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**JAMES REDDY CLENDON**

**1800-1872**

**Trade, Entrepreneurship and Empire**

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

Barbara Gawith  
2005



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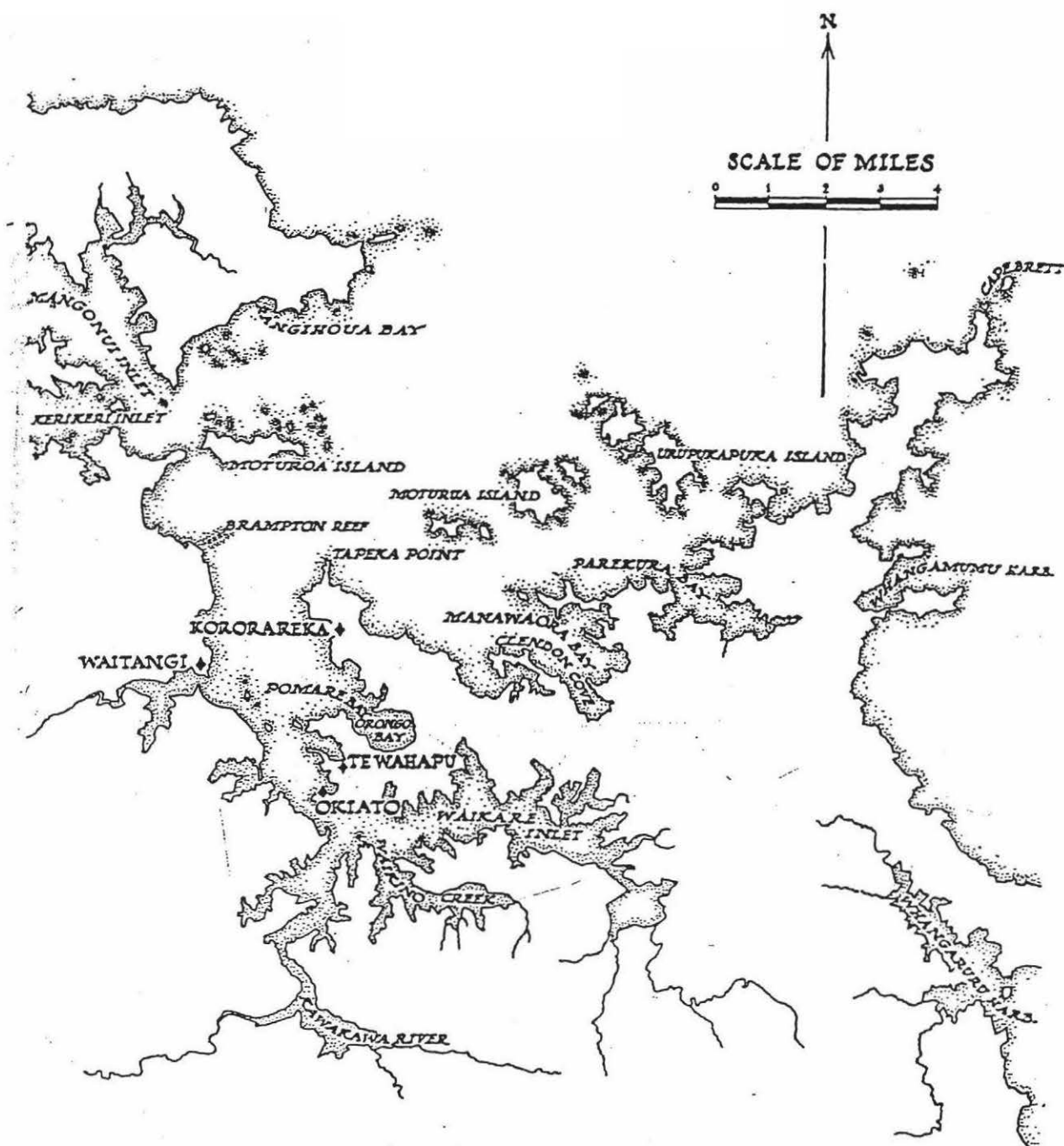
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Cited in J. Rutherford (ed.), *The Founding of New Zealand: The  
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1940, p.15.

## Acknowledgements

It has been a long journey from my discovery that James Clendon was my ancestor to the writing of this thesis. After reading a family biography of the Clendons some years ago it became clear to me that James Clendon's early years in New Zealand could provide interesting new insights into our country's pre-annexation history and New Zealand's historiography. A Masters' thesis has been a practical way to explore such issues. Furthermore, it has provided me with sound writing experience, should I ever tackle James Clendon's biography - a book as yet unwritten.

A good many people have helped along the way. Firstly, and most importantly, I thank my supervisor Dr Geoffrey Watson, whose input into this thesis has been so greatly appreciated. Throughout my endeavours, Geoff has supplied intellectual rigor, encouragement and enthusiasm for my topic. Special thanks go to Tom and Ross Clendon, two family members based in England and the Philippines respectively, who went to considerable trouble to provide me with family held information and documentation on James Clendon. Thanks also to Lindsay Charmain-Love, curator at Clendon House, Rawene, who permitted me to sit in James and Jane Clendon's kitchen one Sunday in July 2003 and examine the documents held in his custody. I also thank Kate Martin, curator of Pompallier House, Bay of Islands, who first alerted me to the desolation and economic hardship felt by settlers and Maori at the Bay following New Zealand's annexation by Britain. Thanks are due to Mr. T. B. Byrne for supplying a copy of his privately published book on Thomas Wing and to the Stephenson and Webster families for their family histories. I thank the curator of the Russell Museum, and librarians at Archives New Zealand, the National Library of New Zealand, Alexander Turnbull Library, Auckland Public Library, Auckland Museum Library and St. John's College library for their unfailing cooperation and help. Finally, I thank my husband, John Gawith, who accompanied me on a research trip to Northland and took copious photographs of harbours, houses and other sites of interest to this thesis. John has always given me his unqualified support.

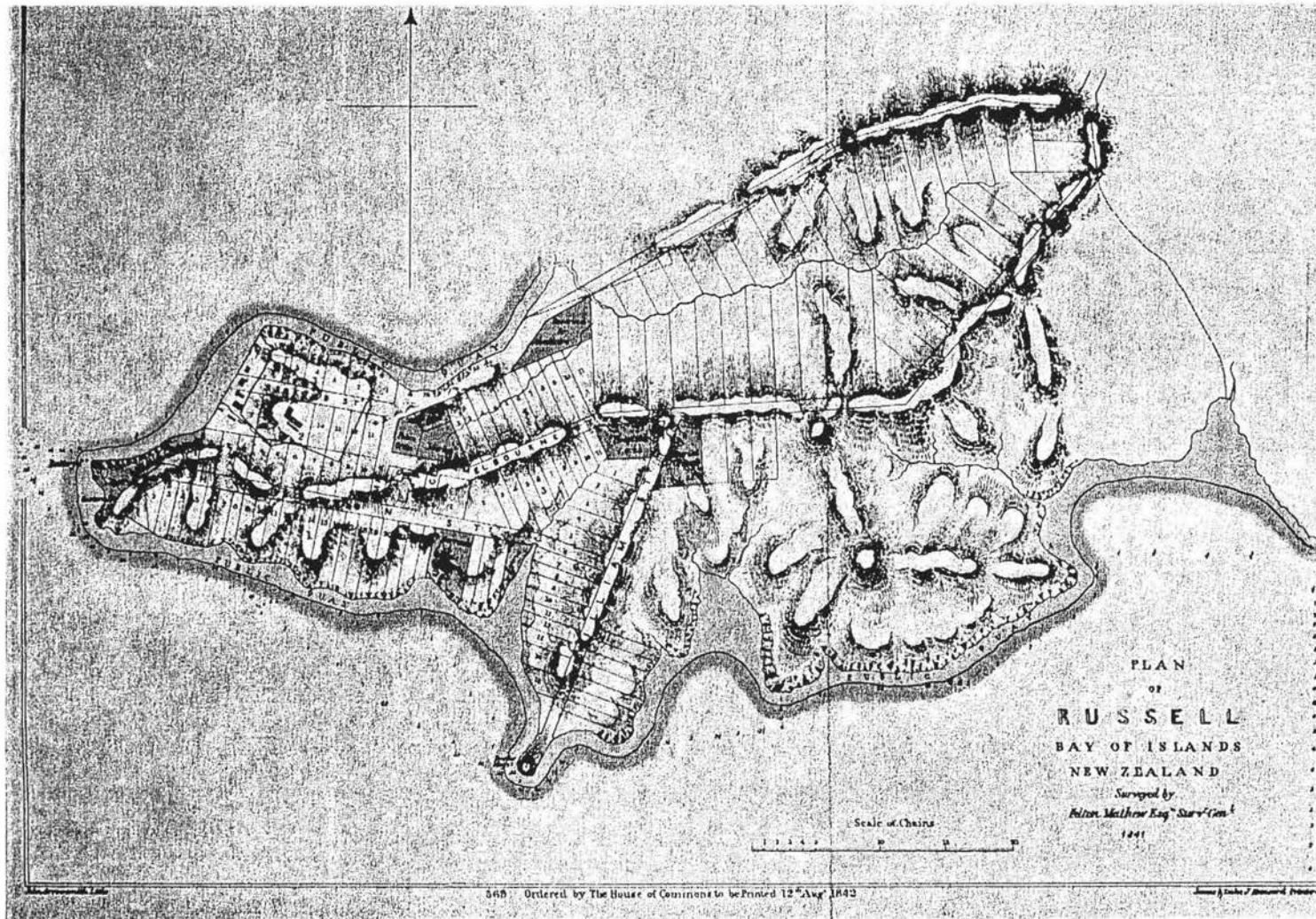
Barbara Gawith  
June 2005.



# THE BAY OF ISLANDS

## 1: The Bay of Islands

Ruth Ross, *New Zealand's First Capital*,  
 Wellington: Department of Internal Affairs (Whitcombe & Tombs, 1946, p.74).

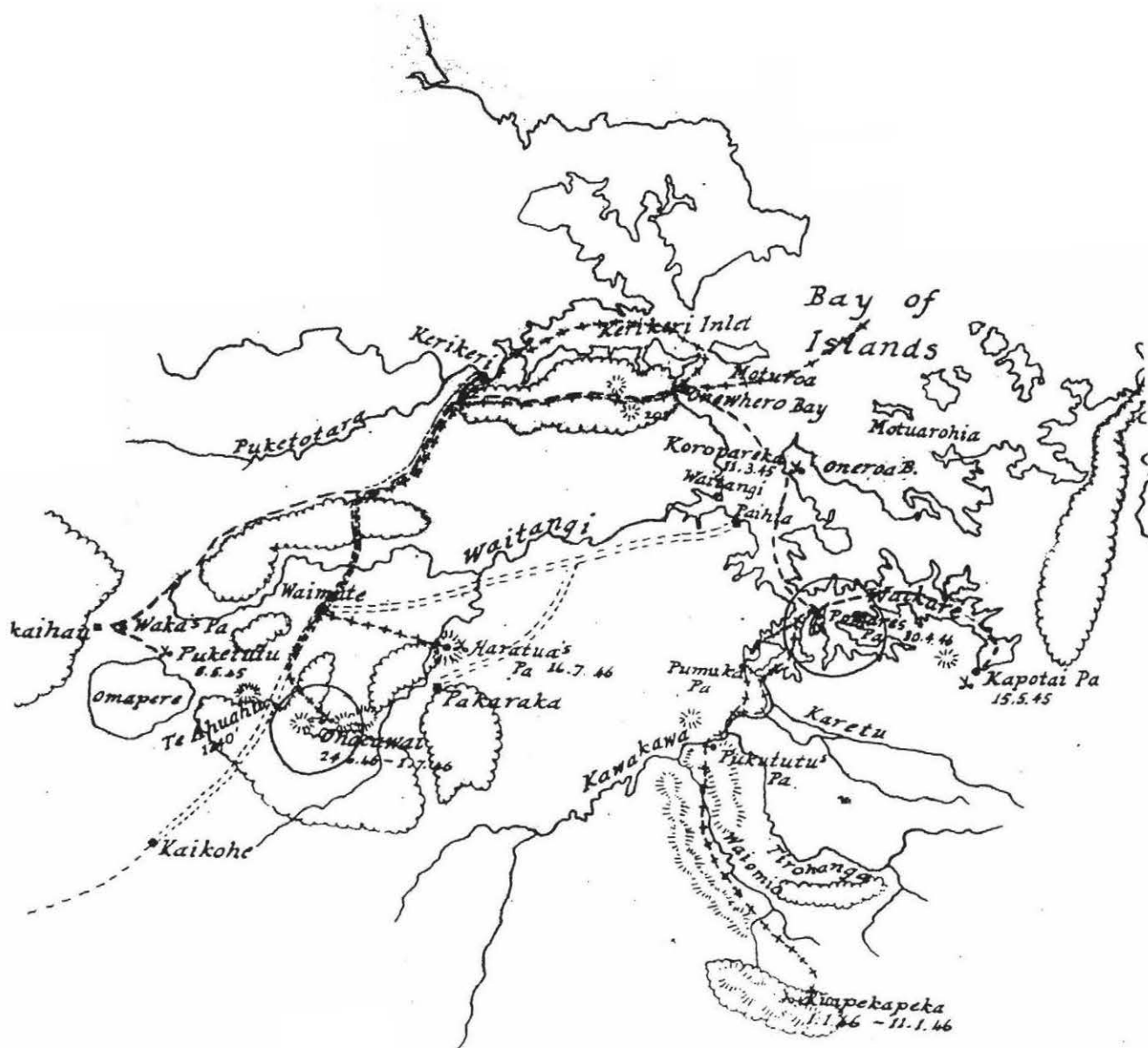


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## 2: Felton Mathew's Plan of Proposed town of Russell

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Wellington: Department of Internal Affairs/Whitcombe & Tombs, 1946, pp.72-73.



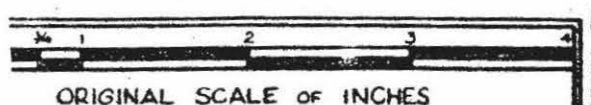


Plan  
Plan of Military Operation  
Bay of Islands Dist.

