical acceptance of Grey's allegations. Yet Grey, once committed to deception, could not retract. When informed by the C.M.S. of Henry Williams' dismissal he wrote to them assuring them that 'it was with very great pain that I heard that the Committee had been compelled to take this step' and asked 'if the Society could ... still do something for so old a Missionary.' He wrote, 'I am sure that you will pardon me for asking you to plead on the side of mercy if any fitting opportunity presents itself, which I trust will now be the case, as I hope that Archdeacon Henry Williams will now

6. H. Williams to C.M.S., 30 January 1850. CN/O 94C.

7. H. Williams to C.M.S., 30 April 1850. CN/O 94C.

perhaps make true submission to the Society.⁸ If only Henry Williams would submit Grey's conduct would remain unquestioned. His refusal obviously raised the spectre of ultimate disclosure. Yet the tone of Grey's letter and his apparent magnanimity were shrewdly calculated to impress the C.M.S.

Protests at Henry Williams' dismissal began with E.G. Marsh's letter of 17 December 1849⁹ yet despite Marsh's continuing interest in the pursuit of justice little ferment was created until William Williams' arrival in the United Kingdom two years later. A meeting on 14 July 1851 proved unsatisfactory to William Williams who wrote to Venn complaining of his statement to the meeting that if Henry Williams' case was reopened it would be prejudicial to the Archdeacon.¹⁰ Like any other organization the C.M.S. felt bound to justify their decisions. The Committee responded to every move of William Williams yet maintained the justice of their decision to dismiss his brother.

In the meeting William Williams gained a clear and decisive verdict from the Committee that the Governor's insinuations and charges were false.¹¹ Thus one hurdle was removed. Criticism of the tone of his brother's letters to Selwyn prompted William Williams to write,

With regard to the letters written to the Bishop, you yourself have allowed that the Bishop assumed in this matter a position, which he was not warranted to assume by the letter of the Committee and throughout the progress

8. G. Grey to H. Venn, 28 May 1850. CH/O 14.

9. E.G. Marsh to C.M.S., 17 December 1849. CH/O 104.

10. W. Williams to H. Venn, 15 July 1851. CH/O unnumbered volume.

11. *ibid.*

of the business there were various proceedings which do not reflect credit upon his Lordship. He used his power and influence with the body of Missionaries assembled at Auckland in Sep^r 1847, and against the Missionary land claimants, in a way which was most unjustifiable. He needlessly went out of the way to take in hand a business, which he would have done well to avoid. His Lordship's most intimate friend Judge Martin observed to Mr Kissling, "What a pity it is that the Bishop should thus embroil himself with his clergy in a manner which does not properly belong to him. His Lordship had not considered the wise observation of Solomon; He that profits by, and meddeth with strife belonging not to him; is like one that taketh a dog by the ears." 12

He was able to add later that the Committee had tacitly condemned the arbitrary proceedings of the Bishop in their first meeting. Having proved the allegations of Grey to be false and accepting the arbitrary role played by Selwyn it could have been expected that the Parent Committee would reinstate Henry Williams since his dismissal basically derived from Grey's allegations. William Williams wrote, 'it cannot be denied that whereas the representations of Governor Grey were the ground, upon which the proceedings were first commenced, so they have continued to exercise a chief influence up to the concluding act of the Society. For otherwise what explanation can be given of the 4th Resolution of Nov^r/48, which decrees that, a communication be made to Earl Grey, and to Gov^r Grey, that Archdeacon H. Williams is no longer in connexion with the Society?' 13

Despite the Parent Committee's rejection of Grey's allegations they now took their stand exclusively upon the position they had adopted in June 1848. Clearly, this position, by their own admission, was untenable, hence they had to search for new grounds to justify Henry Williams' dismissal.

12. *ibid.*

13. *ibid.*

The immediate response was a letter from Henry Venn which held that there were two major causes for Henry Williams' dismissal. The first concerned the holding of land to the detriment of Christian Missions whilst the second derived from his pertinacious resistance to the proposals of the referees respecting the acceptance of 2560 acres. Venn went on to suggest that the Resolution of the Committee, ^{with} which William Williams disagreed, was adopted after a lengthened investigation by the Sub-Committee and a full knowledge of the case - as in the sight of God and in the discharge of a solemn trust - the right course - we trust and believe that the Lord has guided us, ... in the decision we have come to.¹⁴

By January 1852 both William Williams and the Committee had issued statements on the issue. In theirs the Committee adopted new grounds for Henry Williams' dismissal which William Williams refuted in a letter to the Earl of Chichester, the President of the C.M.S. This latter letter was the subject of a briefing of the Earl by Henry Venn. His letter discloses the new grounds adopted by the Committee. Using the fact that there was a discrepancy between the amounts of land claimed by Henry Williams in 1841 and 1843 the Committee asserted that 'his chief purchases were made after he had received the prohibition of the Parent Committee.'¹⁵ Two other points raised in William Williams' letter were also dealt with by Venn who no doubt exasperated by the proceedings ended by stating that the Committee feel 'it is on every

14. H. Venn to W. Williams, 19 July 1851. CH/L9.

15. H. Venn to Earl of Chichester, 15 January 1852. CH/L9.

account most improper when their official statements are thus questioned by one of its Missionaries in a private document.¹⁶ The society was on the defensive. The implication that Henry Williams had bought land after 1840 was clearly untenable yet they were now in the position that Grey had been in since 1846 - in fact their position was rather worse since they had admitted that Grey's allegations were false. Grey had admitted nothing whilst the C.M.S. had conceded ground being forced to create a new position as they retreated from the previous one.

The Earl of Chichester, duly briefed by Venn, discounted William Williams' statements regarding the veracity of the Committee's statement. Again it was implied that Henry Williams had bought land after 1840. Similarly, the objection to the statement that Henry Williams had 'obtained' an additional grant was discounted on the grounds that he with others, had petitioned the Queen 'asking for an exception to their regulations in favour of Missionary children in 1842.'¹⁷ In his reply, William Williams pointed out how the C.M.S. had arrived at their false assumption that Henry Williams had bought land after 1840 and after admitting that his brother had signed the petition in 1842 he stated 'I believe that the augmentation as proposed by Gov^r Fitzroy in 1844 was unsought for by my Brother.' He added, 'Upon this point I will request Captain Fitzroy to inform your Lordship. ... I am of opinion that Captain Fitzroy will be able to state that this extension was not made at the instance of my brother.' William

16. *ibid.*

17. Chichester to W. Williams, 19 January 1852. H/57.

Williams added that when their resolutions of June 1848 were passed they had been influenced by Earl Grey's notification that the extended grants were illegal this being contrary to the findings in the Supreme Court.¹⁸

Despite the correction of the Committee's false assumptions Chichester remained unconvinced deprecating the use of the term 'dismissal' in respect of Henry Williams' disconnection. He wrote that 'the act was his own. He had two alternatives offered him. Had he chosen one his connexion with the Society would have continued, he chose the other and so severed that connexion.' This suggests that even at this late stage Chichester had still not arrived at an understanding of the nature of Henry Williams' stand yet he could add, 'I can honestly say, that I can quite believe that if all the circumstances were known to me I could acquiesce in the rectitude and propriety of his decision.'¹⁹

Finally, Chichester wrote, 'To my mind it seems clear that the Committee could not honestly resume their connexion with your Brother, without first rescinding the original Resolutions of 1847, and that they could only rescind this upon a complete change of opinion upon the whole question of land purchases so long and so anxiously considered by them during the last ten years.'²⁰ Since these resolutions were prompted by Grey's allegations which the C.M.S. now admitted to be false this was a strange position to take. The rescinding of the June 1848 resolution would have left the 1847 Resolutions intact yet would have permitted Henry Williams'

18. W. Williams to Chichester, 23 January 1852. H/W7.

19. Chichester to W. Williams, 24 February 1852. H/W7.

20. *ibid.*

reinstatement. Despite this Chichester's statement serves to indicate that he was probably convinced that an error had been made yet could not publicly admit it. This is borne out by the grant of an annual allowance of £150 to Henry Williams by the Parent Committee's resolutions of ¹⁴July 1851. On the 27th of July William Williams informed the Committee that his brother would not accept the allowance a statement confirmed by Henry who wrote, 'As my assent to receive the proposed temporary assistance would be a tacit admission of the correctness of the decision of the Committee ... in their decree of disconnexion I merely repeat what I wrote several years since to the Secretaries ... that I never had received one shilling arising out of this "disputed" land nor can I receive one shilling under such unjust judgment. The Committee therefore, will not be surprised that I feel it to be my duty to decline accepting any assistance under existing circumstances.'²¹