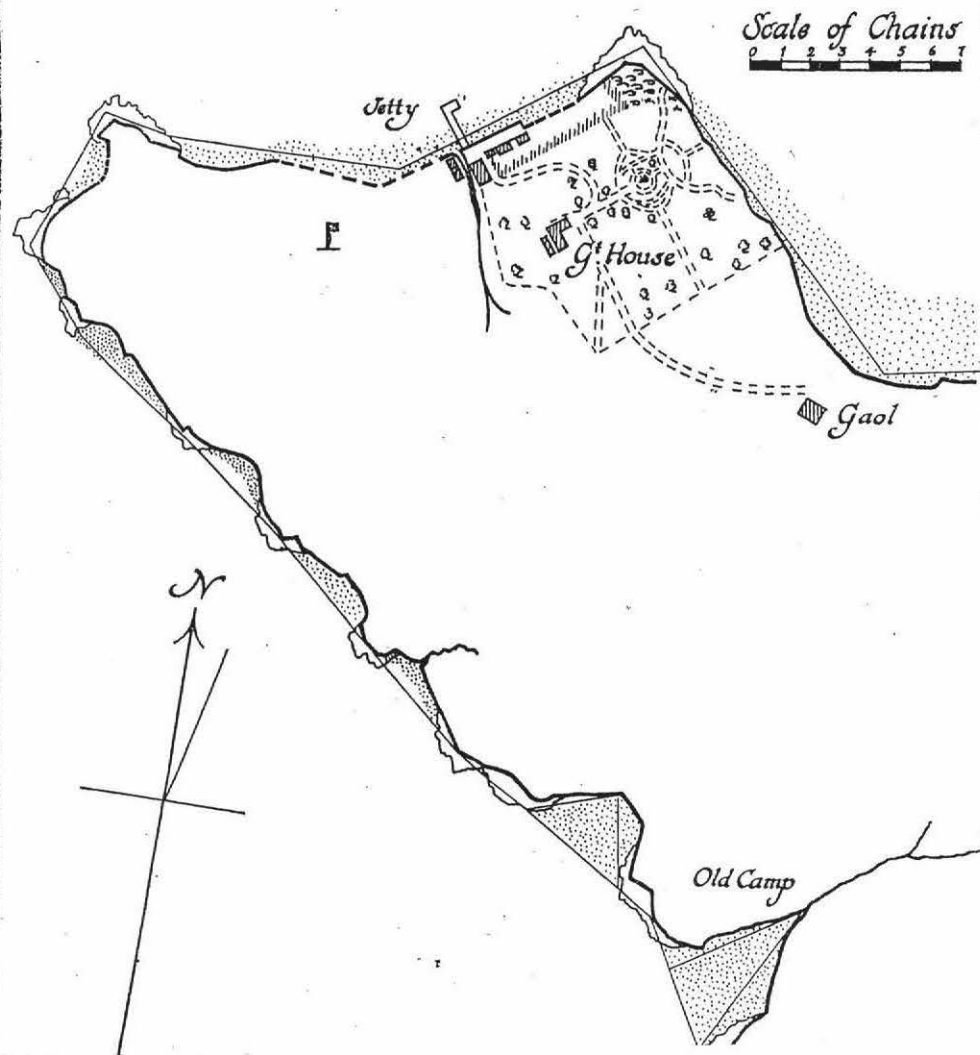
1845 - 1846

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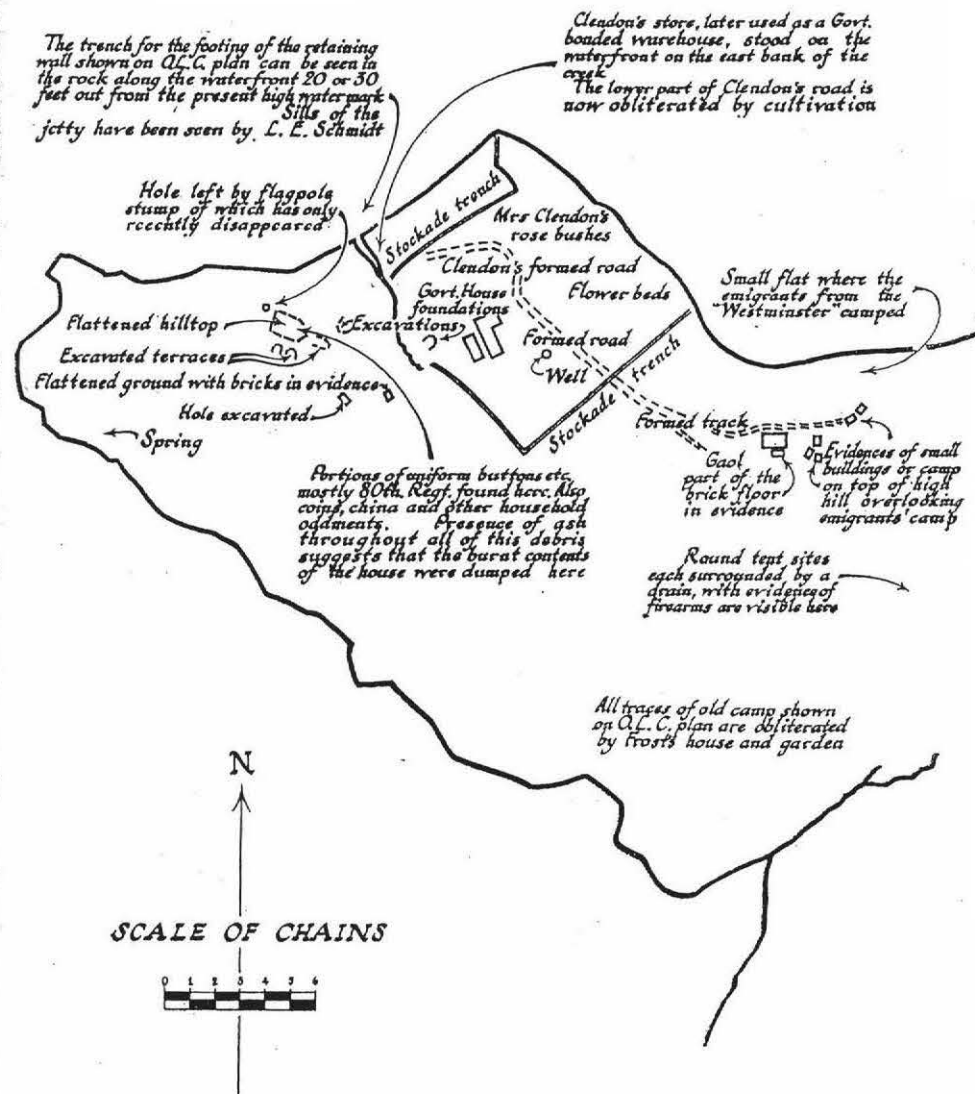
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- 3: Plan of Military Operation Bay of Islands District 1845-1846. Clendon was present at Ohaeawai and Ruapekapeka when British troops and Maori allies attacked these pa.



4a: Old Land Claim Plan 132 – James Reddy Clendon



4b: Traces of Old Russell Visible in 1943

## INTRODUCTION

The central focus of this study is an examination of the entrepreneurial activities of James Reddy Clendon, an English sea captain, merchant and settler who rose to prominence in the Bay of Islands during the period 1830 to 1840.

The study initially asks three basic questions:

Why did Clendon come into the Pacific to trade?

Why did he choose to settle in New Zealand?

How did he survive in the years prior to and immediately after British annexation?

This study is important as there are few comprehensive studies that examine the period of European settlement in Northland between the 1820s and 1840s in New Zealand's history. Such a study is intended to act as a lens through which a number of wider issues in New Zealand history can be examined. These include: the commercial relationship between Australia and New Zealand prior to 1840; interaction between Maori and European traders in commerce; the role of entrepreneurs in the declaration of formal British authority in New Zealand; the role of the entrepreneur in European settlement, including issues of class and status among New Zealand's earliest settlers; and the effect of British annexation on existing European settlers in northern New Zealand.

There are a number of reasons for this study and these are discussed below.

### The search for profit – a family connection

My approach to this study was influenced by a family connection with Clendon. His second daughter Ellen Frances (Fanny), born in New Zealand, was my great-great grandmother. Frances married the Reverend Frank Gould, a young official who travelled to New Zealand as part of Governor Grey's entourage in the 1840s. It was a source of interest within our family that we were descended from a very early settler in the Bay of Islands whose most notable achievement there was his appointment as American Consul sometime prior to 1840. Little was known about the sea captain James Clendon and the circumstances that led to his appearance in New Zealand.

Both Clendon and Gould feature in early historical writings on the Bay of Islands, and Clendon's life as a government official both of the United States and New Zealand is well documented in biographies in *An Encyclopaedia of New Zealand*, the *Dictionary of New Zealand Biography* and other writings<sup>1</sup>. While these, and other more general historical accounts of life in the Bay of Islands and Hokianga, acknowledge Clendon's mercantile activities, their emphasis is most often on his official positions, his political involvement in the Bay of Islands and in New Zealand's first Legislative Council.

My interest in Clendon's trading voyages to Australia and New Zealand arose when I read a Clendon family history published in 1997. It struck me as noteworthy that Clendon's outward journey from Cork, Ireland in 1828 as Master of the ship *City of Edinburgh* was financed by transporting a cargo of convicts to the penal colony at New South Wales. While not directly identifying Clendon as an entrepreneur, this account demonstrated a departure from the commonly held New Zealand family view that Clendon had arrived as a 'settler' at the Bay of Islands and risen to prominence there as an American official. Confirmation of Clendon's unusual cargo was found in Jack Lee's biographical account of Clendon in the *Dictionary of New Zealand Biography* and this influenced me sufficiently to consider a deeper exploration of his mercantile activities prior to and following his settlement in New Zealand.<sup>2</sup>

No one has yet taken the approach of investigating Captain James Clendon the entrepreneur and explored his early trading and other commercial activities in New Zealand or Australia. Indeed, the role of the entrepreneur has received little attention in many histories of New Zealand. Furthermore, the words 'entrepreneurs' and 'entrepreneurship' have only lately appeared in New Zealand's major general histories in terms of pre-1840 European settlement. James Belich (1996), Anne Salmond (1997), and recently Michael King (2004) for instance, use this language in terms of both Maori and

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<sup>1</sup> J. Rutherford, 'Clendon, James Reddy (1801-72)', A. H. McLintock (ed.), *An Encyclopaedia of New Zealand*, vol.1, Wellington: Government Printer, 1966, pp.357-358; Jack Lee 'Clendon, James Reddy 1800-1872', W. H. Oliver (ed.), *Dictionary of New Zealand Biography, 1769-1869*, vol.1, Wellington: Allen and Unwin/ Department of Internal Affairs, 1990, pp.84-85. Also see R. McNabb, 'United States Consular Records', *Historical Records of New Zealand*, vol. 2, Wellington: Government Printer, 1908, pp. 604-622; Jack Lee, *The Bay of Islands* Reprint, Auckland: Reed Books, 1996, Chapters 15-21; John Horsman, *The Coming of the Pakeha to Auckland Province*, Wellington: Hicks Smith & Sons, 1971, Chapters 1-4; and Paul Moon's books on Governors Fitzroy and Hobson: *Fitzroy: Governor in Crisis, 1843-1845*, Auckland: David Ling Publishing, 2000, pp.21-22, 112-114; and, *Hobson, Governor of New Zealand 1840-1842*, Auckland: David Ling Publishing, 1988, Chapters 7-10.

<sup>2</sup> See Footnote 1

Pakeha interactions in New Zealand, but do not explore exactly how this dynamic operated. As this thesis will demonstrate, it might be argued that Clendon typified the entrepreneurial spirit that has been recognised as an important factor in the European settlement of New Zealand.<sup>3</sup>

#### Symbiotic relationships: The New Zealand frontier – risks, dangers and luck.

Clendon's activities in New Zealand indicated the role contingency played in early settlement. James Clendon was able to take advantage of the situation he found in New Zealand and his story can be applied to other individuals. Furthermore, Clendon and Maori appeared to be entrepreneurial in their approach to trade. Indeed, their activities suggest that that period up to 1840 was one of symbiotic relationships between Maori and Pakeha, with each gaining their own social and economic capital<sup>4</sup>, from the arrangement. For example, chiefs traded timber, flax and foodstuffs for muskets and ammunition from Europeans, and the first to do so had an advantage over enemies who did not. There was an element of luck in all of this and also an element of risk in dealing with Europeans who had dangerous weapons. By 1820 many Maori also had such weapons and Europeans trading with Maori, as well as negotiating New Zealand's dangerous coastline and harbours, also needed luck on their side. In addition, there were other risks for Europeans who settled in New Zealand, one of which was a need for financial credit from a European centre. A second was that New Zealand up to 1840 was the southernmost frontier of New South Wales and Tasmania and attracted its share of their cheats, bankrupts and fraudsters, who threatened the stability of merchants trading in New Zealand. Using Clendon's early activities in New Zealand as a case study, therefore, has enabled many of these aspects of New Zealand's early nineteenth century history to be more fully explored.

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<sup>3</sup>James Belich, *Making Peoples: A History of the New Zealanders from Polynesian Settlement to the End of the Nineteenth Century*, Auckland: Penguin Books (NZ), 1996, p.148; Anne Salmond, *Between Worlds: Early Exchanges Between Maori and Europeans 1773-1815*, Auckland: Penguin Books (NZ), 1997, p.252; Michael King, *The Penguin History of New Zealand*, Auckland: Penguin Group/Viking, 2004, p.116.

<sup>4</sup> Pierre Bourdieu used these terms with reference to new groups moving successfully into existing group spaces. They required 'not only economic and cultural capital, but social capital as well'. Pierre Bourdieu, 'Site Effects', in Pierre Bourdieu et al, *The Weight of the World: Social Suffering in Contemporary Society*, Oxford: Blackwell Publishers, 1999, pp.128-129.

## The wider context

My desire to investigate Clendon's trading voyages to Australia and New Zealand led to an examination of the social and political background in England that influenced British exploration and trading activities in the Asia-Pacific region. It became clear that, following the establishment of British penal colonies in New South Wales and Tasmania in the late eighteenth century, opportunities arose for young ambitious British sea merchants like Clendon to realise substantial profits through conveying human and other cargoes to Australia, and eventually between Australia, New Zealand and Britain.

Richard Hill in *Policing the Colonial Frontier* states that 'the white man (pakeha) came to New Zealand in search of profit'.<sup>5</sup> Previously unpublished correspondence between Clendon and his father George that came into my hands in 2002 supplied ample evidence of Clendon's search for profit. In 1828, unable to procure a cargo in Sydney for his return voyage in the *City of Edinburgh*, he sailed to New Zealand for a cargo of timber and flax.<sup>6</sup> Michael King, in *The Penguin History of New Zealand*, states that 'in an unregulated and untaxed era some entrepreneurs [who traded in or with New Zealand] stood to make enormous profits'.<sup>7</sup> As this thesis will demonstrate, Clendon's search for profit led ultimately to his decision to settle at Okiato, near modern day Russell in the Bay of Islands, where he could provide services to settlers, and trans-Tasman and international traders.

## The need for financial capital

Clendon's correspondence to his father in 1830 demonstrated that a corollary to the search for profit was the need for venture capital and a continuous supply of credit. Undoubtedly debt to his family played a part in Clendon's determination to succeed; entrepreneurs needed capital to underpin their activities. King suggests that 'there would always be some commercial and industrial activities...that could gain traction in New Zealand only with investment from overseas'.<sup>8</sup> This was one of the five principal

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<sup>5</sup> Richard Hill, *Policing the Colonial Frontier: The Theory and Practice of Coercive Social and Racial Control in New Zealand 1767-1867*, vol 1, *The History of Policing in New Zealand*, Wellington: Government Printer, 1986, p.29.

<sup>6</sup> J. R. Clendon to G. Clendon, 3 September 1830, Clendon Family Private Papers. (Appendix A.1.)

<sup>7</sup> King, p.127.

<sup>8</sup> *Ibid.*, pp.127-128



‘realities’ that had relevance for the country’s immediate and long-term future.<sup>9</sup> Clendon was clearly anxious that the outcome of the *City of Edinburgh* voyage should not upset his father, who had provided most of the finance for the undertaking.<sup>10</sup> Prior to 1840, overseas capital was the only means by which entrepreneurial activity by Europeans could be successful, and as Clendon’s correspondence suggested, one way or another, this capital would have to be repaid.<sup>11</sup> Profit was, therefore, essential to repay debt as well as provide a living.

#### New South Wales – v – New Zealand: the need for an appropriate environment

Clendon’s correspondence also expressed his dissatisfaction with the situation in New South Wales in the 1830s and this raised for me the issue of an entrepreneur’s choice of an appropriate environment in which to carry out his activities. Expressing considerable antipathy towards the colony, Clendon made clear his relief that a family neighbour in England had decided against emigrating to New South Wales. He cited factors that were distressing to settlers: economic depression, increased taxation and unsuccessful land speculation.<sup>12</sup> It appeared certain that the young ship’s captain had no desire to settle in Australia.

James Clendon was one of a handful of Europeans settlers in Northland, who was neither a Pakeha-Maori nor a missionary. He was from a middle class English seafaring family and his main purpose for being in the South Pacific was as a merchant trader, an entrepreneur who sought lucrative cargoes to earn his living. However, Captain James Clendon the entrepreneur and his trading and other commercial activities between Britain and Australia, and New Zealand and Australia have not been investigated. Furthermore, the links between his success or otherwise in these ventures and his subsequent employment as an official in the fledgling British colony that developed in New Zealand after 1840 have not been explored. This, therefore, raises several important issues that I felt should be investigated.

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<sup>9</sup> King, pp.127-128

<sup>10</sup> Ibid.

<sup>11</sup> J. R. Clendon to G. Clendon, 3 September 1830, (Appendix A.1). For example, the letter discloses that Clendon owed money to a number of agents, and that short of ship’s provisions due to his protracted stay in the Bay of Islands, Clendon purchased goods from a ship’s captain, Samuel Swain, paid for by a bill against his father George Clendon.

<sup>12</sup> Ibid.

Firstly, in order to operate in a successful economic climate, Clendon chose to base himself in New Zealand, rather than Australia. New Zealand at the time was a 'free' state, without status, regulations, tariffs or taxes. Cargoes in timber spars and flax were plentiful and Clendon appeared to have identified a need for an established trading base and ship's chandlery at the Bay of Islands. Some examination of the expansion of British economic, military and naval interests into the Asia-Pacific region might provide a background and an explanation for Clendon's early trading activities and the factors that brought him to New Zealand. Furthermore, Clendon's early life and family influences may have been important factors in his decision to emigrate to the Asia-Pacific region.

Secondly, a connection between trans-Tasman trade in the early part of the nineteenth century and its effect on European settlement in New Zealand is under-explored in New Zealand historical texts. A brief examination of the socio-economic and political status of the Australian colonies and New Zealand at the time will be undertaken to help explain Clendon's decision to settle in New Zealand.

Thirdly, Clendon's experiences in New Zealand implied that geographically as well as physically New Zealand was a hazardous place for traders. Difficult relationships sometimes existed between Pakeha traders and Maori, and an ability to negotiate these hazards appeared to be a necessary part of a successful trader's tool-kit. Clendon's experiences also implied Maori agency in trade in the pre-annexation period and this was an area of our history that it would be useful to identify and explore.

Fourthly, the need for an appropriate environment for his activities was matched with a need for a home for his wife and infant children. Clendon's interest in the Bay of Islands as a new centre for trade was undoubtedly influenced by an increasing missionary presence that improved opportunities for negotiating peaceful commercial contracts with local Maori, and for a safe home environment. A stable and law-abiding society was important. However, in spite of a missionary presence, Clendon found that the New Zealand environment had a number of drawbacks. While its non-sovereign status meant there were no tariffs or taxes, lawlessness was a major problem in the Bay of Islands. There were no established codes of European law and conduct – only those which whalers, traders, merchants and other settlers brought with them. Clendon's involvement with local politics may have been to ensure a measure of control over Europeans and



Maori in his sphere and his acceptance of the appointment as United States Consul in New Zealand may have been to provide more stability for his business and his growing family.

Fifthly, Clendon sold his land at Okiato to Captain William Hobson, who wished to establish an interim British government at the Bay of Islands. This may have been simply an 'opportunistic' grab as Ruth Ross has suggested,<sup>13</sup> but it might also have been an opportunity to by-pass the effects of new land regulations that stated all purchases of Maori land prior to January 1840 were to be considered null and void.<sup>14</sup> A previously unexplored field that this thesis will address is his financial position at the time, which may have influenced his decision to sell.

Finally, this thesis is concerned with how Clendon's fortunes fared following formal British annexation of New Zealand. Did he re-establish himself as a merchant elsewhere, or did he take the challenge of a new order and seek a position for himself within it? The British government made use of experienced settlers like Clendon, one of a number of 'men on the spot',<sup>15</sup> made available by circumstances for official positions in Britain's nascent colonies.

There is, I believe, a place in historical scholarship for an examination of the role of the merchant entrepreneur in early Nineteenth century New Zealand. This case study of Clendon's life up to and including his residence in the Bay of Islands prior to about 1845, explores the role of trade, entrepreneurship and empire in the early settlement of New Zealand.

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<sup>13</sup> Ruth Ross, unpublished notes, Clendon House, Rawene. In *New Zealand's First Capital*, Wellington: Dept. Internal Affairs/Whitcombe & Tombs, 1946, pp.39-45, Ruth Ross goes into this sale in considerable detail, but she is more circumspect in her opinion of Clendon in this publication.

<sup>14</sup> Discussed in a later chapter.

<sup>15</sup> Ian Copland, *The British Raj and the Indian Princes; Paramouncy in Western India, 1857-1930*, New Delhi: Orient Longman, 1982, pp.55-56, 71.

## Current historical scholarship

There is an underlying tendency in some New Zealand historical literature to view commercial activity and European settlement in New Zealand prior to 1840 almost as a pre-history, a prelude to the more vital events to come, thus possibly undervaluing the role of entrepreneurial merchants like Clendon in this period. Much of this literature focuses on early commercial activity in New Zealand in terms of agency with regard to its impact on Maori. It forms part of the Treaty of Waitangi debates on the level of the understanding Maori and Pakeha had on the document they signed. While such literature notes that business was important in some way, little detail is provided and none of it explains why Clendon was here or how he rose to prominence.

In most general histories, Clendon appears briefly as a merchant of some importance, but his business activities are not discussed in detail. J. M. R Owens' chapter 'New Zealand before Annexation', in *The Oxford History of New Zealand*, mentions Clendon as a 'leading timber merchant' and later as American Consul at the Bay of Islands.<sup>16</sup> James Belich, in *Making Peoples: A History of the New Zealanders from Polynesian Settlement to the end of the Nineteenth Century*, emphasises the impact of early European commercial activity on Maori prior to 1840, and identifies the Bay of Islands as 'the northern nexus of Maori-European mutual discovery'. However, he says little about Clendon's trade with Maori, describing him only as one of Northland's 'merchant chiefs'.<sup>17</sup> He notes briefly that London agents supplied capital, 'in the form of credit' for New Zealand's sealing and whaling industries, but without explaining how this worked or linking it to other commercial traders like Clendon.<sup>18</sup>

Specific political, social and economic histories, similarly, provide little information about Clendon and his activities. Claudia Orange's comprehensive study *The Treaty of Waitangi* notes the 'mutually advantageous' trade and exchange activities of Maori and Europeans from the beginning of contact, but says little about Clendon or entrepreneurship.<sup>19</sup> Peter Adams' book, *Fatal Necessity: British Intervention in New*

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<sup>16</sup> J.M.R. Owens, 'New Zealand before Annexation', in *The Oxford History of New Zealand*, 2<sup>nd</sup> ed., Geoffrey W. Rice, (ed.), Auckland: Oxford University Press, 1992. pp. 35, 43.

<sup>17</sup> Belich, pp.133, 141.

<sup>18</sup> Ibid., p.131.

<sup>19</sup> Claudia Orange, *The Treaty of Waitangi*, Wellington: Allen & Unwin/Port Nicholson Press/Department of Internal Affairs, Wellington, 1987, pp.1-2, 7-9, 18, 47, 66.

*Zealand 1830-1847* discusses the importance of 'commercial enterprise, or the servicing of such enterprise, representing Clendon as a prominent trader in the Bay of Islands during the 1830s, without exploring the nature of this prominence or how it was achieved.<sup>20</sup> Trevor Bentley's book *Pakeha Maori: The Extraordinary story of the Europeans who lived as Maori in Early New Zealand*, mentions Clendon only briefly as a successful trader with Maori who fought with allied troops in Hone Heke's war 1845-1846.<sup>21</sup> Roger Wigglesworth's thesis 'The New Zealand Timber and Flax Trade 1769-1840', concerns small traders who settled around New Zealand harbours, but does not discuss the lives of larger merchants like Clendon. However, he sets the flax and timber trade between Australia and New Zealand within the context of the expansion of colonial commerce and Pacific trade from the 1790s to the 1820s, and thus exposes the reason why British merchants like Clendon were first attracted to the Australian market: When the government's imports of spirits and other goods to Australia could not keep up with demand, private merchant shipping to the colonies increased.<sup>22</sup> This trade was instrumental in bringing Clendon to Sydney for the first time in 1826.

Some provincial or regional histories of New Zealand provide a little more information on Clendon's trading activities. Unfortunately, Richard Wolfe's 2005 publication, *Hell-hole of the Pacific* is not among them. He examines the surviving reports of contemporary visitors and settlers to see if Kororareka's lawless reputation from the 1820s to the mid-1840s was deserved. While mentioning Clendon, Wolf presents no new insights into his life or on how he became a successful merchant at the Bay of Islands.<sup>23</sup> However, John Horsman's publication, *The Coming of the Pakeha to Auckland Province*, makes two brief but important observations regarding Clendon. The first indicates that a barter system operated at the Bay of Islands; Horsman notes that Clendon and other merchants traded ships' chandlery with whalers for oil, which was then sold in Sydney to purchase the goods required for their businesses, some of which was then traded with Maori for food and flax. The second indicates that trading was a hazardous occupation; traders and their wives required considerable courage to maintain their homes and businesses during this period. Horsman records that Clendon's property

<sup>20</sup> Peter Adams, *Fatal Necessity: British Intervention in New Zealand 1830-1847*, Auckland: Auckland University Press, 1977, pp.19, 21-22.

<sup>21</sup> Trevor Bentley, *Pakeha Maori: The Extraordinary Story of the Europeans Who Lived as Maori in Early New Zealand*, Auckland: Penguin Books (NZ), 1999, pp.89, 160.

<sup>22</sup> R.P. Wigglesworth, 'The New Zealand Timber and Flax Trade 1769-1840', PhD Thesis in History, Massey University, 1981, pp.7-8.

<sup>23</sup> Richard Wolfe, *Hell-hole of the Pacific*, Auckland: Penguin Group, 2005, pp.7-8.

was attacked more than once by Maori.<sup>24</sup> Jack Lee in *The Bay of Islands* makes the link between trade and the service industries that Clendon and others developed at the Bay of Islands. He notes that from sizable trading posts, Clendon and other merchants supplied whale ships with commodities and services formerly only obtainable in Sydney, their stations also acting as 'clearing houses' for Maori produce.<sup>25</sup>

James and Sarah Clendon's experiences of settlement in New Zealand suggest that two distinct classes existed in the 1830s at the Bay of Islands, but few commentators have examined social stratification in early New Zealand settlement in detail. W.H. Oliver in *Towards a New History*, Miles Fairburn's article 'Local Community or Atomised Society?' in the *New Zealand Journal of History*, and James Belich's explorations of class in *Making Peoples: A History of the New Zealanders from Polynesian Settlement to the End of the Nineteenth Century*, examine social distinctions in the latter half of the nineteenth century, but do not explore the period prior to 1840.<sup>26</sup> Jack Lee in *The Bay of Islands* states, without further comment, that Clendon and other large 'middle class' merchants established themselves around the harbour, not at Kororareka.<sup>27</sup> Ormond Wilson in *Kororareka and other Essays* notes briefly that the pattern of settlement around the Bay of Islands by 1833 was similar to the class distinctions of Britain, a middle class and a class of 'lower orders'.<sup>28</sup>

A small unpublished research paper by George Harron that I located among the papers held at Clendon House, Rawene, appears to be the only monograph that directly concerns Clendon's position as United States Consul in New Zealand. Furthermore, while exploring Clendon's activities as Consul, Harron also examines his financial position, giving the first hint that Clendon's commercial activities in New Zealand were supported by finance from his family in England.<sup>29</sup>

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<sup>24</sup> Horsman, pp.1-13,

<sup>25</sup> Lee, *The Bay of Islands*, 1996, 123-124.

<sup>26</sup> Belich, pp. 321-322; W.H. Oliver, *Towards a New History?*, 1969 Hocken Lecture, Dunedin, 1971 pp.19-20; M. Fairburn, 'Local Community or Atomised Society?', *New Zealand Journal of History*, 16:2 (1982), pp.146-165.

<sup>27</sup> Lee, *The Bay of Islands*, pp.164-165.

<sup>28</sup> Ormond Wilson, *Kororareka and other Essays*, Dunedin: John McIndoe, 1990, pp.81-82.

<sup>29</sup> George Harron, 'New Zealand's First American Consulate', Appendix A, History of New Zealand Thesis, Auckland University, 1970, p.3. (Appendix B). Note that only one rather poor photocopy of this research appears to now exist; it is held at Clendon House, Rawene. Auckland University library holds no copies, nor do other New Zealand libraries. Note that where I have found some of Harron's information to be incorrect, I have noted this in the margin of Appendix B.

### A reluctance to acknowledge Trans-Tasman relationships prior to 1840.

Early research for this thesis uncovered what appeared to be an under-researched area of our history: New Zealand and Australia's joint economic past. James Belich, Tom Brooking and other authors admit that this is a neglected area,<sup>30</sup> and few authors have explored the entrepreneurial nature of this past. Keith Sinclair in *A History of New Zealand* (1959) noted briefly the impetus of Australian commerce in New Zealand's earliest European settlements, writing that early New Zealand enterprise was 'substantially the tale of an Australian frontier'.<sup>31</sup> Evelyn Stokes recorded in 2002 that in the early 1800s, New Zealand was regarded as an integral part of the commercial sphere of Sydney and Hobart merchants.<sup>32</sup> John M.R. Young's editorial to an Australian series, *Problems in History: Australia's Pacific Frontier: Economic and Cultural Expansion into the Pacific: 1795-1885*, states that 'the foundation of New South Wales stimulated trade in the Pacific, both by the participation of vessels owned in Sydney and because Sydney provided a base for the much larger number of ships which entered the Pacific after the close of the Napoleonic wars.'<sup>33</sup> The Pacific and thus the New Zealand frontier of New South Wales was initially more important economically to Australia than its hinterland frontier, whale oil being its most important export until about 1835.<sup>34</sup>

The commercial contacts between New South Wales and New Zealand in these early years were of considerable influence in the gradual movement towards British sovereignty over New Zealand, and in Clendon's decision to settle there. However, only a handful of writers have examined the influence of commerce on Britain's annexation of New Zealand. E.J. Tapp, in *Early New Zealand: A Dependency of New South Wales 1788-1841*, argues that commerce between Australia, New Zealand and Britain was an important factor in the British annexation of New Zealand. New Zealand whale oil became a primary source of wealth for Sydney merchants by the 1830s and New South

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<sup>30</sup> Belich, pp.128, 132-133; Tom Brooking, 'Together apart: 231 years of troubled relationship (or 1200 reasons why two long-term partners have failed to tie the knot)' in *NZ-Australia Relations: Moving together or drifting apart?*, Bob Catley (ed.), Wellington: Dark Horse Publishing, 2002, pp.23-25. Peter Hempenstall, Philippa Mein Smith and Shaun Goldfinch, 'Anzac Neighbours: A Hundred Years of Multiple Ties', *New Zealand International Review*, Jan/Feb 2003, Vol.XXVIII (28) No.1 p.26.

<sup>31</sup> Keith Sinclair, *A History of New Zealand*, Auckland: Penguin Books (NZ), 1959, pp.33-34.

<sup>32</sup> Evelyn Stokes, 'Contesting Resources: Maori, Pakeha, and a Tenurial Revolution' in *Environmental Histories of New Zealand*, Eric Pawson & Tom Brooking, (eds.), Melbourne: Oxford University Press, 2002, p.41.