The offering of such a sum might have been calculated to suppress any possible difficulty arising from William Williams's visit. But the gambit failed. Certainly Venn's response at the meeting was calculated to deter William Williams from reopening the case. Despite his efforts the Committee would not yield on the question of reinstatement. Yet the publicity given to Henry Williams' case had its effect Venn writing to one of many who questioned the Committee's actions that he saw 'no reason why the friends of Arch^d Henry Williams should not regard him as still doing the work of the Mission in New Zealand, and in friendly co-

21. H. Williams to C.M.S., 27 May 1852. CM/O 940.

operation with the Society though not connected with it as one of its Missionaries. Such a view of the case would appear to me to remove many of the unhappy feelings and difficulties which now exist, in such a result the Committee, as well as the secretaries, would most unfeignedly rejoice.²² This was the impression that they wished to convey - it would serve to minimize criticism.

Both Governor Grey and Bishop Selwyn visited the C.M.S. in London in 1854. The former attended a Committee meeting advising the Society that if it withdrew its influence 'all would fall to pieces' adding 'The Missionaries by their influence have brought the natives to their present state and they alone can consolidate the work.'²³ Both advised the reinstatement of Henry Williams this being effected by a resolution of 18 July, 1854 which was acknowledged by him.²⁴ On receipt of Venn's letter of 2 October 1854 conveying the good news Henry Williams took part in the Central Committee meeting in Auckland on 12 February 1855 the assembled brethren accepting Venn's letter as proof of his reinstatement and resolving 'That the Venerable Archdeacon Henry Williams be requested to take his seat as a Member of this Committee.'²⁵ He took the chair.

22. H. Venn to Rev. James W.K. Disney, 3 March 1852. CH/L9.

23. H. Straith to A/d Hone, 26 June 1854. CH/L 11.

24. H. Williams to H. Venn, 28 February 1855. CH/O 94C.

25. Documents of Central Committee of N.Z. Mission 1847-54.

Thus after nearly ten years of strife Henry Williams had been completely vindicated. He had refused to be cajoled, bribed or bullied into acting contrary to principle and had finally succeeded in receiving justice. The Parent Committee initially tried to quell the dispute by generously offering £150 per annum in July 1851 but William Williams' subsequent actions created uneasiness leading to the adoption of what could be termed a defensive attitude on their part. Yet the Committee refused to yield until the principals responsible for Henry Williams' predicament jointly requested that amends be made. It is significant that whilst both might have done so earlier they did not do so until they had left New Zealand. This fact speaks volumes about Grey and Selwyn. Yet they finally saw to it that justice was done.

THE FINAL SETTLEMENT OF THE 'OLD MISSIONARIES' LAND CLAIMS

It remains now to determine how much land the 'Old Missionaries' finally received. The original grants had their boundaries given in descriptive terms and whilst the supposed acreage was given, in the majority of cases it was much less than the actual area occupied. Initially, there had not been enough surveyors to cope with the work and in the late eighteen fifties it became necessary to straighten out the many anomalies that existed. The original grants were held to have extinguished the native title, and it became necessary to make the grants accord with the area occupied; any surplus, after making allowance for survey costs and legal fees reverting to the Crown.

Accordingly, the original grants were called in by the Attorney General by notice in the Government Gazette and cancelled when the Land Commissioner determined the final settlement of the claims. John King's claims totalling 5150 acres, will serve to indicate how settlement was determined.

The computation for acreage was accordingly finally determined as follows:

			Acre
Total acreage contained in original grants			5150
Add one sixth			858
			<hr/> 6008 acres
Survey allowance:			
On the Te Puna claim	acres	107	
" " Otaha claim	3077		
Doubled by clause 46	3077	6154	6261
			<hr/>
Fees allowance £87 in land at 5/- per acre,)			
which is the outside "equivalent value" in)			348
my opinion under clause 45.			<hr/>
	Total		12,617 acres ¹

As can be seen the original grants were increased by one sixth this being standard procedure. This was followed by a survey allowance which in this exceptional case was at double the normal rate the land being particularly poor. Lastly, additional acres were given to cover the cost of legal fees in this case at the rate of 4 acres per pound expended this again being twice the normal rate. Thus, King's heirs finally received grants totalling 12,480 acres the area taken being 137 acres less than what F.D. Bell was prepared to award. Some 8,746 acres of the Otaha block reverted to the Crown.

Reference was made in chapter 2 to a list of the old missionary land claimants provided by Henry Williams on the first of May 1847.² His list included the Rev. Richard Taylor, but I have deleted him since he was a latecomer. H. Williams extracted and totalled their claims from Parliamentary Papers of April 1845 (Comd. 246) which according to his tally then amounted to 35,630 acres. Deleting Taylor's grant which was, at that time, 2726 acres, the total for the remaining 13 claimants³ was 32,904 acres. All but one, John King, were alive when final settlement was made the aggregate of the areas received by them, their assigns or heirs being 76,100 acres. Computing the surplus which ultimately accrued to the Crown from some of these 13 claimants the total

2. H. Williams to D. Coates, 1 May 1847. CN/O 94B.

3. B. Ashwell, C. Baker, G. Clarke, E. Davis, J. Kemp, J. King, J. Shepherd, W. Williams, H. Williams, W.G. Puckey, J. Matthews, W.T. Fairburn, J. Hamlin.

reaches 30,039 acres.⁴ If this total is added to the area granted, 76,100 acres, it can be seen that the missionaries occupied not less than 106,139 acres. But one of them, Benjamin Ashwell, claimed 20 acres only which he ultimately abandoned. Thus 12 missionaries, their families, assigns or heirs occupied, until final settlement some 106,119 acres or an average per missionary family of approximately 8,843 acres.

Seven of these families also shared the 'Children's Land' which was 5,395 acres. Thus the old missionaries ultimately received a grand total of 81,495 acres finally gaining a clear title to their lands.

Earlier it was noted that 30,039 acres of land accrued to the Crown. Most of this land had been surveyed by the claimants whose original purchase had effectively extinguished the Maori title. In addition, the Crown took undefined portions of land bought by Fairburn and Hamlin some of which rapidly increased in value. Thus, the Crown received the best bargain of all. Excluding the areas taken from Fairburn and Hamlin the Crown received free, surveyed land, which in area was approximately 37% of all the land finally received by the old missionaries and their families. The Crown also received gifts of surplus land from other members of the mission not included in the list of old missionaries.

4. This cannot be ascertained in some cases - Fairburn's and Hamlin's claims are examples hence this total only includes land known to have reverted to the Crown.

The 'Children's Land' at Kerikeri and Pateretere near the Waimate Mission Station was finally settled by Commissioner F.D. Bell on the 16th of April, 1859.⁵ Only one assignment had been made before this by William Williams who disposed of 780 acres to James King 'in every other case the land remained in the family for which it had been specifically set apart.'⁶ The original grants amounted to 3,600 acres whilst Bell's award was 5,413 acres. However there was only 5,395 acres in the two blocks hence this was allocated to the heads of the seven families concerned the grants being endorsed 'acknowledging that the land was held for the benefit of the children except in the case of the assignment to James King.'⁷ William Williams' family having consented to the transfer. Accordingly, the various families were awarded the following acreages: W. Williams 111 acres, 780 acres being assigned to James King, J. Hamlin 713 acres, R. Davis 803 acres, J. Shepherd 683 acres, J. Kemp 652 acres, George Clarke 865 acres, C. Baker 788 acres. Thus, this land was confirmed to the children for whom it had been originally bought.