<sup>33</sup> John M.R. Young, (ed.), *Problems in Australian History: Australia's Pacific Frontier: Economic and Cultural Expansion into the Pacific: 1795-1885*, Melbourne: Cassell Australia, 1967, p.7.

<sup>34</sup> *Ibid.*, p.3.



Wales' significant role in New Zealand's history was thus 'the chief single instrument bringing this English colony into existence.'<sup>35</sup> Jim McAloon's chapter 'Resource Frontiers, Environment, and Settler Capitalism 1769-1860' in *Environmental Histories of New Zealand*, stresses the importance of the New Zealand commodity market in a global economy that stretched from Europe to Asia, Australasia and North America in the period 1770 to 1840. He is one of the few to describe sealers, whalers, merchants and traders with interests in New Zealand as entrepreneurs, and suggests that by the end of the 1830s, whaling and shipping entrepreneurs were among interested parties who proposed British colonisation, cloaking 'economic advantage' in 'altruism'.<sup>36</sup>

#### The wider stage – Clendon's place in global history

However, while commercial links between Australia and New Zealand are important in terms of this thesis, there were other forces at work: the growing economic dominance of Western Europe and North America. As British historian C.A. Bayly argues in *The Birth of the Modern World 1780-1914: Global Connections and Comparisons*, this was of central importance to the interconnectedness of regions around the world. Bayly claims that we should focus on this interconnectedness and 'rescue' history from regionalism.<sup>37</sup> While there continues to be a place for national and regional histories, a more useful tool is a 'global approach to historical change'. 'Global history' Bayly argues, 'points to broader connections and probes the assumptions that lie behind the narratives which regional historians construct'.<sup>38</sup> In the New Zealand context, Peter Gibbons points out in 'The Far Side of the Search for Identity: Reconsidering New Zealand History', that the New Zealand historical discourse has for the last 40 years been dominated by ideas of identity and regionalism, which have ignored the importance of world systems, particularly the world economic system and New Zealand's entry into a worldwide commercial network involving the exchange of goods and services. He argues for the importance of a 'decentred' New Zealand history that focuses more on the 'geography of trade' rather than on 'nation-state boundaries' as it is through global

<sup>35</sup> E.J. Tapp, *Early New Zealand: A Dependency of New South Wales 1788-1841*, Melbourne, Melbourne University Press, 1958, pp. v-vi, 56-57.

<sup>36</sup> Jim McAloon, 'Resource Frontiers, Environment, and Settler Capitalism 1769-1860' in Eric Pawson & Tom Brooking, eds., *Environmental Histories of New Zealand*, Melbourne: Oxford University Press, 2002, pp.54-57.

<sup>37</sup> C.A. Bayly, *The Birth of the Modern World 1780-1914: Global Connections and Comparisons*, Oxford: Blackwell Publishing, 2004, pp.1-2.

<sup>38</sup> *Ibid.*, pp.468-469.

commercial networks that peoples meet and exchange and adjust their ideas, values and attitudes.<sup>39</sup> Caroline Daley, similarly, has identified a need for decentred New Zealand histories in the area of world sport.<sup>40</sup>

The expansion of British commercial and imperial interests to Australia and New Zealand sits within this global context. Australia by the early nineteenth century was already part of the European hegemony, while New Zealand was part of the informal commercial empire of the Pacific Islands. Furthermore, such expansion implies risk taking, trial and error, adaptation and adjustment to new and changing circumstances, all of which exemplify the type of entrepreneurial attitudes that Clendon and other settlers needed to cope with New Zealand's raw environment.

It is hoped that this thesis will contribute to existing scholarship on New Zealand history in general, and in the more specific histories on New Zealand commerce and settlement, as well as on Clendon.

### Proviso

It is important to note here, that the sections of this thesis that deal with Clendon's life in the Bay of Islands draw heavily on his private correspondence with his family in England. It has been necessary to read this correspondence critically; Clendon may have written to his family to tell them what he thought they should know, and this did not always give a true picture of his private or public life in New Zealand. Initially he wrote what appeared to be placatory letters to his father, who financed his mercantile and shipping establishment in the Bay of Islands and later he displayed a reticence to write home at all unless he had good news to report. Therefore, newspapers, shipping and official records, and books and diaries by contemporaries have been widely consulted. Clendon's later correspondence to his brothers concerning his financial and other affairs in New Zealand always centred around a primary issue which is important for this thesis: His need to survive during the upheavals inevitable in the establishment of a frontier settlement and later a new colony.

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<sup>39</sup> Peter Gibbons, 'The Far Side of the Search for Identity: Reconsidering New Zealand History', *New Zealand Journal of History*, 37:1 (2003) pp.38-41; 45.

<sup>40</sup> Caroline Daley, 'Sports History as a Genre of New Zealand History', School of History, Philosophy and Politics, Seminar Series, Massey University, 19 August, 2004.

## Chapter Structure.

This thesis traces the career of James Clendon through five key phases of his career, beginning with his venture to the South Pacific; investigating his settlement in New Zealand, trading activities and political involvement; and concluding with his civil service experience.

Chapter One looks briefly at some of the political, commercial and personal precedents that facilitated Clendon's voyages to the South Pacific. It then examines the Clendon family background and character, exploring why Clendon went to sea, his first trading voyages to Australia and then New Zealand. Finally, it discusses the Australian socio-economic landscape that Clendon found in 1828-1830 and his reaction to it.

Chapter Two focuses on Clendon's first experiences at the Bay of Islands and Hokianga from 1829-1830. It explores the geographical and physical dangers of trading in New Zealand, the need for credit from abroad to finance trading voyages to the Asia-Pacific region, and the barter system Clendon found operating in New Zealand in the late 1820s and early 1830s. An exploration of Maori trading practices during the period will follow to consider the role Maori agency played in trade with Clendon and other Europeans. The role of contingency in Clendon's activities is explored, and the chapter ends with Clendon's purchase of land at Okiato in the Bay of Islands and at Manawaora on the east coast.

Chapter Three firstly demonstrates the ways in which Clendon's trading activities in the Pacific and New Zealand formed part of a wider global economy that stretched from a European centre to New Zealand. It then examines his trading and shipping activities between New Zealand and Australia between 1832 and 1837, and the implications of running a business in New Zealand's geo-physical climate with reliance on credit from abroad. There is a strong focus on Clendon's entrepreneurial characteristics. Issues of class and Clendon's position at the Bay of Islands are discussed, including the role of Clendon's wife, Sarah.



Chapter Four, examines Clendon's political involvement at the Bay of Islands and Hokianga to discover why and how he supported or initiated moves for a stable infrastructure in which to carry out his business affairs. His land purchases and financial situation are discussed, and his position as American Consul at the Bay of Islands, including his role in the Treaty of Waitangi and his influence with government officials and Maori. Lastly, the factors that surrounded the sale of Clendon's Okiato property to the British government in New Zealand in 1840 are examined.

Chapter Five acts as an epilogue, focusing firstly on three main areas of interest: Clendon's involvement in New Zealand's first bank, his three years as a member of the Legislative Council in Auckland, and his role as a police magistrate during Hone Heke's war during 1845-1846. It then summarises his remaining years in the North until his death in 1872.

The Conclusion reiterates the issues defined and demonstrated in the above chapters and draws conclusions on Clendon's role in trade, entrepreneurship, and the early European settlement of New Zealand.

*Towards the end of the eighteenth century the British spirit of commercial enterprise was restlessly roaming the world in search of resources and markets.<sup>1</sup>*

## **CHAPTER ONE - Origins and comparisons**

This chapter looks briefly at some of the political, commercial and personal precedents that facilitated Clendon's voyages to the South Pacific. It then examines the Clendon family background and character, exploring why he went to sea and his first trading voyages to Australia and ultimately New Zealand. Finally, it explores the Australian socio-economic landscape that Clendon found in 1828-1830.

### **The British in the Pacific, c.1783-1825**

The world into which James Clendon was born in 1800 was a period of great opportunity for entrepreneurs. Britain's trading interests had from the early eighteenth century swung towards India and south-eastern Asia, promoting an expansion of imperialism into those areas by the late-eighteenth century. This expansion was fostered by the aggressive tactics of the privately owned British East India Company's mercantile entrepreneurs who, by the end of the eighteenth century, monopolised all British trade in the east and southeast. In time, its exports of manufactured goods to Britain threatened powerful manufacturing interests in northern England, who lobbied for change. The British government's resulting curtailment of Company monopolies opened the way for independent merchants like Clendon to 'have a go' at trading in parts of the world hitherto denied them. Surplus Company shipping from Calcutta became available for sale to private merchants. Clendon's ship, *City of Edinburgh*, in which he voyaged to New Zealand in 1828, was built in Calcutta, and he was already familiar with the port, as he was reported as being there in 1820.<sup>2</sup> In addition, Captain James Cook's scientific voyages to New Zealand and the South Pacific in the late eighteenth century provided reports of abundant timber and flax available in New Zealand, which could be utilised by the British Navy for spars and rope. Cook also reported sighting plentiful seals and whales, the pelts of the former and the oil and bones of the latter highly sought after in an

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<sup>1</sup> Margaret Steven, *Trade, Tactics & Territory*, Melbourne: Melbourne University Press, 1983, p.4.

<sup>2</sup> *Sydney Herald*, 21 April, 1834; I.H. Nicholson, *Log of Logs: A Catalogue of Logs, Journals, Shipboard Diaries, Letters and all Forms of Voyage Narratives, 1788-1993 for Australia and New Zealand and Surrounding Oceans*, vol 2, Nambour: Roebuck Society, 1993, pp.24. Ryland Clendon, *The Clendons: Five Hundred Years of the Clendon Family. An Illustrated History*, U.K., Malvern Wells: Harold Martin & Redman, p.54. For information on the British East India Company, see R. Reynolds, *The White Sahibs in India*, London: Martin Secker & Warburg, 1937, pp.1-52.

industrialised and increasingly more affluent middle and working class Britain. These commodities had the potential to provide substantial cargoes for ships on the return journey from the South Pacific to England, making a round trip to the south an attractive proposition for independent British merchants. Furthermore, the outward journey south became more commercially viable when, with the loss of her American colonies following Britain's wars with America and France in the late eighteenth century, the British government established penal colonies and their accompanying administrative centres at Port Jackson, New South Wales and Norfolk Island. This provided new trade opportunities to transport convicts as well as household cargoes to new settlements in Australia – opportunities that sea merchants like Clendon could take advantage of as this trade continued well into the nineteenth century. By 1800 an additional trade was evolving between Australia and New Zealand as Maori saw opportunities for their own advancement through the milling of timber and collection and dressing of flax to supply the increasing demand for these commodities in Britain and the new colonies in Australia. New Zealand soon became an Australasian frontier for those who were prepared to risk her uncharted harbours and to live and trade with her indigenous people. Ships from Sydney supplied foodstuffs and other goods to New Zealand whaling, sealing and timber milling depots, and transported pelts, oil, whalebone, timber and flax back to Port Jackson, Sydney, some for local use, but most for shipping back to England. The Bay of Islands, Northland, with its safe harbours became the largest and most important port for this trade. Clendon's second voyage to the South Pacific via Australia first brought him into contact with the opportunities available at the Bay of Islands for sea captains with capital, trading experience and education, and it was at this port that James Clendon was to set up his mercantile and shipping agency in 1832.<sup>3</sup>

While a dominant British presence in the Asia-Pacific region made for a safer environment for merchant shipping, there were still attendant dangers in sailing to the other side of the world in search of cargo. Shipwreck was an ever-present danger and this is discussed later with regard to Clendon's activities in New Zealand. Another was piracy, or plunder, which was well established in the Asia-Pacific region by the time of Clendon's first voyage to Australia. Clendon was to later lose one of his trading ships to a type of piracy and several of his ships were plundered by Maori. Samuel Stephenson,

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<sup>3</sup> Background information from Margaret Steven, *Trade, Tactics & Territory*, Melbourne: Melbourne University Press; W.J.L. Wharton, (ed), *Captain Cook's Journal 1768-71*, London: Elliot Stock, 1893;

*date*

Clendon's business partner in New Zealand, lost his father to mutiny and piracy in the waters around the island of Java in the Philippines in the latter part of the eighteenth century.<sup>4</sup>

### The continuing spirit of commercial enterprise

A precedent for entrepreneurial activity had been set by the British East India Company in the Asia-Pacific region when Clendon became active. He was the first of his family to look to the south and explore the mercantile opportunities available in the British penal colonies in Australia. Unwittingly or otherwise, he and other private merchants became adjuncts to the spread of British imperial interests to New Zealand through the medium of trade.

A survey of Clendon's ancestry and early life is outlined below. It seeks to explain what kind of man he was, what motivated him into a seafaring life, and how he acquired the entrepreneurial and adventurous spirit that was needed to uproot himself from his family in England and travel half-way around the world to settle on an untamed frontier in the South Pacific.

### **Family Background**

James Reddy Clendon was descended from a long line of middle class, respectable and well-off forebears, whose occupations until the early eighteenth century indicated a high proportion clergymen and teachers. The Clendons may have owned manorial land in Northamptonshire, England for about 300 years, but the establishment of the Clendon fortunes and respectability was generally through entry into the middle class professions. For James Clendon's father George Clendon, however, it was through initiative, determination and entrepreneurial endeavour.

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Kerry Howe, *Where the Waves Fall: A New South Sea Islands History from First Settlement to Colonial Rule*, Sydney: George Allen & Unwin, 1984.

<sup>4</sup> N. G. & A. B.. Stephenson: *Samuel Stephenson: Pioneer Merchant of Russell 1804-1885*, 2<sup>nd</sup> ed., U.K: Private Publication, 1993, pp.36-38.

### The earliest Clendon 1086, Northamptonshire

The family name may have come from the village of Clendon, near Kettering in Northamptonshire, England. The village of Clendon is known today as Glendon, but for 600 years, from the 11<sup>th</sup> to 18<sup>th</sup> century it was known as Clendon. The earliest reference to it was in the Domesday Book published in 1086.<sup>5</sup> The most important of the Northamptonshire Clendons so far as James Reddy Clendon is concerned was the Reverend Thomas Clendon (1695-1757, his Great-grandfather. Thomas was educated at Rugby school and then Emmanuel College, Cambridge. He eventually settled as a parson near Canterbury in Kent where he held the livings of Sturry and Reculver<sup>6</sup>.

### The move to Kent

In the late eighteenth century the Rev. Thomas Clendon's family suffered a reversal of fortune and 'a generation of poverty and drunkenness' followed.<sup>7</sup> Due to a family rift, his eldest son, also named Thomas, left home. Thomas junior was apparently considered something of a ne'er-do-well by his family, who drank too much and was incapable of earning a decent living.<sup>8</sup> In spite of his alcoholic predilection he managed to live to a ripe old age, dying in 1820 at the age of 92. Whether or not James Clendon knew his grandfather when he was growing up is unclear, but Thomas lived near Deal in Kent where James Reddy Clendon spent his childhood. His eldest son was James Reddy's father, known in the Clendon family as George Clendon I or as 'George the Pilot' (1760-1839).<sup>9</sup>

The family's attitude towards Thomas Clendon indicated something of their values at the turn of the century. An interesting observation on the qualities of manliness considered important during the Victorian era, came from James Clendon's nephew, George Clendon III, who lived in Virginia, U.S.A. In 1885 George III wrote to his cousin James Stephenson Clendon in New Zealand (James Clendon's eldest son) that their mutual great-great-grandfather [Reverend Thomas Clendon] must have had 'interest and power' behind him as he had two parishes, Sturry and Reculver. However, his son Thomas 'was of no account in a Yankee sense, but his son our grandfather [George I] was

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<sup>5</sup> Ryland Clendon, pp.6-7.

<sup>6</sup> Ibid., pp.11-28.

<sup>7</sup> Ibid., p.30.

<sup>8</sup> About halfway between Deal and Ramsgate.

a man'. A 'man', it appeared, was someone who was prepared to rise above misfortune and better himself. About George I he wrote:

He and his brother William ran away to sea at the mature ages of 8 & 10. Our grandfather was taken prisoner in after years by the French & learned navigation in jail. When he came out he rose in his profession & did well'.<sup>10</sup>

James Reddy Clendon was to display a similar manliness of spirit in New Zealand and it is clear that something of his entrepreneurial flair was inherited from his grandfather George Clendon I.

#### George Clendon I – George the Pilot (1760-1839)

George Clendon I suffered an impoverished childhood. Thomas Clendon moved to Chichester in 1770 and was in such poor financial circumstances that he sent George, then ten years old and of little education, to earn his living on a farm near Portsmouth, an important naval port on the southern coast. Following mistreatment by his employer George ran away and found work at Portsmouth as a 'boy' on a boat in the harbour. This boat was attached to a British naval vessel and young George went to sea and became a sailor. Some anecdotal evidence from the family suggests that George's younger brother also ran away to sea at the tender age of eight.<sup>11</sup>

At some point George I left the Navy and obtained work on a passenger ferry between Dover and the French channel port of Calais. He later returned to sea but was taken prisoner-of-war at Calais.<sup>12</sup> During this time he took advantage of an opportunity to better himself. Being stood bail by a Calais friend, George studied navigation and on his eventual return to England he acquired a ship's pilot's license and worked as a pilot at the Cinque Ports of the south coast of England.<sup>13</sup>

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<sup>9</sup> Ryland Clendon, pp.34-40.

<sup>10</sup> Ibid., p.42.

<sup>11</sup> Ibid., pp.41-42.

<sup>12</sup> Possibly during the fifth Anglo-French war of 1778-c.1782. See Michael Lewis, *A History of the British Navy*, 2<sup>nd</sup> ed., London: George Allen & Unwin, 1959, p.152.

<sup>13</sup> Lewis, pp. 138-139. The Cinque (Five) Ports derive from the late Anglo-Saxon era, when the threat of Norse invasion was constant. The right to retain all legal fees assigned in court cases were given by Edward the Confessor to three English ports, Sandwich, Dover and New Romney in return for supplying ships and men to the Crown as required to defend the English Channel. By the Middle Ages, responsibility for the defence of the English Channel fell to an enlarged confederation of five main ports. These were the coastal towns of Sandwich, Dover, Hythe, Romney and Hastings. In return for the supply of ships and men, they were granted new privileges, which included exemption from taxes, the right to levy tolls, the right to self-government and the power to detain and execute felons both inside and outside the Ports' jurisdiction. Over the years the ports silted up and became unusable, with the exception of Dover, which is still a major



George I was a senior pilot at about the time he moved to Deal, Kent. There, aged 21, he met and married Susanna Earle, who was already pregnant with their first child. George was widowed in his early thirties, and soon married his landlady's young daughter, 21 year old Elizabeth Chitty, who was James Clendon's mother.<sup>14</sup>

Unlike the mostly land-based Clendon family, the Chitty family appeared to have had a long association with the sea. Elizabeth's father Gideon was also a pilot at Cinque Ports and a friend of George Clendon; her sister Rebecca had first married a James Reddy who was a lieutenant in the Royal Navy, and on his death she married a sea captain by the name of John Parson.<sup>15</sup> Elizabeth's brother Thomas was also a seafaring man. It was perhaps inevitable that at least one of George Clendon's sons would inherit his parents' involvement with the sea.<sup>16</sup>

On remarriage George Clendon settled permanently at Deal. George and Eliza had 10 children. Their second son, James Reddy Clendon, was born on 1 October 1800. James's second name, Reddy, was given in honour of his godfather and uncle, Lieutenant James Reddy, first husband of his Aunt Rebecca Parson.<sup>17</sup> When James Clendon was aged 19 and already a sailor, George I was becoming prosperous. His status had changed from a pilot of the Cinque Ports, to that of a Trinity House pilot<sup>18</sup> and this clearly brought with it a substantial increase in income. Although it is not known to what extent he engaged in other sea-faring or trading activities, it appeared that his increased wealth prompted a willingness to risk financing his son James's trading venture in New Zealand. As Ryland Clendon writes:

By 1832 [George Clendon] had acquired enough wealth to own two thirds of the schooner "Fortitude", her cargo and stores – the combined value of which was £2,304 and to risk sending one of his sons, James, off with it to New Zealand'.<sup>19</sup>

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port today. The town of Deal where James Clendon was born in 1800 is situated just south of the old Cinque Port town of Sandwich. For further information see:

<http://www.open-sandwich.co.uk/cinqueports/cinqueports.atm>, retrieved 7/5/2003; and

<http://www.britainexpress.com/history/cinque-ports.htm>, retrieved 7/5/2003.

<sup>14</sup> Ryland Clendon, pp.41-46.

<sup>15</sup> Probably the 'Uncle Parson' to whom James Clendon later owed money. See Chapters 4 & 5.

<sup>16</sup> Ryland Clendon, pp.45-46.

<sup>17</sup> Ibid, pp.48-55.

<sup>18</sup> The Corporation of Trinity House, incorporated by Henry VIII in 1514 and later supplemented by the Act of 1565 was a guild of pilots entrusted with certain rights and responsibilities. They set up beacons and marks on the coasts and approaches to ports throughout England and Wales. The cost of these and their maintenance was paid for by shipping dues, levied by the Corporation. The guild, under the Act of 1565 also regulated the certification of masters and pilots competent to undertake overseas and oceanic voyages. See G.J. Marcus, *A Naval History of England: The Formative Centuries*, London: Longmans, Green, 1961, p.65.

<sup>19</sup> Ryland Clendon, p.48.

George I successfully reversed the misfortunes of his birth and early life through his own audacity, skill and hard work. He displayed a hardiness and capacity for adventure and entrepreneurship that were to be inherited by many of his children, whom he had early encouraged to explore the world and to emigrate. Ryland Clendon writes that 'six out of the nine children who survived into adulthood had been overseas and five had emigrated permanently'.<sup>20</sup> George I was a generous father. He helped all of his children financially and invested most heavily in the business ventures of his son James Clendon.<sup>21</sup>

### **James Reddy Clendon (1800-1872)**

James Clendon's family history made it likely that he would try to be a 'man' and follow his father's example. Family tradition suggests that James was in the British Royal Navy or the British Merchant Navy, possibly from the late 1810s to early 1820s.<sup>22</sup> He may have begun his career as a midshipman in the British navy. His older brother, George Clendon, wrote that in 1820 James was in Calcutta, a British naval base and a British East India Company port.<sup>23</sup>

By age 26 if not earlier, James Reddy Clendon was a qualified captain. On voyages financed by his father and other agents in Britain, James Clendon began his move south. In 1826 he was in Australia as master of the 382 ton merchant ship *Medora*, newly built in Britain or India, and in 1828 he came to New Zealand via Australia as master of the *City of Edinburgh*, built in Calcutta, India.

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<sup>20</sup> Ibid., p.56.

<sup>21</sup> Ibid., pp.41, 48-49, 50-52. Three of the Clendon children retained links with the sea: Susannah married a channel pilot; James Clendon became a merchant sea captain, Thomas Clendon was a naval lieutenant at Bombay, India. Five, including James, emigrated permanently. James's older brother George, a chemist, moved to the United States of America, as did his youngest sister Mary Parson Clendon. Two married sisters, Rebecca Howard and Louisa Dixon emigrated to New Zealand.

<sup>22</sup> Ross Clendon, 'On the Trail of James Reddy Clendon', in Ryland Clendon, p.157. In 2003 I contacted the Public Records Office, London, for information on crew lists of the Royal Navy and was referred to their list of private researchers in England. One researcher suggested that Clendon may have been in the Maritime Service of the East India Company if he was in Calcutta in 1820. However, an application concerning this to the London Library, and the National Maritime Museum at Plymouth, England, yielded no useful results. Unfortunately, without the name of a naval or merchant ship, archived records at these institutions can not be searched. Clendon family histories have been unable, so far, to provide this information.

<sup>23</sup> Ryland Clendon, p.54.



### Clendon's first voyage to the South Pacific: The *Medora*

Clendon's ship *Medora* sailed from London on 10 May 1826, via Batavia (Jakarta) Java, arriving at Sydney, New South Wales on 29 September 1826, where it remained until 26 October. The ship had transported household, building, military, missionary and agricultural goods, and a large mail to Port Jackson.<sup>24</sup> Some Merino sheep and cattle had died during the voyage.<sup>25</sup> Clendon's cargo included a number of the English manufacturer Broadwood and Sons' pianos, together with a selection of 'fashionable music'.<sup>26</sup> The *Medora* was back in England by January 1827 with a cargo consigned to Clendon's London agents Raine and Ramsay from their Sydney warehouse.<sup>27</sup>

During his voyages, Clendon was fortunate to meet up with people who could be of assistance to him. At some point during the *Medora's* voyage he may have come in contact with 21 year old Samuel Stephenson, who was later to become his business partner in New Zealand. The two families were possibly already acquainted through their Kentish upbringing and connections with the sea.<sup>28</sup> In 1826 Stephenson was in Batavia, Java attempting to release funds left there by his deceased father and by 1827 he had received a large inheritance.<sup>29</sup>

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<sup>24</sup> Import manifest of the ship *Medora*. J. R. Clendon, Master:

Four cases merchandize, R. Howe, 10 Bales and 1 case, to order; 3 packages and 3 hogsheads beer, General Darling; 1 parcel books and papers, Archdeacon Scott; 1 box books, Mr. Spark; 1 box apparel, Aspinall and Co/ 5 cases boots, officer commanding 40<sup>th</sup> regiment; 6 casks blocks, Raine and Ramsay; 1 case earthenware, 3 cases wine, 57<sup>th</sup> regiment; 1 case merchandize, J. Walters; 1 parcel books, Rev. W. Cowper; 1 box apparel, A. McKenzie; 1 parcel, Rev. S. Marsden; 1 case bolting cloths, A. McArthur; 1 package, J.S. Speating; 20 case iron pipes, W.C. Wentworth; 10 cases pickles, Raine and Ramsay; 5 hogsheads beer, 1 box haberdashery, E. Clendon [Clendon's mother Eliza Clendon], 2 cases, 1 bale merchandize, Order; 6 cases pianofortes, Mr. Edwards, 1 package, rocking horse, 1 case books and toys, R. Jones; 25 packages merchandize, B. Thomas; 15 puncheons Geneva [gin], 14 puncheons brandy, 10 puncheons rum, 20 hogsheads rum, 58 casks Madeira, 2 hogsheads 7 half-chests wine, 2 cases 15 half-chests compounds, Raine & Ramsey; 150 barrels beer, T. Icely, 30 hogsheads 50 tierces beer, J. R. Clendon. *Australian*, 11/10/1826. Appendix D is a glossary of weights and measures dating from this period. It is copied from R.P. Wigglesworth, 'The New Zealand Timber and Flax Trade 1769-1840, PhD Thesis, Massey University, 1981, Appendix 24.

<sup>25</sup> Nicholson, I. H., *Shipping Arrivals and Departures*, 2 volumes, Vol 2, Sydney, 1826-1840, Canberra: Roebuck Society, 1977, p.13; *Sydney Gazette*, 30 September 1826, 14 October 1826; *Australian*, 30 September 1826.

<sup>26</sup> *Australian*, 30 September, 1826; 11 October, 1826.

<sup>27</sup> *Sydney Gazette*, 30 September 1826.

<sup>28</sup> Ross Clendon, in Ryland Clendon, p.169. Ross Clendon states that the connections between the two families are as yet unclear.

<sup>29</sup> For information on the unusual circumstances surrounding Captain Samuel Stephenson's death, see N. G. & A. B. Stephenson, *Samuel Stephenson: Pioneer Merchant of Russell 1804-1885*, np, 1984, pp.36-38.

### Marriage to a colonist's daughter - Sarah Hill of Sydney, New South Wales (NSW)

A passenger on the *Medora*'s outward voyage was a Miss Sarah Isabella Hill, who is recorded in Clendon family annals as a lady's maid to the wife of the Governor of New South Wales (Lieutenant-General Ralph Darling) who took office in December 1825.<sup>30</sup> Whether or not this is correct is difficult to establish. Whatever her reason for being on board, James and Sarah appear to have indulged in a shipboard romance with the unfortunate consequence that Sarah was several months pregnant by the time the *Medora* reached Sydney. This resulted in some subterfuge by the couple on arrival at Port Jackson, where a 'Mrs Clendon' was described in a local newspaper as one of the passengers.<sup>31</sup> Clendon married Sarah Hill by Special License on 2 October 1826 at St. Phillip's Church, Sydney.<sup>32</sup>

The circumstances of James Clendon's marriage echoed those of his father George Clendon's first marriage to Susannah Earle.<sup>33</sup> The seafaring Clendon men had an apparently robust attitude to premarital sex that did not seem to be at variance with their respectable status at Deal. Like his father before him, young James got his future wife pregnant before he married her. A colourful and amusing account of the circumstances surrounding their courtship was left to posterity by Louisa Worsfold, who was born in 1872 and grew up in the Bay of Islands. Her reminiscences, which may be unreliable, described the scene as follows:

Miss Hill...had been to England from Sydney, as lady's maid to the wife of one of the Governors or one of his staff, and they returned on captain Clendon's ship. When Miss Hill got home she bragged to her mother of her great love-affair with Captain Clendon – When a ship came from England everyone in Sydney knew when it was due and all English men gathered for news. The Hills were butchers, and Mrs. Hill in a rage, chased Captain Clendon with a cleaver, and he had to run for it, so the English-men opened a lane for his escape and closed it against his pursuers. But he did not escape altogether, for Mrs. Hill made him her son-in-law.<sup>34</sup>

At London, England some months later Clendon's wife gave birth to a son on 18 January 1827. He was named James Stephenson Clendon – Stephenson possibly after Samuel, an

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<sup>30</sup> See C.M.H. Clark, *A History of Australia*, 3 volumes, *New South Wales and Van Diemen's Land 1822-1838*, vol. 2, Melbourne, Melbourne University Press, 1968, p.61.

<sup>31</sup> *Sydney Gazette* 30/9/1826.

<sup>32</sup> Copy of Marriage Certificate of James Roddy [sic] Clendon and Sarah Hill, No. 3893 Vol: 3B, Register of Births, Deaths and Marriages, New South Wales, Australia.

<sup>33</sup> Ryland Clendon, p.44.

<sup>34</sup> Louisa Worsfold, 'Social History of Russell', qMS-P-WOR – 2294, WTU.

indication that by now a friendship existed between the two men, which was to lead to their business partnership in 1832.

The middle class respectability of the Clendon family at Deal appeared to be undisturbed by the heavily pregnant Sarah, a former lady's maid and butcher's daughter from the convict settlement at Port Jackson, Sydney. She was treated with great kindness by his family.<sup>35</sup> Whatever her background, Sarah Clendon was to prove an admirable wife for James, pioneering in her own way a successful life in the raw frontier community at the Bay of Islands. Her experiences as the Captain's wife aboard a convict ship no doubt prepared her for some of the hardships to come.