It remains now to see how the land claims of the thirteen old missionaries fared. As was previously mentioned B. Ashwell abandoned his 20 acre claim though he had received a grant from Fitz Roy in July, 1844 which was subsequently called in and cancelled in June 1862 when it was determined that a new grant would

5. O.L.C. 734-6.

6. *ibid.*

7. *ibid.*

be issued when Ashwell had surveyed the land. This was never done and the claim was declared abandoned in April, 1880.⁸

C. Baker was one of those who accepted Grey's proposition in 1847 to limit his land to 2560 acres and having done so and accepted the promise that surveys and grants would be prepared free of charge he waited patiently for this to be done. After much delay this decision was reversed by the Executive Council on the 12th of November, 1851 when the same area was granted Baker being obliged to bear the cost of survey himself. Ultimately, Baker was granted 1260 acres at Waikare; 30 acres, less 12 he had previously sold, at Russell and 2560 acres at Maungakahia for which he accepted scrip for £1920 the land being valued at 15 shillings per acre.⁹

George Clarke received grants for 5500 acres from Fitz Roy at Whakanekaneke and Waimate the areas, after survey, proving to contain 10,383 acres. Of this he received 7997 acres less areas he had sold previously:- 37 acres of the Waimate land to the Trustees of the Church Missionary Society and 28 acres to Henry Williams whilst 992 acres of the Whakanekaneke block were sold to Henry Hopkins of Hobart Town. Two of his sons Henry Tracy and William each received 237 acres of the Waimate block leaving their father with 952 there and 5539 acres at Whakanekaneke some 2426 acres of the latter block reverting to the Crown.¹⁰

8. O.L.C. 729.

9. O.L.C. 545-547.

10. O.L.C. 633-4.

Richard Davis initially received grants from Fitz Roy for 3000 acres at Waimate the total area proving to be 4671 acres of which he retained 150 the balance of 4158 acres going to his children with 363 acres being cut off for the Crown.¹¹

James Kemp received extended grants from Fitz Roy for 5276 acres at Kerikeri and Waimate. On survey it was found that the Kerikeri block, including 87 acres bought from Hamlin, contained 7125 acres of which 7049 were finally granted. Kemp retained 607 acres and received scrip at one pound per acre for 68 acres taken as town land under the Bay of Islands Settlement Act of 1858. The balance of this block, 6374 acres, was shared among his children. On survey the Whangaroa block proved to be 4464 acres of which Kemp received 2722 acres the balance reverting to the Crown.¹²

J. Shepherd received Fitz Roy's grants totalling 5330 acres at Whangaroa, between Whangaroa and Waimate and at Waitete and Okura on the Kerikeri River. Before settlement Shepherd bought land from a Mr Orsmond and a John Salmon. The former block contained 11,741 acres the latter 42. The total area of his land including Johnson's and Orsmond's claims proved to be 30,663 acres of which Shepherd received 9643 acres on his original claims. A substantial acreage reverted to the Crown.¹³

11. O.L.C. 773.

12. O.L.C. 594-602.

13. O.L.C. 802-8.

William Williams whose original grant was for 890 acres at Waitangi, near Waimate passed his land over to Henry Williams the younger an additional 28 acres having been acquired in the meantime from George Clarke. Twelve hundred and ninety seven acres were awarded on the original claim. In addition, the 28 acres, ex-Clarke, were granted together with 163 acres deriving from the survey allowance due on other claims the total of the final grant being 1488 acres.¹⁴

W.G. Puckey received grants from Fitz Roy which totalled 2300 acres at Kaitaia. He was finally awarded 3,346 acres some 690 acres reverting to the Crown.¹⁵

J. Matthews was finally granted 2,449 acres of land near Kaitaia and 1754 acres at Doubtless Bay of which 659 acres were given to the surveyor as payment for services. In addition Matthews fulfilled his promises to the Maori by setting aside two reserves. The extent of these reserves is not known. Some 685 acres of land at Awanui reverted to the Crown whilst 5,563 acres less the two reserves of the land at Doubtless Bay also became Crown property.¹⁶

W.T. Fairburn's extended grant was for 5500 acres at Tamaki. After Grey's intervention the claim was reduced to 2560 acres but by letter of 10 September 1849 he restored the original grants. Fairburn received £800 compensation for 400 acres taken

14. O.L.C. 529-34.

15. O.L.C. 774.

16. O.L.C. 328-9.

for the military pensioners' village at Otahuhu and received 300 acres at Maraetai together with 5100 acres at Tamaki.¹⁷ In addition, Fairburn bought on a pre-emption certificate¹⁸ dated 10 February 1845, 500 acres at Paringarua on the Kerikeri River being a repurchase of land he had bought on 2 January 1832. This proved to be 390 acres in extent and being taken for a township Fairburn received compensation at the rate of 22/6 per acre.

James Hamlin received grants for 3850 acres at Waiuku, Otahuhu, Manukau and Manghawarawara. Part of his land was taken for the villages of Otahuhu and Panmure though he received no compensation being finally awarded 5216 acres.¹⁹

The last of the old missionaries, Henry Williams, received initial grants totalling 7000 acres these being extended by Fitz Roy to 9000 acres yet his children ultimately received 7379 acres. This acreage included a former native reserve of 186 acres for which £93 was paid.²⁰

Thus, by the late eighteen fifties the missionaries and other land claimants had their lands surveyed and received new grants for the areas they and their children and grandchildren had occupied for upwards of a quarter of a century. The total area then occupied by the old missionary families was a little over 81,000 acres being shared among twelve families whose capacity for

17. O.L.C. 589-90.

18. O.L.C. 1237-8.

19. O.L.C. 899-905.

20. O.L.C. 521-6.

expansion has been noted.²¹ It was little enough when compared with some of the runs and estates then in the process of formation, particularly in the South Island. By 1906 there were still some 63 owners of properties in excess of £50,000 unimproved value.²² The acquisition of some of these lands, particularly in Hawke's Bay during the eighteen sixties,²³ makes the missionary purchases appear in a very favourable light and comparatively modest in extent.

-
21. E. Markham, New Zealand Or Recollections Of It (Wellington, 1963), p. 98. In footnote 118 E.H. McCormick, the editor, notes:- 'Visiting Henry Williams's widow in 1869, James Buller noted that the late Archdeacon's descendants then numbered "altogether a hundred and twenty..."'
22. A.J.H.R. Session II, 1906. Vol. III, H30 B.
23. M.P.K. Sorrenson, 'The Politics of Land', in J.G.A. Pocock (ed.), The Maori And New Zealand Politics (Auckland and Hamilton, 1965), pp. 21-45.

DETAILS OF LAND PURCHASES1. THE 'OLD MISSIONARIES'

Benjamin Ashwell. Entered mission 23 December 1835.

Case number 307, O.L.C. 729.

Original Purchaser. Henry Hodgkinson Bobart.

Vendor. Kawiti.

Situation. Waimate.

Price. £8 sterling.

Transferred to Ashwell 10 December 1836.

Area claimed. 20 acres.

Area granted. 20 acres by Fitz Roy 19 July 1844.

Original grant called in and cancelled by F.D. Bell 21 June 1862. New grant to be issued after survey by Ashwell.

Claim declared abandoned on 1 March 1880 by C. Heaphy, Land Claims Commissioner.

Charles Baker. Entered mission 19 January 1828.

Case number 255, O.L.C. 545.

Vendors. Numerous but including Hikitea, Pi, Wiwa, Takai, Kokowai.

Situation. Waikare.

When bought. Four separate deeds: 22 March 1836, 19 October 1837, 7 April 1838 and 21 January 1839.

Price. 1st deed, £82.5.0; 2nd deed, £140; 3rd deed £9.7.6; 4th deed, £27.10.0.

Area claimed. 1st deed, 200 acres; 2nd deed, 900 acres; 3rd deed, 12 acres; 4th deed, 100 acres. Total, 1212 acres.

Area finally granted. 1260 acres.

Case number 255a, O.L.C. 546.

Situation. Kororareka.

When bought. 1835.

Price. £27.7.4.

Area claimed. 30 acres.

Area finally granted. 30 acres. Baker received a grant for about 18 acres, derivative purchasers receiving grants for the balance.

Case number 255b, O.L.C. 547.

Situation. Maungakahia.

Vendors. Wai, Huaraki and others.

When bought. 21 May 1836.

Price. £329.

Area claimed. 5000 acres.

Area finally granted. 2560 acres. Baker received scrip for £1920, the land then being valued at 15/- per acre.