#### Clendon's second voyage to the South Pacific: The convict ship *City of Edinburgh*

The success of Clendon's first voyage south in the *Medora* encouraged him to return to Australia. Within a year he returned in the *City of Edinburgh*, engaged in the convict trade. This provided a steady source of income for British merchants prepared to undertake virtually non-stop voyages to the Australian colonies, chartered by the British Navy. However, to make these journeys more profitable, these vessels required reliable cargoes for the return journey.

Clendon's wife Sarah and their young son James accompanied him on the voyage. Clendon's father advanced considerable finance for this voyage<sup>36</sup>, and evidence suggests he had funded earlier ventures. An account among the Clendon papers held in New Zealand shows that in 1827 he owed his father £775. 9s.7d, plus interest, which presumably concerned the *Medora* voyage. The account also indicates that Clendon owed his father £144.15.3d from 1825, which suggests there had been earlier voyages.<sup>37</sup>

Clendon sailed from London for Port Jackson on 23 June 1828. The non-stop voyage took four and a half months. His outward cargo comprised 80 female convicts, 12 free women and 36 children, the latter wives and children of convicts already transported to Australia, and iron ballast. These voyages, although undertaken as swiftly as possible, created harsh conditions for their human cargoes and crew. To prevent the spread of

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<sup>35</sup> Ross Clendon, in Ryland Clendon, pp.157, 186-188.

<sup>36</sup> Discussed in Chapter Three.

<sup>37</sup> NZMS 849 J. R. Clendon's Account with George Clendon, 31/12/1831, Clendon Family Papers, Auckland Public Library (AP)

disease, Clendon ensured the ship was kept scrupulously clean and the ship's surgeon kept a close watch on the women's and children's health. No deaths occurred 'either by disease or accident'. However, mothers had to share their food rations with their children and many exhibited signs of debilitation and weight loss by the end of the voyage. 'Hysteria' was not an uncommon complaint.<sup>38</sup> The Clendon family possibly found convict transportation distasteful and did not wish to repeat the experience. Clendon made only one voyage with convicts. The women and children were discharged at Sydney on 27 November, 1828.<sup>39</sup>

### Impressions of Australia 1828-1830

Clendon was disappointed with what he found in Australia. The Australian colonies were in the grip of a major depression in the late 1820s, as an oversupply of goods flooded the Australian market.<sup>40</sup> Furthermore, Clendon's prospects for obtaining a profitable return cargo in Sydney or enroute home to Britain at this time were not good. He wrote to his father:

On my first arrival in Sydney freights were low, and by accounts from Isle of France, C[ape] G[ood] Hope, Batavia, and in India in general things were much worse and have continued to get worse.<sup>41</sup>

The 'freights' Clendon referred to were the low freight prices wool exporters were paying to have their goods sent to Britain. A crash in the English economy in 1825 dried up the flow of private capital to the colonies, and the price of wool, the staple colonial export, declined.<sup>42</sup> This reduced the freight prices wool growers were prepared to pay as they competed with European suppliers to put their wool on the London market.<sup>43</sup>

Clendon also found Australia expensive. He wrote home that port dues and other expenses for ships at anchor in Sydney were high, between '30s to £3' per day, and vessels of tonnage similar to the *City of Edinburgh* after 'seven to nine months waiting'

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<sup>38</sup> Nicholson, *Shipping Arrivals and Departures*, vol.2, p.38; Charles Bateson, *The Convict Ships 1787-1868*, Glasgow: Brown, Son & Ferguson, 1959, pp.71, 299; Mitchell Ships' Index: Surgeon's Journal 14 June – 27 November 1828 to New South Wales on City of Edinburgh, William Anderson, PRO 3191: Adm 101/17, Mitchell Library, Sydney, NSW, Australia. See Appendix E 'The Convict Trade to Australia'.

<sup>39</sup> Nicholson, *Shipping Arrivals and Departures*, vol.2, p.38.

<sup>40</sup> R.P. Wigglesworth, 'The New Zealand Timber and Flax Trade 1769-1840', PhD Thesis in History, Massey University, 1981, p.32-36.

<sup>41</sup> J. R. Clendon to G. Clendon, 3 September 1830, Clendon Family Private Papers (Appendix A.1).

<sup>42</sup> Wigglesworth, p.69.

<sup>43</sup> Sylvia Morrissey, 'The Pastoral Economy, 1821-1840', in James Griffin (ed.), *Essays in Economic History of Australia, 1788-1939*, Brisbane: Jacaranda Press, 1967, p.66.

were taking charters<sup>44</sup> for between '£600 to £900' to cover their costs.<sup>45</sup> To defray his own expenses Clendon transported male convicts from Sydney to Moreton Bay<sup>46</sup> soon after his arrival, earning £250 and returning to Sydney by mid- February. On 12 March 1829 having no other cargo Clendon sailed to New Zealand in search of spars, returning once to Sydney for repairs to his ship.<sup>47</sup> His impressions of New South Wales are worth recording:

The colony is in a sad state, particularly the settlers – Beef is now selling at 1/2d (halfpenny) per lb. General Darling is not at all liked as Governor – although the colony is so distressed he is continually raising the duties and levying taxes – he has even carried it so far as to tax dogs. The Swan River bubble (it deserves no better name) is nearly given up, hundreds of families have left it, and gone to Hobart Town – the papers are filled with distressing accounts of it.<sup>48</sup>

In general, Clendon was unimpressed with the Australian colonies, and in fact his prospects for successful settlement there were poor. He was not part of the landed elite of the colonies and Australia had no middle class. Australian society was dominated by a small elite core of military men who had acquired vast tracts of land, and by paupers, transported political prisoners, and genuine criminals - the fabric of the lower classes. Only a small number of immigrants between 1825 and 1830 were from the middle classes.<sup>49</sup> These people struggled to make a living on small landholdings close to Sydney, and were competed against by the large landholders. Furthermore, the government controlled the limited land available for purchase, which by 1831 was by public auction with a minimum reserve price of 5/. Subsequent speculation in this land pushed up prices. Even had Clendon, a merchant from a comfortable middle class background in England, been able to acquire land, wool prices were so low he would have struggled to make a living. In addition, merchant activity in Australia was dominated by the elites and by government supported emancipist convict traders. The Australian economy was subject to frequent depressions, caused largely by an excess of imports over exports,

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<sup>44</sup> These charters were often for the transportation of convicts who had committed crimes in the colony to places of secondary punishment.

<sup>45</sup> J. R. Clendon to G. Clendon, 3 September 1830, (Appendix A.1).

<sup>46</sup> Moreton Bay, now the city of Brisbane, was a place of secondary punishment established in 1823 for male convicts.

<sup>47</sup> Nicholson, *Shipping Arrivals and Departures*, vol 2, p.40; Darling to Sir George Murray, 13 December 1828, R. McNab (ed.), *Historical Records of Australia, Series 1*, vol.14, Sydney: Library Committee of the Commonwealth Parliament, 1914-, p.521

<sup>48</sup> J. R. Clendon to G. Clendon, 3 September 1830, (Appendix A.1). The Swan River settlement was a private venture in 1829. It was established near present day Perth, Western Australia. The settlement struggled for many years to become established, due mostly to its lack of a port and the poor quality of the land available for settlement.

<sup>49</sup> Louis Hartz, *The Founding of New Societies: Studies in the History of the United States, Latin America, South Africa, Canada and Australia*, New York: Harcourt, Brace & World, 1965, pp.276, 280-281.



fluctuating wool prices, and the effects of drought on its fledgling horticultural industries.<sup>50</sup>

Difficulty obtaining a suitable return cargo in Australia on this voyage proved a turning point in Clendon's trading and personal life. Heavily in debt to his father, Clendon's primary concern was the profitability of his voyage.<sup>51</sup> Thus he turned to New Zealand where a flourishing timber and flax trade might provide him with the cargo he required.

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<sup>50</sup> J. J. Auchmuty, '1810-1830' in *A New History of Australia*, Frank Crowley (ed.), Melbourne, William Heinemann, 1974, pp.20-81; Sylvia Morrissey, 'The Pastoral Economy, 1821-1850 in *Essays in Economic History of Australia 1788-1939*, James Griffin (ed.), Brisbane: Jacaranda Press, 1967, pp.51-107; C.M.H. Clark, *A History of Australia*, vol.2, Melbourne: Melbourne University Press, 1968, pp. 104-105, 179, 182-186, 213.

<sup>51</sup> J. R. Clendon to G. Clendon, 3 September, 1830, (Appendix A.1).



## **CHAPTER TWO - The reality of the New Zealand frontier.**

New Zealand until 1840 was a free state, unfettered by government intervention or regulation. By the late 1820s the Bay of Islands was established as a missionary stronghold and a popular shipping port for trans-Tasman shipping<sup>1</sup>. Trade, the cession of major inter-tribal wars, and a missionary presence at the Bay and Hokianga smoothed intercourse between Maori and Europeans. Church Missionary Society stations established at Waimate, Kerikeri and Paihia provided the nucleus of permanent white settlement at the Bay. An inland track linked the Bay to Hokianga where a flourishing timber industry was established at Te Horeke and later at Motukauri.<sup>2</sup> Wesleyan missionary stations were firmly established at Hokianga, at Te Toke near Rangiahua, and at Mangungu near Te Horeke.<sup>3</sup>

Trade initiatives between New Zealand and Australia were becoming well established.<sup>4</sup> New Zealand's Maori population competed vigorously for European trade, providing labour and food for traders, incorporating these activities with their planting seasons and inter-hapu warfare.<sup>5</sup> Besides the important whaling, flax and timber trades, there was a growing trade in potatoes, pork and grain, provided by Maori. With the inclusion of the latter produce, New Zealand was emerging as a reliable provisioning source for the Sydney markets, a situation further improved in the early 1830s when cargoes traded between New Zealand and Australian ports were entered duty free.<sup>6</sup>

Maori chiefs at the Bay of Islands and elsewhere in the north were making their land available to European traders and merchants to encourage them to settle among them and correspondingly increase their trade.<sup>7</sup> Acquisition of such land was subject only to the establishment of an exchange of goods at a bargained price that suited both European

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<sup>1</sup> R.P. Wigglesworth, 'The New Zealand Timber and Flax Trade 1769-1840', PhD Thesis in History, Massey University, p.76.

<sup>2</sup> Te Horeke shipyard was started 1827 by the Sydney firm of Raine and Ramsay in partnership with Gordon Browne. It failed during the economic slump in Sydney, due to the Raine and Ramsay's bankruptcy. The whole enterprise, including about 5120 acres of land was purchased at auction by Lieutenant Thomas McDonnell, who was to become an important settler at Hokianga and was known to Clendon. Jack Lee, *Hokianga*, Auckland: Hodder & Stoughton, 1987, p.53.

<sup>3</sup> Jack Lee, *The Bay of Islands*, Reprint, Auckland: Reed Books, 1996, pp.134-147.

<sup>4</sup> Wigglesworth, p.76.

<sup>5</sup> Ibid., pp.192-238.

<sup>6</sup> John O'C. Ross, 'They Came by Sea: An Account of the Maritime Activity on the coast of New Zealand in the Precolonial Period', MS-87-001, WTU, p.97; Wigglesworth, pp.266-267.

<sup>7</sup> Discussed in Chapter 3.

and Maori.<sup>8</sup> Furthermore, opportunities existed at the Bay of Islands to provide goods and services to shipping. Well organized merchant-traders from Sydney and elsewhere were inevitably attracted to this situation and by 1831 the Bay had a permanent European population of missionaries and traders of about 100 people.<sup>9</sup>

Clendon's first experiences in New Zealand from 1829-1830, however, demonstrated that trading in New Zealand had its own peculiar difficulties. His fortunes were shaped a number of factors: Firstly, coastal trading around New Zealand was hazardous; secondly traders needed capital or credit; thirdly, Maori agency in trade was clearly evident.

#### The *City of Edinburgh* in the Bay of Islands 1829-1830.

Clendon found that merchant shipping was a precarious game on the New Zealand frontier. Clendon sailed the *City of Edinburgh* to New Zealand in March 1829, anticipating the completion of his cargo with timber or flax. His search for cargo in New Zealand was prolonged, and may have included a return trip to Sydney for repairs to his ship. He discovered that at the Bay of Islands and elsewhere in northern New Zealand, there was little provision for major repairs to shipping or for ship's chandlery. It was nineteen months before Clendon left the Bay of Islands for London in December 1830 with a cargo of timber and flax, and his first Maori passengers.

Correspondence home to his father George Clendon explained the delays and dangers Clendon experienced. At the beginning of June 1829 as the *City of Edinburgh* sailed out of the Hokianga harbour, the wind dropped and the ship drifted helplessly on to rocks at the Hokianga heads; the hull was damaged and leaking and the ship's rudder lost. Thinking the ship would founder, Clendon sent his wife and child in a whale boat to the shore, a journey that took four hours against a strong tide. From there they were escorted

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<sup>8</sup> By 1831 the Australian government's decision to allow the assisted immigration of free settlers began a change in the demographics of New South Wales and to a lesser extent in Tasmania, but by then Clendon had already acquired land at Okiato in the Bay of Islands from local chiefs and was in England preparing to return to New Zealand to set up in business.

<sup>9</sup> Jack Lee, *Old Russell. New Zealand's First Capital*, Russell: Northland Historical Publications Society, 1998, pp.8-9; Peter Adams, *Fatal Necessity: British Intervention in New Zealand 1830-1847*, Auckland: Auckland University Press, 1977, p.21.

to the Wesleyan mission 25 miles up the Hokianga harbour.<sup>10</sup> Meanwhile, the incoming tide lifted the ship off the rocks, but it was now without a rudder. A makeshift rudder made on shore and fitted in the shaft was lost overnight due to a very rough sea. Clendon managed to steer the ship using the sails until they were between the Three Kings Islands and North Cape, when the *Roslyn Castle* hove into sight and took them in tow to the Bay of Islands.<sup>11</sup>

The financial difficulties Clendon was to experience on this voyage, and indeed for the rest of his life, became quite apparent in Clendon's correspondence home after this incident. Clendon had no money of his own; he relied on credit from his father and agents in Britain to finance and insure his trading ventures. Shipping insurance was, therefore, uppermost on Clendon's mind when he informed his father that although he might be able to procure a new rudder locally, the ship was still leaking and he would probably need to get to Sydney for repairs. Clendon had asked his London agent Hare in a letter dated 12 March 1829 to insure the ship, 'if you think it advisable', but Clendon himself did not think this necessary as he had employed a pilot in Sydney for the trip to New Zealand.<sup>12</sup> However, following the accident at Hokianga, Clendon hurriedly dispatched another letter to Hare asking him to insure, but he was probably too late. His anxiety was clear in his next letter to his father:

In my letter to him per *Roslyn Castle* I wished him to insure – but as the accident will be known as soon as Mr. H. gets the letter, I fear it will be too late, (if he has not been previously informed), but should the circumstances not be known – and insurance effected after the arrival of the *Roslyn Castle* I believe it would be illegal.<sup>13</sup>

Clendon's confidence in a Sydney pilot to navigate New Zealand coastlines and harbours rather than increase insurance to cover his voyage to New Zealand, suggests he took a risk in order to save money. Unfortunately, the treacherous waters of the Tasman Sea and Pacific Ocean around New Zealand shores, its rocky coastline, uncharted harbours, uncertain winds and tides were the cause of a number of damaged or wrecked ships

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<sup>10</sup> Marianne Williams recorded this event in her journal, and noted that Sarah and her son James Stephenson Clendon had previously stayed with the Hobbs family. George Davis, 'Extracts of Letters and Journals of Marianne Williams', 93/130 (9), M.11.doc, Auckland Museum Library (AML).