George Clarke. Entered mission 14 April 1824.

Case number 286, O.L.C. 633.

Vendors. Riwa, Warerahi, Warerau, Putahi, Tuhinia and many others.

Situation. Near Waimate.

When bought. From the year 1832 to 27 August 1839. There are 30 documents relating to this purchase indicating that the block was bought piece by piece.

Price. £1063.1.6.

Area claimed. 1500 acres.

Area granted. 1500 acres on 3 May 1844.

Fitz Roy's award on 16 May 1844, 1500 acres.

F.D. Bell's award on 15 April 1859, 1426 acres.

This area was exclusive of 37 acres previously sold to the C.M.S. and 28 acres sold to Henry Williams in October 1857, but included a 25 acre grant originally made to James Reddy Clendon (case 66c) and sold to George Clarke on 5 April 1855. George Clarke retained 952 acres, Henry Tacey and William Clarke each receiving 237 acres. On 18 October 1842 Clarke deposited before the land commissioners at Kororareka that he had sold 300 acres of this block to the Rev. Richard Taylor and 150 acres to Mr. Rough (?) for about £340 but no grants were issued to these supposedly derivative claimants. It would seem that the transfers were not proceeded with.

Case number 286a, O.L.C. 634.

Vendors. Nene, Patuone and others.

Situation. Whakanekaneke.

When bought. 4 March and 21 September 1836.

Price. £476.18.0.

Area claimed. 4000 acres.

Area granted. Richmond and Godfrey recommended a grant of 2560 acres on 30 May 1843.

On 2 May 1844 R.A. Fitzgerald recommended the award of 4000 acres. On 3 May 1844 Fitz Roy approved the recommendation. Fitz Roy issued a grant on 16 May 1844 for 4000 acres. On 15 April 1859 F.D. Bell awarded 5,539 acres exclusive of 992 acres sold and granted separately to H. Hopkins of Hobart Town. Thus Clarke finally received 6,531 acres at Whakanekaneke the total area of the block being 8,957 acres.

Richard Davis. Entered mission 13 August 1824.

Case number 324, O.L.C. 773.

Vendors. Puhi, Waraki, Nene and others.

Situation. Waimate.

When bought. From 14 August 1833 to 9 October 1839.

Price. £490.15.0.

Area claimed. 3000 acres.

Area granted. First grant, 1963 acres.

Fitz Roy's grant 22 October 1844, 3000 acres.

On 9 March 1848 Selwyn wrote to Grey indicating that Davis had submitted to their joint arbitration. He accepted Grey's offer of free survey in not more than four blocks with a limit of 2560 acres. This was never done. F.D. Bell's award of 15 December 1858 was for 4,308 acres but this included 15 acres deriving from claim 78a, O.L.C. 161 which was contiguous and owned by his son James. Grants to Davis' children were issued:-

To Jane Williams	521 acres
Serena Butt	300
Sophia Louisa Kemp	331
William Davis	1399
Margaretta E. Bedggood	500
Rev. R. Davis	150
James Davis	1107

The total area of the block was 4671 acres.

William T. Fairburn. Entered mission July 1819.

Case number 269a, O.L.C. 590.

Vendors. Waiapu, Hausirau, Tara and others.

Situation. Tamaki. Southern boundary was at Papakura.

When bought. 22 January 1836.

Area claimed. 40,000 acres.

Price. £923.17.6.

Area granted. First grant 3,695 acres.

Fitz Roy's grant 25 May 1844, 5,500 acres - payment made was sufficient to justify the award of 10,000 acres.

Submitted to Grey. Received 2560 acres.

Original grant restored by Grey 10 September 1849. Final grant 5,100 acres. In addition, Fairburn received £800 for 400 acres of land taken for the Pensioners' Village at Otahuhu. He also received 300 acres at Maraetai.

Case number 269, O.L.C. 589.

No grant recommended by Godfrey 1 December 1842.

O.L.C. 1237-8. A pre-emption claim. Certificate issued 10 February 1845.

Area claimed. 500 acres.

Situation. Paringarua, Kerikeri River.

When bought. A repurchase of land originally bought 2 January 1832.

Final grant. Taken for township (390 acres). After arbitrator had been appointed land was valued at 22/6 per acre.

Case number 221b, O.L.C. 455. A joint claim made with Henry Taylor.

Situation. Called 'Matuku', Waiheke Island.

When bought. December 1839. Purchase completed 18 January 1840.

Area claimed. 300 acres.

Price. £63.2.6.

Area granted. 63 acres.

On 19 September 1843 Fairburn informed the Colonial Secretary that his interest had been passed to Henry Taylor. On 23 April 1844 grant increased to 300 acres. On 26 September 1851 Taylor, now styling himself Edward A. Bell, transferred the land to William Brown.

James Hamlin. Entered mission 25 March 1826.

Case number 373, O.L.C. 897.

Situation. Waimate.

When bought. 15 January, 17 and 18 September 1834.

Area claimed. 42 acres.

Price. £34.14.0.

Area granted by Fitz Roy. 42 acres. Transferred to James Kemp for £73.19.0 on 17 November 1852. This sum was for 87 acres - see 373a.

Case 373a, O.L.C. 898.

Situation. Near Waimate.

When bought. 19 September and 6 October 1834.

Area claimed. 45 acres.

Price. £32.12.6.

Area granted. 45 acres - Fitz Roy, 22 October 1844.

Transferred to James Kemp.

Case 373b, O.L.C. 899-901.

Situation. Waiuku.

When bought. 1st deed - 13 September 1837.

2nd deed - 19 June 1838.

3rd deed - 1 November 1838.

Area claimed. 1450 acres.

Price. £308.9.6.

Area granted. 1450 acres - Fitz Roy, 22 October 1844.

Case 373c, O.L.C. 902.

Situation. Manukau (Mangawarawara?).

When bought. 19 December 1837.

Area claimed. 500 acres.

Price. £150.13.0.

Area granted. 500 acres - Fitz Roy, 22 October 1844.

Case 373d, O.L.C. 903.

When bought. 19 June 1838.

Situation. Manukau.

Area claimed. 500 acres.

Price. £115.14.0.

Area granted. 500 acres - Fitz Roy, 22 October 1844.

Case 373e, O.L.C. 904.

When bought. 25 February 1838.

Situation. Otahuhu.

Area claimed. 1,100, but only 600 acres stated in the deed.

Price. £302.18.0.

Area granted. 1,100 acres - Fitz Roy, 22 October 1844.

Case 373f, O.L.C. 905.

Situation. Manukau.

When bought. 31 October 1838.

Area claimed. 300 acres.

Price. £99.1.6.

Area granted. 300 acres - Fitz Roy, 22 October 1844.

Fitz Roy's grants totalled 3850 acres.

On 15 February 1859 all the grants except for the Otahuhu land were revised and re-issued totalling 3773 acres. Part of the Otahuhu land was taken for the pensioner villages of Otahuhu and Panmure the estate being between and abutting upon them. Nearly 47 acres of land were assigned to Alfred Buckland whilst a grant for 1396 acres was issued by F.D. Bell on 26 March 1860. Part of the block was taken by Grey when Panmure and Otahuhu villages were established and later an area of 40 acres was set aside as a gravel reserve for the Provincial Government. Hamlin received no compensation for this land.

James Kemp. Entered mission 12 August 1819.

Case number 273, O.L.C. 594.

Vendors. Rewa, Te Kuki and others.

Situation. Waitema.

When bought. 29 August 1834.

Price. £22.5.0.

Area claimed. 50 acres.

Area granted. 50 acres - Fitz Roy, 22 October 1844.

Case 273a, O.L.C. 595.

Vendors. Warenaui, Eruera Para, Rewa and others.

Situation. Called 'Waipapa' by the Kerikeri River.

When bought. 10 April 1835.

Price. £269.10.0.

Area claimed. 5,000 acres.

Area granted. E.L. Godfrey and W. Richmond recommended a grant of 1078 acres on 30 May 1842. Fitz Roy granted 5,000 acres on 22 October 1844.

Case number 273g, O.L.C. 598.
 Situation. Southern side of Kerikeri River. Puawa.
 When bought. 30 August 1839.
 Price. £24.12.0.
 Area claimed. 70 acres.
 Area granted. 70 acres, 14 April 1844.
 70 acres, 22 October 1844 - Fitz Roy.

Case number 273b, O.L.C. 596 ?
 Situation. Waimate.
 Price. £49.12.0.
 Area claimed. 150 acres.
 Area granted. 150 acres, 22 October 1844 - Fitz Roy.

Case number 273f, O.L.C. 597 ?
 For 6 acres only. Granted 22 October 1844 for land at Kerikeri.

Case number 273c,d,e and h, O.L.C. 599-602.
 Situation. Whangaroa.
 When bought. In the years 1833 and 1836.
 Price. £571.0.6.
 Area claimed. 4,000 acres.
 Area granted. 2284 acres on 8 April 1843.

On 26 September 1844 Commissioner Fitzgerald recommended grants to Kemp totalling 9276 acres but an omission occurred only 5276 acres being granted on the aggregate of his other claims no grant being issued for Whangaroa land.

Final settlement of all claims.

Claims 273, 273a,b,f & g plus Hamlin's claims - 373 and 373a for 87 acres totalling 5363 acres at Kerikeri and Waimate.

The total area within the boundaries of the survey amounted to 7125 acres. F.D. Bell on 20 April 1859 ordered that grants be issued:

To Henry Tacy Kemp	739	acres	at	Kerikeri
" James Kemp junior	1065	"	"	"
" Elizabeth Clarke	1258	"	"	"
" Richard Kemp	623	"	"	"
" Mary Ann Clarke	671	"	"	"
" Sarah Y. Clarke	746	"	"	"
" Charlotte Norris	774	"	"	"
" William Papillon Kemp	142	"	"	"
" James Kemp senior	580	"	"	"
" William Papillon Kemp	356	"	at	Waimate

6954 acres.

On 26 October 1859 a grant for 13 acres at the mouth of the Kerikeri River previously reserved for a Bay of Islands settlement was granted to James Kemp. On 20 June 1862 of land previously reserved at Puawa 14 acres 1 rood and 10 perches of suburban land were awarded to Kemp - i.e. Lots 2 and 3 of the Kerikeri township. Kemp received scrip for £68 for the balance of the claim which was 82 acres in area - i.e. compensation at £1 per acre.

The total area of the Whangaroa block was 4464 acres of which 2722 acres were finally awarded to Kemp on 4 July 1860. Thus Kemp or his assignees received grants for 9771 acres from which the 109 acres deriving from Hamlin's claim should be deducted leaving a net amount of 9,662 acres.

John King. Entered mission December 1814.

Case number 274, O.L.C. 603.

Vendors. Manuwiri, Taha and others.

Situation. Ten miles from Te Puna (Otaha Bay).

When bought. 21 August 1835.

Price. £252.15.0.

Area claimed. 3000 acres.

Area granted.

1st award by W. Richmond and E.L. Godfrey on 30 May 1842 was 1011 acres. Fitz Roy's grant on 12 September 1844 was for 3000 acres.

Case number 274a, O.L.C. 604.

Vendors. Witirua, Hokai and others.

Situation. Adjoining the above claim.

When bought. 8 September 1836.

Price. £168.0.0.

Area claimed. 1500 acres.

Area granted. 1st award on 30 May 1842 was for 672 acres. Fitz Roy's grant on 12 September 1844 was for 1500 acres.

Case number 274b, O.L.C. 605.

Vendors. Manuwiri, Pare and Taha.

Situation. Adjoining cases 274 and 274a.

When bought. 8 September 1836.

Price. £67.13.6.

Area claimed. 500 acres.

Area granted. 1st award on 30 May 1842 was for 271 acres. Fitz Roy's grant on 12 September 1844 was for 500 acres.

Case number 274c, O.L.C. 606.

Situation. Near Rangihoua (Te Puna).

When bought. 15 October 1834, 16 November 1835, 19 February 1836.

Price. £35.11.2.

Area claimed. 150 acres.

Area granted. 1st award 150 acres.

Confirmed by Fitz Roy's grant 12 September 1844.

Final settlement was made by F.D. Bell on 16 April 1859. He described the land at Otaha Bay as a poor and sterile tract and as hardly worth having. This block proved to contain 20,516 acres of which 11,770 acres were granted to John King's heirs. The Te Puna land proved to contain 710 acres which was also granted:

To Elizabeth Marsden King	1424	acres	at	Otaha
" Samuel Leigh King	1349	"	"	"
" John Wheeler King	1399	"	"	"
" William Spence King	1400	"	"	"
" James King	1512	"	"	"
" Jane Holloway Davis	1490	"	"	"
" Hannah King	1576	"	"	"
" Sarah King	1620	"	"	"
	<hr/>			
	11770			

To Elizabeth Marsden King	102	acres	at	Te Puna
" Samuel Leigh King	80	"	"	"
" John Wheeler King	82	"	"	"
" William Spence King	82	"	"	"
" James King	80	"	"	"
" Jane Holloway Davis	83	"	"	"
" Hannah King	104	"	"	"
" Sarah King	97	"	"	"
	<hr/>			
	710			

The supposed contents of C.L.C. 603-5 was 5,000 acres but proved to be 20,516 acres. An even bigger error was made in the case of the Te Puna land - supposed contents 150 acres, final grants totalled 710 acres.

Joseph Matthews. Entered mission 26 March 1832.

Case number 163, C.L.C. 328.

Vendor. Nopera Panakareao.

Situation. Near Kaitia. Called 'Otararau'.

When bought. 1835.

Price. £131.9.0 plus a payment of £50 after the Proclamation of 14 January 1840.

Area claimed. 1400 acres.

Area granted. 1st award 1400 acres on 20 December 1843.

Confirmed by Fitz Roy's grant on 22 October 1844.

Case number 163a, C.L.C. 329.

Vendor. Nopera Panakareao.

Situation. Doubtless Bay.

When bought. 1839.

Price. £117.10.0.

Area claimed. 800 acres.

Area granted. 1st award 470 acres on 15 April 1843.

Fitz Roy's grants - 306½ acres on 22 October 1844.

493½ acres on 20 October 1845.

F.D. Bell's award on 5 October 1857 was for 4197 acres:-

At Melville (Awanui)	1279	acres
At Summerville (Kaitaia)	1170	"
At Doubtless Bay		
Tapuirau Wood	117	"
Raramata	978	"
Grant to Surveyor Clarke as payment for services.	659	"

4203

Joseph Matthews fulfilled promises made to the Maori by arranging to set aside two reserves for them at the time the land claims were settled. The first was at Raramata being the whole of the land between the Raramata or Anapoka River and Te Pikinga. The second reserve was a sacred place called 'Paroraki' which was also within the Doubtless Bay block. The total area of the 3 blocks was 10,451 acres.

Gilbert Puckey. Entered mission 1821.

Case number 325, O.L.C. 774.

Vendor. Panakareao.

Situation. Kaitaia.

When bought. 1835.

Price. £20 in cash July 1835. A horse worth £35, a cow worth £15, a boat worth £10 and goods to the value of £24.10.0 i.e. a total of £84.10.0 given as additional payment after Gipps' proclamation of 14 January 1840. Puckey was allowed 85 acres for this additional payment.

Area claimed. 1500 acres.

Area granted. 1st award 384½ acres on 20 December 1843.
Fitz Roy's grant was for 1500 acres made 18 June 1845.

Case number 325a, O.L.C. 775.

Vendor. Ripi and others.

Situation. Called 'Pukepoto' at Kaitaia.

When bought. 1839.

Price. £171.10.0.

Area claimed. 800 acres.

Area granted. 1st award 686 acres on 15 April 1843.
Fitz Roy's grant 800 acres on 15 February 1845.

Case number 325b, O.L.C. 776.

Claim withdrawn by the claimant.

F.D. Bell's award made on 31 October 1857 directed that Puckey received grants for 3346 acres - 2581 at Woodville and 765 acres at Pukepoto. The contents of the two blocks totalled 4036 acres.

James Shepherd. Entered mission February 1820.

Case number 333, O.L.C. 802.

Vendor. ?

Situation. At Tauranga near Whangaroa.

When bought. 1836, 1839 and 1840.

Price. £202.10.0 plus £65 after Gipps' proclamation.

Area claimed. 2000 acres.