<sup>11</sup> J. R. Clendon to G. Clendon, 14 June 1829, Clendon Family Private Papers. (Appendix A.2)

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

during the period, often with loss of valuable cargoes, mail, and of life. Clendon, his crew and family were lucky to have escaped with minor damage to their ship.<sup>14</sup>

In New Zealand, in addition to loss of life and goods at sea, shipwrecks around New Zealand shores could be exacerbated by the Maori cultural practice of *murū* (plunder). Ships wrecked on a tribal territory could be subjected to customary law whereby everything cast ashore on their domain became their property.<sup>15</sup> Under this law ships' crews and passengers could also be killed.<sup>16</sup> Clendon like many others had a number of ships plundered in New Zealand. Appendix F<sup>17</sup> tabulates ships wrecked and/or plundered around Northern New Zealand between 1809 and 1840. It includes Clendon's schooner *Fanny* built at Hokianga, and his British ship *Fortitude*. These losses were expensive for ship's owners. Those merchants and whalers whose vessels were built and registered in Britain or Australia could insure them in those countries, but as Clendon found, acquiring additional insurance once on the other side of the world was difficult.

### Financial considerations

Debt played a major part in Clendon's determination to succeed. His experiences in New Zealand illustrated some of the processes and difficulties merchants had acquiring credit. As a free territory, New Zealand was without a financial infrastructure so Clendon needed to call upon a variety of credit sources. At the time of Clendon's first visit and

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<sup>14</sup> Captain James Cook recorded a lucky escape in 1769, during his exploration of New Zealand's coastline. The wind dropped when he was leaving the Bay of Islands, causing his ship *Endeavour* to drift on to the rocks, fortunately without serious damage. James Cook. *Captain Cook's Journal*, London, 1892, W.J.L. Wharton (ed.), cited in Jack Lee, *The Bay of Islands*, p.18.

<sup>15</sup> C.W.N. Ingram, *New Zealand Shipwrecks 1795-1982*, 6<sup>th</sup> ed., Wellington: A.H. & A.W. Reed, 1984, p.11; R.A.A. Wallace and J. H. Sherrin, *Early History of New Zealand*, Thomson W. Leys (ed.), Auckland, H. Brett, 1890, p.370.

This practise was similar to a law on the Cornish coasts of southern England. A British naval law also claimed wrecked ships entering British naval ports, provided no person or animal was found alive in the vessel. If so, the vessel was returned to its owner. For example in December 1824 when the trading ship *Dart* drifted into Portsmouth naval harbour, England with no one aboard, a live cat found in the cabin prevented the ship being turned over to the Admiralty; the vessel was returned via the sheriff to the owners. F. E. Halliday, *A History of Cornwall*, London: Duckworth, 1959, cited in T.B. Byrne, *Wing of the Manakau: Capt. Thomas Wing: His Life and Harbour 1810-1888*, Auckland, T.B. Byrne, p.17; *Sydney Gazette*, 27 October 1835;

<sup>16</sup> The Church Missionary Society's schooner *Herald*, and another vessel built at Hokianga were wrecked on the Hokianga bar in May 1828. Local Maori attacked the survivors, and those from the second vessel were killed. See C. Fitzgerald (ed.), *Letters from the Bay of Islands: The Story of Marianne Williams*, Auckland: Penguin Group, p.151.

<sup>17</sup> 'Ships wrecked in northern New Zealand 1809-1840'. (Appendix F).

until after British annexation in 1840, barter and private credit were the only means by which Europeans could function commercially.

Contrary to James Belich's characterisation of traders like Clendon, Mair and others as 'merchant chiefs', they were often acutely concerned with mere survival. Correspondence in September 1830 clearly shows that Clendon was still uncertain about insurance for the cost of repairs in Sydney to his damaged vessel, which clouded his optimism that he could clear his debt to Hare and Fenton.<sup>18</sup> Whether or not the ship was ever insured for the New Zealand leg of its voyage or what additional expense Clendon incurred having it towed to Sydney is unrecorded.

Clendon's financial constraints and other difficulties at this time, however, may have helped him to identify new opportunities. His experiences demonstrated a number of gaps in the New Zealand market that he later had opportunities to fill. As the above incident suggests, had ship repair facilities been available at the Bay of Islands, Clendon could have saved considerable expense. Furthermore, due to insurance difficulties and other delays, Clendon needed to reprovision his ship and provide for his family, but in the late 1820s New Zealand had no established trading posts to provide these goods and no banking systems to provide cash. Instead, Clendon had to rely on credit from overseas. He obtained food and clothing for his family from Sydney and purchased food for his crew from a whale ship's captain, by means of a Thirty-days bill<sup>19</sup> against his father:

When we left Sydney we expected that by this time we should have been in England not thinking of being three or four months loading – our provisions were [so] nearly expended that we should have been in a bad state had it not been for a bountiful supply of tea, sugar and flour and a case of clothing for the children from Sarah's friends, a Brig came from Sydney last week and brought them down with all the letters you had sent to Sydney for us – we were still very short of Biscuit and flour for the crew and learning of the ship Indian (a whaler) being here I came over yesterday to see if they would spare any biscuit – they cannot. I have ½ ton of flour and a few other little necessities amounting to (£25 10/-), Twenty five pounds ten shillings, for which I have given a bill upon you at Thirty days sight in favour of Captn. Saml. Swain which I hope you will honour.<sup>20</sup>

Clendon's reliance on borrowed funds meant he was obliged to keep numerous creditors happy and it was not an easy task. In the same letter he wrote that he had

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<sup>18</sup> J. R. Clendon to G. Clendon, 3 September 1830, Clendon Family Private Papers. ( Appendix A.1)

<sup>19</sup> A Bill that when presented to his father required payment within thirty days.

<sup>20</sup> J. R. Clendon to G. Clendon, 3 September 1830. (Appendix A.1) Note that the symbol Clendon used, “/-”, stands for British sterling shillings (One sterling pound (£) = 20/-)



reconsigned his cargo 'to order'<sup>21</sup>, sending a Bill of Lading<sup>22</sup> to the family's agent Hare in case the voyage was not a financial success. Had this been the case, his father would have been considerably out of pocket as the cargo was originally to have been consigned to George Clendon.<sup>23</sup> Explaining his present circumstances to his father, therefore, required some delicate maneuvering. He wrote that obtaining a full cargo of spars had proved more difficult to obtain than he expected, but he estimated that his present cargo would realise in London, 'at the very lowest calculation...£2500'. Combined with a cargo of flax, this would put him in a better position than other ship's captains, whose vessels had lain idle in Sydney 'from seven to nine months' at considerable expense. He aimed to collect about 40 tons of flax for 'a mere nothing', which he anticipated would fetch £30 - £35 per ton on the London market.<sup>24</sup> This was a reasonable assessment as the price of flax that year was at its peak, varying between £27-£45 per ton.<sup>25</sup> A good price for flax, would he hoped, repay a mortgage to an individual named Fenton.<sup>26</sup>

To trade in New Zealand in the late 1820s and early 1830s, then, Clendon found he had to rely on goods, services and credit from overseas.

#### The New Zealand financial system to 1840

Merchants and traders on the periphery of the British empire were still reliant on a British centre to fund their ventures. In New Zealand there was no official currency in the 1820s and 1830s; in general it was a cashless society. The limited cash available was handled by Europeans prepared to provide a depot in New Zealand, or via the medium of international whalers. The main mediums of trade and exchange were credit and barter. To supply goods for barter or to reprovision their ships British merchants trading in New Zealand relied on credit from family or other agencies in Britain. This was a complex system that operated with Bills of Exchange, Promissory Notes and Letters of Credit, all of which were underpinned by credit from British banks.<sup>27</sup> Within New Zealand, the

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<sup>21</sup> Meaning that whoever sold it could have the proceeds.

<sup>22</sup> The sum of his cargo.

<sup>23</sup> J. R. Clendon to G. Clendon, 3 September 1830. (Appendix A.1)

<sup>24</sup> Ibid.

<sup>25</sup> Wigglesworth, pp.366-367.

<sup>26</sup> J. R. Clendon to G. Clendon, 3 September 1830. (Appendix A.1)

<sup>27</sup> One example of this is Clendon's letter of 7 June 1836 to Whaling Captain Brind's wife in England, forwarding Bills of Exchange that could be met by some of Clendon's agents in England. J. R. Clendon to Mrs. Brind, 6 June 1836, MS-papers-0550: Clendon, James Reddy, 1801-1871, Letters 1836-1838, WTU. See 'Banking systems in Australia and Britain'. (Appendix G)



barter system operated for goods and services between Maori and Europeans, and between international whalers and any European depots in New Zealand. Depot goods could be exchanged for currency in Australia to purchase other goods suitable for trans-Tasman trade. It is likely that Clendon used this method of operation once his trading post in New Zealand was established.

A positive effect of the barter method of trading at New Zealand, no doubt observed by Clendon while he was in the Bay of Islands, was that it encouraged speculation there in the late 1820s. New South Wales shopkeepers enjoyed inflated prices for goods suitable for trading with Maori. A botanist, Alan Cunningham, complained in 1826 that trade with New Zealand was hampered by colonial shopkeepers selling goods needed for barter with Maori at inflated prices. It was cheaper, he argued, for an intending visitor to New Zealand to import trading goods directly from London, than to purchase them in the Australian colonies.<sup>28</sup> However, inflated barter 'prices' in New Zealand for Australian and European goods were an advantage for any British merchant trading with Maori in New Zealand. In 1830 when Clendon bartered arms and ammunition with Bay of Islands Maori for land at Okiato and Manawaora, he was using the commodity most commonly sought by Maori in the late 1820s and 1830s.

#### European transactions with Maori.

Clendon found on his first visit to New Zealand, however, that barter transactions with Maori could be difficult to negotiate and depended entirely on their willingness to participate. This may help to explain Maori agency in trade. Europeans had to provide what Maori wanted in order to make a profit. On the other hand the demand for European traders increased as trade became more lucrative for Maori.

The milieu in which Clendon sought to trade was influenced by factors such as inter-hapu rivalry and Maori customs and laws. Inter-tribal squabbles and the pursuit of guns and ammunition were central to the lives of Maori tribes in New Zealand during the 1820s and early 1830s and they traded vigorously with Europeans for these commodities. A competitive market was soon established as enterprising foreigners saw new opportunities for commercial gain through Maori traders. Initially the gun trade was

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<sup>28</sup> A. Cunningham, Diary, (NPL/M, CY B777) p.46 cited in Wigglesworth, p.70.

monopolized by international sealers and whalers trading for pork and potato provisions, but later small numbers of gun-trading ships out of Hobart and Sydney cruised the New Zealand coasts in search of cargoes of pigs, potatoes and flax. Many of these traders formed liaisons with Maori women and stayed, acting as agents for other traders and ensuring cargoes of flax were ready for their visits.<sup>29</sup> Pakeha Maori, Europeans who lived as residents under the protection of local Maori chiefs, also emerged as intermediaries between Maori and Europeans in trade.<sup>30</sup>

The largest influx of traders was between 1829 and 1832<sup>31</sup> and it is notable that 1830 was the year Clendon sailed the New Zealand coasts in search of timber and flax for his return voyage to England. Following repairs made to his ship in Sydney in 1829, Clendon spent the next 12 months attempting to complete his cargo. It is possible that during this period he earned from Maori the nickname 'Tuatara' after the New Zealand lizard, being likened to its habit of seeking food in holes and crannies.<sup>32</sup> Presumably he had arms and ammunition on board as they were among the goods he bartered with Maori for land before he left New Zealand. Arms and ammunition, as well as blankets, European clothing, alcohol, tobacco, ironware or tools were the items most commonly found in the outwards cargoes of vessels trading for timber and flax.<sup>33</sup>

Barter with Maori, however, was not always straightforward. Competition between European traders and between Maori for trade could render barter arrangements useless. Clendon's experienced considerable difficulty collecting a cargo of spars at Hokianga. Added to his difficulties was a lack of information concerning insurance for his damaged ship. As well as this, Sarah Clendon had given birth to their second child, Eliza Chitty Clendon. Sarah and her children were in the care of missionaries at Hokianga.<sup>34</sup>

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<sup>29</sup> Bentley, *Pakeha Maori: The Extraordinary Story of the Europeans who Lived as Maori in Early New Zealand*, Auckland: Penguin Books (NZ), 1991, pp.142-143.

<sup>30</sup> Ibid., p.142.

<sup>31</sup> Ibid., p.143.

<sup>32</sup> Ross Clendon, 'On the Trail of James Reddy Clendon' in *The Clendons: Five Hundred Years of the Clendon Family. An Illustrated History*, U.K., Malvern Wells: Harold Martin & Redman, 1997, p.184. It is of interest that Edward Markham a visitor to New Zealand in 1834 recorded this term as well, but wrote that 'Dueterra' (Tuatara) meant Clendon was 'harmless' – or in other words no threat to Maori. Edward Markham, *New Zealand or Recollections of It*, E.H. McCormick (ed.), Wellington: Government Printer, 1963, p.63.

<sup>33</sup> Wigglesworth, p.200.

<sup>34</sup> J. R. Clendon to G. Clendon, 3 September 1830. (Appendix A.1). His wife and two children were boarding at the Wesleyan Mission station at Mangungu, where the missionaries had erected a raupo whare

Correspondence to his father indicated that until this time Clendon had been optimistic about his trade success in New Zealand. However, subsequent disappointment with trade conditions in New Zealand led to a different attitude in the spring of 1830. He had hoped five months previously that he 'should get away in a month, as we had at that time more than two thirds of our cargo alongside'. But since then he had endured 'every difficulty that could possibly be put in my way' and wished that he had sailed with what cargo he had from Sydney and endeavored to 'fill-up' at Rio de Janeiro.<sup>35</sup> Instead, the *City of Edinburgh* had lain at anchor in Hokianga harbour for several months, causing its master considerable anguish: 'When I think of it I am miserable – I may with truth say that I never knew either trouble or anxiety untill [sic] the last eighteen months.'<sup>36</sup>

The cause of his latest delay was the refusal of Maori at Hokianga to cut timber for him and drag it to his ship, a situation that had changed dramatically since he had first called at Hokianga for timber many months before. When he left Hokianga, Maori were anticipating his return and were 'mad to load her, which they would have done in 6 weeks or two months'. However, when he returned after making the necessary repairs to his vessel in Sydney, he met considerable Maori resistance to cutting and loading spars and was eventually turned off the land altogether. This was, he believed, due to 'the natives being at war or at feasts' or from 'competiton':

The minds of the Natives had been so much poisoned against me that I had no alternative but to take my crew into the woods and with the assistance of a few natives that were inclined to work, [to] drag the spars out.

I was nearly two months there in the winter season, almost a continual rain with only a native hut made of rushes to live under. Although the weather was extremely bad we dragged out some excellent spars, and should have completed our cargo but the natives were prevailed on to turn us out (so great is the competition in this distant land) – I was then of course obliged to give it up – we are not full by fifteen (15) Spars – we are ready for sea only waiting for a fair wind to go out.<sup>37</sup>

Clendon found that if Maori were engaged in inter-hapu rivalries, if they had sufficient goods for their needs or were busy cultivating their crops, the prospects for obtaining timber and flax were poor.

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for the use of visitors. See Emma Kirk, 'Wesleyan Missionary Society Station at Mangungu', Massey University Library. Original manuscript held at Trinity Methodist College Archives, Auckland.