Area granted. 1st award of 2000 acres on 20 December 1843.
Fitz Roy's grant of 2000 acres on 22 October 1844.

Case number 333a, O.L.C. 803.

Vendor. ?

Situation. Between Whangaroa and Waimate. Upokorau.

When bought. 1836 and 1837.

Price. £620.10.0.

Area claimed. 6000 acres.

Area granted. 1st award of 2482 acres on 8 April 1843.
Fitz Roy's grant of 2560 acres on 22 October 1844.

Case number 333b, O.L.C. 804.

This land, bought in 1836, was called 'Parengiora' being about 8 miles from Te Puna. The deeds of sale were given to the Protector of Aborigines.

Case number 333c, O.L.C. 805.

Vendor. ?

Situation. Called Waitete on the Kerikeri River.

When bought. 1837.

Price. £40.0.6.

Area claimed. 400 acres.

Area granted. 1st award of 160 acres made on 8 April 1843.
Fitz Roy's grant of 343 acres made 22 October 1844.

Case number 333d, O.L.C. 806.

Vendor. ?

Situation. Okura, Bay of Islands.

When bought. 1837.

Price. £55.2.6.

Area claimed. 400 acres.

Area granted. 1st award of 220 acres on 8 April 1843.
Fitz Roy's grant of 367 acres made 22 October 1844.

Case number 333e, O.L.C. 807 and case 333f, O.L.C. 808 were for two lots each of 30 acres at Whangaroa which were granted in full.

F.D. Bell's award made on 9 September 1861.

At Tauranga	3553 acres
At Okura	255 "
At Waieri	3737 "
At Tikeru	614 "
At Whangaroa	132 "

Alfred Domett's award 24 August 1864.

At Upokerau	1372 acres
-------------	------------

H.A. Atkinson's award 28 July 1875

At Waitete	22 acres.
------------	-----------

The area granted at Whangaroa included 42 acres deriving from R. Lawson's claim. This was transferred to James Johnson then to John Salmon before being bought by Shepherd. The total area of Shepherd's original claims was 18,880 acres of which he received 9,643 acres together with 42 acres deriving from Lawson's claim.

Richard Taylor. Entered mission 1839.

Old land claim not traced.

Case number 222.

Vendor. Noble. (Nopera Panakareao)

Situation. A triangular district extending from North Cape to Cape Maria van Dieman. From the most easterly to the most westerly termination of the North Island to a perforated rock some 15 to 18 miles to the south and thence across to the North Cape.

When bought. 1839.

Price. £681.9.9.

Area granted. 1700 acres half of which belonged to Mr Sadlier. Taylor's share was refused by Selwyn and later the C.M.S.

Placed in trust for the Aupouri.

Henry Williams. Entered mission 6 August 1823.

Case number 245, O.L.C. 521.

Vendors. Te Ngue, Hake, Morenga, Motai, Ngere and Ranginga.

Situation. Called 'Titirangi'. About 12 miles S.W. by W. from Kororareka.

When bought. 12 December 1833.

Price. £116.18.0.

Area claimed. 1000 acres.

Area granted. 1st award was for 468 acres.

Fitz Roy granted 1000 acres 22 October 1844.

Case number 245a, O.L.C. 522.

Vendors. Kamera, Tao and others.

Situation. Ponerua.

When bought. 21 January 1835.

Price. £572.18.0.

Area claimed. 3000 acres.

Area granted. 1st award was for 2,292 acres.

Fitz Roy granted 3000 acres 22 October 1844.

Case number 245b, O.L.C. 523.

Vendors. Kamera, Tao and others.

Situation. Called 'Hihi'.

When bought. 18 April 1836.

Price. £58.6.0.

Area claimed. 500 acres.

Area granted. 1st award 232 acres.

Fitz Roy granted 500 acres 22 October 1844.

Case number 245c, O.L.C. 524.

Vendors. Kamera, Tuhirangi and others.

Situation. Called 'Pukeawa'.

When bought. 18 April 1836.

Price. £453.7.0.

Area claimed. 4,000 acres.

Area granted. 1st award 1813 acres.

Fitz Roy granted 2000 acres 22 October 1844.

Case number 245d, O.L.C. 525.

Vendors. Tao, Haratua and others.

Situation. Pakapu.

When bought. 15 May 1838.

Price. £104.18.6.

Area claimed. 500 acres.

Area granted. 1st award 420 acres.

Fitz Roy granted 500 acres on 22 October 1844.

Case number 245e, O.L.C. 526.

Vendors. Heke, Kamera, Tao and others.

Situation. Near Puketona.

When bought. 28 May 1839.

Price. £446.4.0.

Area claimed. 2000 acres.

Area granted. 1st award 1,785 acres.

Fitz Roy granted 2,000 acres on 22 October 1844.

Five other claims, case numbers 248, 248a,b,d and e. have not been traced. It appears that they were abandoned before Fitz Roy's awards were made.

Bell made his award on 20 February 1858 grants being issued:-

To Henry & John William Williams -	3226 acres
" Revd Samuel Williams	500
" Joseph Marsden Williams	542
" Marianne Davis	383
" Lydia Jane Williams	383
" Caroline Elizabeth Williams	383
" Edward Marsh Williams	1413

6830 acres.

1025 additional acres were due as survey allowance. Edward Marsh Williams duly received 363 acres but no trace has been found of the balance due i.e. 662 acres.

A native reserve known as Ngakikanga and of 186 acres which was within the boundaries of Henry Williams' land was bought by Henry Williams Junior for £93 grants being issued on 31 May 1861 to Marianne Davis for 135 acres and to Henry Williams Junior for 51 acres. Although Fitz Roy approved extended grants totalling 9000 acres on 19 July 1844 Henry Williams subsequently received grants for 7000 acres only. He was therefore technically robbed of 2000 acres to which he was entitled. His heirs finally received 7193 acres which was only 183 acres more than the first awards. One sixth added to the original awards would have ensured final grants of 8178 acres without the additions accruing as a result of survey and legal expenses. Thus, had Fitz Roy not made extended grants Henry Williams' family might have received more than they ultimately did. Henry Williams had paid enough to entitle him to 22,131 acres according to the ordinance scale.

William Williams. Entered mission 5th March 1826.

Case number 248, O.L.C. 529.

Situation. Waitangi.

When bought. 15 December 1835.

Price. £169.17.6.

Area claimed. 300 acres.

Area granted. 300 acres on 22 October 1844.

Case number 248a, O.L.C. 530.

Situation. Near Waimate. Waitangi.

When bought. 15 December 1835.

Price. £253.19.6.

Area claimed. 400 acres.

Area granted 400 acres on 22 October 1844.

Case number 248b, O.L.C. 531.

Situation. Near Waimate. Waitangi.

When bought. 29 September 1836.

Price. £16.12.0.

Area claimed. 20 acres.

Area granted. 20 acres on 22 October 1844.

Case number 248c, O.L.C. 532.

Situation. Near Waimate. Waitangi.

When bought. 17 April 1837.

Price. £20.12.6.

Area claimed. 20 acres.

Area granted. 20 acres on 22 October 1844.

Case number 248d, O.L.C. 533.

Situation. Near Waimate. Waitangi.

When bought. 31 July 1838.

Price. £68.15.6.

Area claimed. 100 acres.

Area granted. 100 acres on 22 October 1844.

Case number 248e, O.L.C. 534.
 Situation. Near Waimate. Waitangi.
 When bought. 3 October 1838.
 Price. £35.0.0.
 Area claimed. 50 acres.
 Area granted. 50 acres on 22 October 1844.

Before final settlement was made by F.D. Bell on 20 February 1858 George Clarke had transferred 28 acres to W. Williams and the whole was transferred to Henry Williams Junior who received a grant for 1488 acres. Since the total acreage due on W. Williams' claim was 1325 acres an additional 163 acres were granted probably being survey allowance due to Henry Williams Junior from another claim.

2. THE CHILDREN'S LAND.

Case number 309, 309a, 330, O.L.C. 734-6.
 Situation. Kerikeri.
 When bought. 4 September 1835 and 8th October 1831.
 Price. £740.0.6.
 Area claimed. 3100 acres.
 Area granted. 1st award 2960 acres.
 Fitz Roy granted 3100 acres on 4 October 1844.

Situation. Near Waimate Mission Station. Pateretere.
 When bought. 20 December 1831.
 Price. £206.
 Area claimed. 500 acres.
 Area granted. 1st award 500 acres.
 Fitz Roy granted 500 acres on 22 October 1844.

F.D. Bell's award of 16 April 1859 directed that grants be issued to the heads of the 7 families for whom the land had been originally bought. Only one assignment had been made - from W. Williams to James King for 780 acres. Grants were made:-

Family of W. Williams:	To Bishop Williams	111	
	" James King	780	891 acres
		<hr/>	
" J. Hamlin	To James Hamlin	713	"
" Davis	To Rev. Richard Davis	803	"
" Shepherd	To James Shepherd	683	"
" Kemp	To James Kemp	652	"
" Clarke	To George Clarke	865	"
" Baker	To Rev. Charles Baker	788	"
		<hr/>	
		5395	

3. OTHER MEMBERS OF THE MISSION.

S.H. Ford. Entered mission 22 August 1837. Left in 1841.
 Case number 300, 300a,b,c. O.L.C. 700-3.
 Situation. Waikare.

When bought. 29 October 1838, 5 February and December 1839.
Price. Total £220.0.0.

In case number 300 which was a claim for 200 acres the price paid was £108.13.0. Since £5 was paid in cash the balance of £103.13.0 represented goods worth £34.11.0. at Sydney Prices. They were:- A double barrelled gun, twelve blankets, ten axes, six hoes, ten grubbing hoes, six adzes, six shirts, six pairs of trousers, thirty pounds of tobacco, three iron pots, three tomohawks. The vendors of this block were Takurangatea, Auraki, Waimakuta, Werowero, Ake and Hukero.

Area claimed. 400 acres.

Area granted. 1st award 400 acres.

The land was sold to Robert Bleazard on 4 May 1855. He finally was granted 461 acres.

Case number 300d, C.L.C. 704.

Situation. Mangonui.

Vendors. Nopera Panakareao and others.

When bought. November 1839.

Price. £220.7.0 ? C.B.P.P. gives £475.0.0.

Area claimed. 3000 acres.

Area granted. 1st award 1,900 acres.

2nd award 575 acres.

Final award

1,725 acres.

Ford received £1725 for the land this being authorized by the Colonial Secretary on 3 August 1844.

John Bedggood. Entered mission August 1836.

Case number 44, C.L.C. 65.

Situation. Waimate.

When bought. 21 March 1834, 28 August 1834, 27 February 1838.

Price. £92.18.0.

George Clarke bought 80 acres on 21 March 1834 for 1 cow, 2 blankets, 15 dollars, 6 lbs of tobacco and 10 pipes. He made a second purchase of 30 acres on 28 August 1834 for 15 dollars, 10 half crowns, and 3 lb of tobacco. Clarke transferred this land to W.R. Wade on 16 June 1838 for £100. On 26 September 1838 Wade transferred the land to William Williams for £101. Williams assigned the land to Bedggood on 23 October 1839 for £101.10.0. Meanwhile, on 27 February 1838, John Bedggood made a purchase of 60 acres adjoining the other blocks for £40 cash.

Area claimed. 250 acres.

Area granted. 1st award 8 April 1843 250 acres.

2nd award 10 Nov. 1853(?) 60 acres (since Clarke had been awarded 2560 acres the commissioners recommended that no grant be issued to Bedgood for the portions sold by Clarke) Fitz Roy's grant on 24 June 1844 was for 60 acres but the boundaries of the entire claim were given in the grant.

Final settlement was made by F.D. Bell on 26 September 1859. John Pugh to whom Bedgood had sold part of the land received a grant of 49 acres 2 roods whilst Eliza, wife of John Bedgood received 136 acres.

Richard Matthews. Entered mission 1837.

Case number 164, O.L.C. 330.

Vendor. Nopera Panakareso.

Situation. Kaitia.

When bought. 6 May and 18 December 1839.

Price. Originally computed at £179.8.0. Bell, after examining the two deeds in 1859, worked out the purchase price as being £355.12.6.

Area claimed. 2000 acres.

Area granted. 1st award 718 acres

2nd " 479 1/2 "

Bell's " 1183 acres 20 February 1859.

Philip Hansen King. Entered mission 7 February 1834.

Case number 275, O.L.C. 607.

Vendors. Warema, Kaikai.

Situation. The island of Motu Apo or 'Te Pahio Island' at Te Puna.

When bought. 20 June 1834.

Price. £2.12.6.

Area claimed. 1 acre.

Area granted. 1 acre on 30 May 1842.

Final award on 16 September 1861. The island of Motu Apo containing 2 acres 3 roods and 4 perches.

Case number 275a, O.L.C. 608.

Vendors. Waremoakaikai, Morunga.

Situation. Near sea at Te Puna.

When bought. 6 November 1834.

Price. £12.3.0.

Area claimed. 3 acres.

Area granted. First award 3 acres on 30 May 1842.

Case number 275b, O.L.C. 609.

Vendors. Waikato, Uriheke.

Situation. Called 'Te Koutu' at Te Puna.

When bought. 27 December 1834. Initially bought by David Salmon and transferred to P.H. King.

Price. £20.

Area claimed. 1 acre.

Area granted. 1 acre on 30 May 1842.

This claim was settled in conjunction with 275b.

3 acres 2 roods 32 perches being granted by F.D. Bell on 16 September 1861.

Case 275c, O.L.C. 610.

Vendors. Tiki and others.

Situation. Waiaua, Bay of Islands (on mainland near the Cavallis).

When bought. 27 October 1836.

Price. £137.11.0.

Area claimed. 1500 acres.

Area granted. 1st award 550 acres on 8 April 1843

Revised award 1436 "

Fitz Roy's grant 1500 " on 30 July 1845.

Case number 275d, O.L.C. 611.

Vendors. Haumia and Kira.

Situation. adjoining 275c.

When bought. 3 November 1836.

Price. £17.1.0.

Area claimed. 800 acres.

Area granted. 1st award 68 acres on 8 April 1843.

Revised award 170² acres

Fitz Roy's grant 800 acres on 30 July 1845.

Before a final award was made Philip King sold the land in 275c and d to George and Eleanor Stephenson for £500 the deed being dated 8 March 1854. A grant to Eleanor Stephenson was issued on 17 September 1861 by F.D. Bell for 3276 acres the total content of the claims.

James Davis. Arrived with father, Richard Davis, in 1824.

Case number 78a, O.L.C. 161.

Vendors. Kutu, Waraki and Hamiona.

Situation. Putakotare block, Waimate.

When bought. 1 January 1840 but arranged for on 20 June 1839.

Price. £37.10.0 plus a foal.

Area claimed. 15 acres (It proved to be 48 acres after survey).

Area granted. 1st award 15 acres 12 April 1843.

Fitz Roy's grant 15 " 24 June 1844.

This claim was settled with his father's claim.

Case number 78, O.L.C. 160.

Vendor. Tana.

Situation. Mangatete Block near Kaitia (In Doubtless Bay about 12 miles S.W. of Knuckle Point).

When bought. October 1839.

Price. \$40 (Gilbert Puckey gave evidence in 1843 that it had been bought for this sum in 1837).

Area claimed. 1000 acres.

Area granted. 1st award 160 acres
 revised award 320 "
 Fitz Roy's grant 320 " on 4 June 1844.
 F.D. Bell's " 466 acres on 25 December 1859.

The block contained 4,880 acres.

John Edmonds. Entered mission 7 February 1834.

Case number 85, O.L.C. 172.

Situation. Kerikeri.

When bought. 8 June 1837, 1 March, 24 August and September 1838. Part of this land had been bought by John Buchanan and James Heggie whose estate was sold by public auction on 2 October 1836 for £9.

Vendors. Waikato, Kamera, Pare, Wakarua and others.

Price. £399.5.0.

Area claimed. 2111 acres.

Area granted. 1st award 1597 acres
 revised award 2111 " on 5 November 1845.

Final settlement.

The area of land in the block was 3962 acres of which Edmonds was entitled to receive 2940 acres. However, the land was taken by the Crown in accordance with the Bay of Islands Settlement Act 1858. Edmonds received a grant for the 70 acres he had fenced and was granted 550 acres of country land. He received compensation at the rate of 10/- per acre for the balance - 2320 acres, £1160.

Abbreviations used:

A.J.H.R.	Appendices to the Journals of the New Zealand House of Representatives.
A.M.L.	Auckland Museum Library.
A.T.L.	Alexander Turnbull Library, Wellington.
C.M.S.	Church Missionary Society.
G.A.L.	General Assembly Library.
G.B.P.P.	Great Britain, Parliamentary Papers.
H.L.	Hocken Library, Dunedin.
N.A.	National Archives of New Zealand, Wellington.
N.S.W.	New South Wales.
O.L.C.	Old Land Claim.

1. MANUSCRIPT SOURCES

- A. Church Missionary Society. Archives relating to the Australian and New Zealand missions, 1808-1884.
Microfilm, A.T.L.

CN/O 90. Vidal, Robert. Letters 1850-55.

CN/O 94. Williams, Henry. (a) Letters, 1822-35.
(b) " 1836-47.
(c) " 1848-59.

CN/O 101. New Zealand Letters, 1822-60. Typescript.

H/N2. Kempthorne Papers, 1843-48.

H/N7. Miscellaneous General Secretary's papers relating to New Zealand ca. 1835-1875.

CH/L3. Letter Books: Out, 1842-1875.

CH/L4. Letter Books: Out.

CH/L5. Letter Books: Out.

CH/L7. Letter Books: Out, 1842-1875.

- CH/L9. Letter Books: Out, 1824-1875.
- CH/L11. Letter Books: Out, 1824-1875.
- CH/O 67. Home Letters: In.
- CH/O 69. Home Letters: In, August-December 1838.
- CH/O 71. Home Letters: In, June-October 1839.
- CH/O 73. Home Letters: In, February-June 1840.
- CH/O 77. Home Letters: In.
- CH/O 95. Home Letters: In.
- CH/O 104. Home Letters: In.
- CH/O unnumbered volume. Home Letters: In.
- CN/O 8. New Zealand Mission Secretaries and Home Secretaries: Correspondence, 1826-69.
- CN/O 14. Correspondence between government officials and Home and Mission Secretaries.
- CN/O 17. Miscellaneous Letters to Home Secretaries, 1821-68.

B. Old Land Claims. N.A.

- W.T. Fairburn to Colonial Secretary, New South Wales, 5 November 1840. O.L.C. 589-90.
- James Davis to Colonial Secretary, New South Wales, 12 January 1841. O.L.C. 161.
- Statements by W.T. Fairburn to Land Commissioners Godfrey and Richmond, 1 September 1841. O.L.C. 589-90.
- Memo by R.A. Fitzgerald, 2 May 1844 re G. Clarke's land claims. Report of F.D. Bell, 15 April 1859. O.L.C. 633-4.
- Land Claims Commissioner's Report, 16 April 1859. O.L.C. 734-6.
- Land Claims Commissioner's Report, 16 April 1859. O.L.C. 603-6.

C. C.M.S. Records, Letters, Journals and Pamphlets. A.T.L.

Documents of the Central Committee of the New Zealand Mission 1847-1854.

Kemp, J. Journal 1832-52.

MS Papers 179 (Church Missionary Society) Folder 23.

Selwyn Papers 1839-1865, Vol. I.

Selwyn, G.A. Letters. Pamphlet 1848.

'Statement of the Committee of the Church Missionary Society, relative to the New Zealand Mission.' 29 November 1839.

'Further Statement of the Committee of the Church Missionary Society relative to the New Zealand Mission' 31 March 1840.

Williams, H. Correspondence, Reports of Meetings etc. (TPS of Originals in A.M.L.)

2. G.B.F.P. AND OTHER OFFICIAL PAPERS

G.B.F.P.

1838 (Comd. 680).

1840 (Comd. 582).

1845 (Comd. 378).

1847 (Comd. 837).

1849 (Comd. 1120).

G30. Secretary of State's despatches.

G19/1. Bishop Selwyn to Captain Fitz Roy, November 1845.

A.J.H.R. Session II, 1906. Vol. III, H 30B.

3. NEWSPAPERS AND PERIODICALS

The Times, 5 September 1840. G.A.L.

Southern Cross, 25 September 1847. Auckland, N.Z.

Quarterly Review, No. CXXXV. London.

4. CONTEMPORARY AND MODERN BOOKS, ARTICLES AND THESESPublished Works

Bagnall, A.G. and Petersen, G.C. William Colenso. Wellington, 1948.

Binney, J. A Legacy of Guilt: A Life of Thomas Kendall. Christchurch, 1968.

Brodie, W. Remarks on the past and present State of New Zealand, its Government, Capabilities, and Prospects; with a Statement of the Question of the Land-Claims, and Remarks on the New Zealand Land Company. London, 1845.

Clarke, G. Notes on Early Life in New Zealand. Hobart, 1903.

Colenso, W. The Authentic And Genuine History Of The Signing Of The Treaty Of Waitangi, New Zealand, February 5 and 6, 1840 ... Wellington, 1890.

Elder, J.R. (ed.). The Letters and Journals of Samuel Marsden 1765-1838. Overseas edition, Dunedin, 1832.

Harrop, A.J. England and New Zealand from Tasman to the Taranaki War. London, 1926.

Knaplund, P. James Stephen and the British Colonial System. Madison, 1953.

Lang, J.D. New Zealand in 1839; or Four Letters, to the Right Hon. Earl Durham, Governor of the New Zealand Land Company, ... On the Colonization of that Island, and on the Present Condition and Prospects of its Native Inhabitants. London, 1839.

- Markham, E. (ed. E.H. McLintock). New Zealand Or Recollections Of It. Wellington, 1963.
- McLintock, A.H. Crown Colony Government in New Zealand. Wellington, 1958.
- Miller, J. Early Victorian New Zealand: A Study of Racial Tension and Social Attitudes 1839-1852. London, 1958.
- Nicholas, J.L. Narrative of a Voyage to New Zealand, Performed in the Years 1814 and 1815, in Company with the Rev. Samuel Marsden, Principal Chaplain of New South Wales. 2 vols., London, 1817.
- Pike, D. (ed.). Australian Dictionary of Biography. 3 vols., Melbourne, 1967.
- Rogers, L.M. (ed.). The Early Journals of Henry Williams 1826-1840. Christchurch, 1961.
- Rutherford, J. Sir George Grey K.C.B., 1812-1898: A Study in Colonial Government. Second edition, London, 1961.
- Sorrenson, M.A.K. 'The Politics of Land' in Pocock, J.C.A. (ed.) The Maori And New Zealand Politics. Auckland and Hamilton, 1965.
- Scholefield, G.B. Captain William Hobson. Oxford, 1934.
- Sinclair, K. The Origins of the Maori Wars. Wellington, 1961.
- Standish, M.W. The Waimate Mission Station. Wellington, 1962.
- Stock, E. The History of the Church Missionary Society: Its Environment, Its Men, And Its Work. 3 vols., London, 1899.
- Thomson, A.S. The Story of New Zealand: Past and Present - Savage and Civilized. 2 vols., London, 1859.
- Wards, I. The Shadow of the Land: A Study of British Policy and Racial Conflict in New Zealand 1832-1852. Wellington, 1968.
- Wilson, E.W. Land Problems of the New Zealand Settlers of the Forties. Dunedin and Wellington, 1935.
- Wright, H.M. New Zealand, 1769-1840: Early Years of Western Contact. Cambridge, Mass., 1959.

Articles

- Owens, J.M.R. 'Christianity and the Maoris to 1840', The New Zealand Journal of History, Vol. 2, No. 1, April 1968.
- Binney, J. 'Christianity and the Maoris to 1840: A Comment', The New Zealand Journal of History, Vol. 3, No. 2, October 1969.

Theses

- Gibbons, P.D. The Protectorate of Aborigines 1840-46. Victoria University of Wellington, 1963.
- Owens, J.M.R. The Wesleyan Mission to New Zealand 1819-1840. Victoria University of Wellington, 1969.
- Roas, J.E. The Missionary Work of the Rev. Richard Taylor at Wanganui. Victoria University of Wellington, 1964.