<sup>35</sup> J. R. Clendon to G. Clendon, 3 September 1830. (Appendix A.1)

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

A number of factors may have caused Clendon's difficulties in 1830 and might explain his references to 'competition' and 'opposition' by Maori who refused to work for him. Roger Wigglesworth suggests that inter-tribal warfare was itself exacerbated by trade:

Competition between Maori traders for the perceived benefits to be gained from the timber and flax trade appeared to simultaneously promote and check Maori warfare. The trade-related intensified rivalry between Maori groups revolved around two issues: who had the right to sell particular stands of wood or flax, and who had the right to trade with Europeans.<sup>38</sup>

When European traders first arrived, the size of their demands and the competition between Maori for the trade goods they offered inevitably raised the issues of rights and ownership. Disputes over possession could lead to threats of violence or warfare.<sup>39</sup>

It is also possible that a resident European trader in the area where Clendon and his men were working may also have affected his chances of success. Maori who had worked for Clendon several months before may have been warned-off by their local chief, who had a resident agent trading on his behalf. It was considered a violation of *tapu* to interfere with the work of a chief's resident trader and this was avenged accordingly.<sup>40</sup> Clendon may have been considered an interloper in the tribal *rohe* (district) taking timber and using labour to which he had no right. As noted above he wrote that 'the natives were *prevailed* on to turn us out' [my italics].

Furthermore, Maori willingness to trade could be affected by an oversupply of European goods. Maori bartered for goods sufficient only for their needs. Once these needs were met, other European traders could find themselves unable to procure labour. This may have exacerbated Clendon's difficulties. In September 1830, for example, some flax traders found Maori were unwilling to trade 'indifferent even to the acquisition of muskets and powder, of which they had purchased sufficient for their wants.'<sup>41</sup>

Clendon himself mentioned the Maori practise of 'feasting' as a possible cause of their refusing to work for him. Chiefs and their families in the *rohe* where he was cutting trees may have been fulfilling their tribal obligations. Hospitality was an integral part of Maori society and provision of a generous supply of food for the guests, was 'an

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<sup>38</sup> Wigglesworth, p.218.

<sup>39</sup> Ibid., p.219; *Sydney Herald*, 2 August 1832.

<sup>40</sup> J. R. Clendon to G. Clendon, 3 September 1830. (Appendix A.1); Wigglesworth, p.221.

inescapable obligation' essential to the *mana* [prestige] of a tribe. Maori feasted after war victories, when entertaining visiting tribes for gift exchanges, or when honouring and mourning their dead. Attendance by a hosting chief's tribe was mandatory and feasts could last several days as the appropriate rituals for a particular occasion were played out.<sup>42</sup>

A further frustration to European timber and flax collection was the seasonal round of Maori planting and cultivation of crops. September to November, when Clendon was sailing around the North Island in search of flax, was normally within these seasons.<sup>43</sup> Shipping records confirm, however, that Clendon had good luck with his flax venture.<sup>44</sup>

His luck also held when Clendon called at the river Thames on the Coromandel Peninsular in late 1830, probably to obtain a few more spars. He had called there previously in 1829,<sup>45</sup> and it is likely that he had established a successful working relationship with local Maori. Following his second visit, Clendon reported inter-hapu fighting at Thames to the Church Missionary Society (CMS) missionaries at Paihia, but the Reverend Henry Williams recorded that Maori attitudes towards Clendon were cooperative, 'All behaved respectfully to his ship'.<sup>46</sup>

At this time Maori traded with Europeans on their own terms. Chiefly rights over commodities and traders, seasonal plantings, social obligations and existing inter-tribal rivalries could affect the success of any European trading venture. As Clendon discovered, European entrepreneurial endeavour in New Zealand prior to 1840, and indeed for almost two decades beyond<sup>47</sup> functioned only so well as Maori tribal custom allowed.

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<sup>41</sup> Meaning without a cargo.

<sup>42</sup> Ann R. Parsonson, 'The Expansion of a Competitive Society: A Study in Nineteenth Century Maori Social History', *New Zealand Journal of History*, 14:1 (1980), p.59.

<sup>43</sup> Wigglesworth, pp.213-214.

<sup>44</sup> I. H. Nicholson, *Shipping Arrivals and Departures, Vol 2, Sydney 1826-1840*, Canberra: Roebuck Society 1977, p.43.

<sup>45</sup> Ross, 'They Came by Sea', p.87; *Sydney Gazette*, 4 June 1829; Nicholson, *Shipping Arrivals and Departures, vol 2*, p.43; Rees Richards & Jocelyn Chisholm, *The Bay of Islands Shipping Arrivals and Departures 1803-1840*, Paremata Press, 1992, npn.

<sup>46</sup> Rogers, Lawrence M. (ed.) *The Early Journals of Henry Williams: Senior Missionary in New Zealand of the Church Missionary Society, 1826-40*, Christchurch: Pegasus Press, 1961, p.163.

<sup>47</sup> Until about 1860.



## Maori Entrepreneurs

Clendon's trade in New Zealand from the time of his first voyage there in 1829 was influenced by Maori cultural practices and Maori exhibited considerable entrepreneurial flair in their transactions. For instance Clendon transported a number of Maori chiefs to the port of Deal, England on his return voyage from New Zealand.<sup>48</sup> Chiefs who travelled overseas identified new opportunities for increased social and economic capital and they introduced some of these into their own harbours. In the Bay of Islands, harbour dues in the form of gifts to some local chiefs were paid in 1835, and Hokianga Maori were considering introducing anchorage fees by the mid-1830s. Port dues were introduced in the Thames early in 1836.<sup>49</sup> Chief Pomare II, of the Bay of Islands, from whom Clendon purchased land in 1830, levied tolls on British shipping until at least 1840.<sup>50</sup>

Differences in the manner of entrepreneurialism lay in Maori and European perceptions of the value of trade and these often led to misunderstandings of the type Clendon experienced at Hokianga. Anne Parsonson in 1980 maintained that Maori pursued European trade competitively to increase their own *mana*:

The coming of the Pakeha was important to Maori society: they brought new crops, new artefacts and new ideas. Chiefs, such as Hongi Hika, were quick to perceive how these European cultural additions to their lives could benefit themselves and their tribe, usually ended up with the greater share of the spoils, which they then put to good use consolidating their own positions.<sup>51</sup>

This suggests that Maori were mercenary in their use of European traders. In contrast, W.C. Schaniel in 'The Maori and the Economic Frontier: An Economic History of the Maori of New Zealand' (1985) suggests that Maori interactions with Europeans over trade incorporated traditional gift exchange mechanisms or a system of balanced reciprocity played 'within the context of traditional rules.' Behind these lay the important concepts of *mana*, and *utu* which incorporated the further concepts of *tapu* and *murū*.<sup>52</sup> *Tapu* involved restriction to access and it is possible that this was the type of restriction

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<sup>48</sup> *Sydney Herald*, 10 October 1831.

<sup>49</sup> Wigglesworth, pp.194-195.

<sup>50</sup> A. Ballara et al, 'Pomare II', W. H. Oliver (ed.), *Dictionary of New Zealand Biography 1769-1869*, vol 1, Wellington: Allen and Unwin/Department of Internal Affairs, 1990, p.347.

<sup>51</sup> Parsonson, 'The Expansion of a Competitive Society', *New Zealand Journal of History*, 14:1 (1980), p.53.

<sup>52</sup> W. C. Schaniel, 'The Maori and the Economic Frontier: An Economic History of the Maori of New Zealand', PhD Thesis in History, University of Tennessee, 1985, p.9.



Clendon experienced when he was expelled from the land at Hokianga, where he was harvesting timber. *Muru* was a form of *utu* used for violations. It was a ritual, and sometimes violent plundering. The amount taken and the size of the party who plundered, varied with the status of the violator.<sup>53</sup> Clendon later experienced this form of *utu*.<sup>54</sup>

Maori contact with Europeans inevitably brought change to the ways in which reciprocal values were applied to different exchanges. Paul Thomas, a report writer for a Waitangi Tribunal Claim for the Kaipara area considers that:

Missionaries and merchants...were welcomed, protected and assisted by the local chiefs and tribes....European newcomers were often granted land rights, had houses built for them and received gifts and sustenance from the local people.<sup>55</sup>

These acts were 'traditional methods of establishing ties with valued outsiders', and conferred reciprocal obligations upon the settlers, which they were expected to repay in kind. Local law and chiefly authority was to be respected, and Europeans were to 'interact economically, socially and politically with their hosts, and to generally use their skills and resources for the benefits of the local community'.<sup>56</sup> Clendon's acquisition of Maori land at Okiato and Manawaora in 1830 is an example of this type of reciprocity and is discussed further on.

Marriage alliances between Maori women of high rank and some of Northland's most prominent settlers were extensions of these arrangements.<sup>57</sup> Clendon's second marriage exemplified this kind of mutual reciprocity. Soon after the death of his first wife Sarah in 1855, Clendon married Jane Takotowai, the eighteen year old daughter of Takotowai Te Whata, who was a chief's daughter. Takotowai was the wife of Hokianga settler Dennis Cochrane and Jane her only daughter. Jane was an impressive woman in her own right, and had *mana* independent of any her husband may have attained during his lifetime. This alliance ensured that Clendon was made welcome in the Hokianga region when he moved there in the late 1860s. He in turn supported many local Maori, in some cases financially through the extension of credit, and in his role as a Magistrate

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<sup>53</sup> Schaniel, p.12.

<sup>54</sup> See Chapter 3.

<sup>55</sup> Paul Thomas, 'The Crown and Maori in the Northern Wairoa, 1840-1865', April 1999 (Wai 312, C1), *Report for Wai 674 – The Combined Record of Inquiry for the Kaipara Claims, Waitangi Tribunal*, Wellington, 1999, p.11.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid., p.12.

under the Native Circuit Courts Act, where he dispensed justice in accordance with Maori custom.<sup>58</sup>

Clendon's experiences with Maori in 1829 and 1830 indicated the agility with which Maori incorporated European desires and trade goods into their own cultural patterns to meet their own needs. Maori 'linked' with Europeans as agents of contact, 'operating through each other'. The majority of these links took place in Northern New Zealand and particularly in the Bay of Islands and Hokianga regions.<sup>59</sup> Economic exchanges provided each party with social, political or financial profit. These relationships existed between the races in northern New Zealand until 1840 and beyond, as Clendon's long association with Chief Pomare II will later demonstrate. As noted earlier, in the 1830s Bay of Islands chiefs encouraged the permanent settlement of Europeans through the exchange of land, a situation that Clendon, having identified the need for a trading station and ship's repair facility at the Bay, must have found attractive.

#### Clendon's land acquisition at the Bay of Islands.

The acquisition of Maori land prior to departing the Bay of Islands for England in December 1830 demonstrates the role of contingency in Clendon's career. By chance, he was in the right place at the right time. En-route back to England from Sydney at the end of November 1830, he called at the Bay of Islands to land the Reverend A.N. Brown and his wife at the Church Missionary Society's Paihia mission station.<sup>60</sup> He was in a position, therefore, to take advantage of a peace settlement made after an interhapu squabble fought at Kororareka earlier in the year, known as the Girl's War. The ensuing land transfer demonstrates the type of mutual advantage Maori and Europeans could gain from such exchanges.

Jack Lee, in *The Bay of Islands*, wrote that the causes of the war lay in a long-standing feud between the Nga Puhi and Ngati Manu peoples on opposite sides of the Bay of Islands.<sup>61</sup> However, Philippa Wyatt in her thesis 'The Old Land Claims and the

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<sup>58</sup> Ross Clendon in Ryland Clendon, p.197; J. Rutherford, 'Clendon, James Reddy', *An Encyclopedia of New Zealand*, vol 1, A.H. McLintock (ed.), Wellington: Government Print, 1966, p.358; Jack Lee, 'Clendon, James Reddy', W.H. Oliver (ed.), *Dictionary of New Zealand Biography*, vol 1, p.85.

<sup>59</sup> James Belich, *Making Peoples: A History of the New Zealanders from Polynesian Settlement to the End of the Nineteenth Century*, Auckland: Penguin Books (NZ), 1996, p.141.

<sup>60</sup> John O'C. Ross, MS-87-001, p.87, WTU.

<sup>61</sup> Jack Lee, *The Bay of Islands*, pp.154-159.

Concept of Sale', claims that the main cause of the war was loss of valuable trade with Europeans.<sup>62</sup> The victors, Nga Puhi, required that Ngati Manu Chief Pomare II cede his land at Kororareka to them as part of the peacemaking process. Pomare's greatest need at that time and which the deed of sale suggests was most likely a continuance of the trade he had enjoyed at Kororareka, especially the trade in muskets.<sup>63</sup> This may well have been the primary reason Clendon was able to acquire land from Pomare. Pomare and Chief Kiwikiwi moved from Kororareka to Pomare's *pa* at Otuihu on the Kawakawa River. Adjacent to the *pa*, but on the other side of the river, was the Ngati Manu headland of Okiato, a site eminently suitable for a ship's chandlery, dry dock, warehouse and general store. On 7 December 1830, while rumours of a renewal of hostilities over the late battle at Kororareka, Pomare, with Kiwikiwi and other chiefs, made his first recorded land exchange. Together they transferred to Clendon about 220 acres of land at Okiato at an agreed price of £14.14s., paid for predominantly with firearms and ammunition.<sup>64</sup> Clendon now had land on which to establish a home and a commercial enterprise.

Other chiefs in the area were also keen to sell to Clendon and he took the opportunity to acquire 3000 acres of land at Manawaora on the same day, paying Chiefs Hiketene [sic] Riwa, Warinui, Moka and several others £16.10s in the form of a carronade<sup>65</sup> and five muskets for it. This was poorer land – it contained a large area of swamp surrounded by uncleared bush and was some distance from the Bay of Islands, accessible, as most of New Zealand was then, only by sea. Negotiations for both of these land transfers took place aboard the *City of Edinburgh* where the deeds of sale and purchase were signed.<sup>66</sup>

Gilbert Mair, a resident who first came to New Zealand with the CMS as a ship's carpenter, also began negotiations for land at the Bay of Islands in December 1830. By formal agreement, six months later in June 1831, he acquired 394 acres of land at Te Wahapu, a headland closer to Kororareka, separated by the Omata headland from Okiato.

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<sup>62</sup> Philippa Wyatt, 'The Old Land Claims and the Concept of "Sale": A Case Study', MA Thesis in History, University of Auckland, 1991, p.7.

<sup>63</sup> Wyatt, p.7.

<sup>64</sup> Wyatt, p.7; James R. Clendon, Old Land Claims 114 & 115, Cases 66 & 66a, and Claim 116, Archives NZ.

<sup>65</sup> Used in Britain's late-eighteenth century big naval ships, this was small light gun suitable for firing heavy shot at close range with a minimal charge of gunpowder. See Michael Lewis, *The Navy of Britain: A Historical Portrait*, London: George Allen & Unwin, 1948, pp.545-546.

<sup>66</sup> Wyatt, p.7; James R. Clendon, Old Land Claims 114 & 115, Cases 66 & 66a, and Claim 116, Archives NZ.

Payment was in muskets, ammunition, tobacco, pipes, hatchets, iron pots, blankets, scissors, flints and spades.<sup>67</sup> Obviously he perceived there was room for other merchants to set-up in business at the Bay. Mair, like Clendon, set up a trading establishment at Te Wahapu, and the Mair and Clendon families were neighbours.

Clearly all parties to these contracts saw the trade opportunities of European settlement in the Bay of Islands. Clendon, Pomare and other chiefs established a mutually successful exchange. Clendon acquired land at Okiato on which to establish a commercial enterprise in the Bay of Islands. Pomare could build a new commercial base at his nearby *pa* at Otuihu, which would benefit from Clendon's share of the shipping trade. In addition, he acquired a Pakeha from whose land at the junction of the Kawakawa and Waikare rivers Maori activities at the Bay could be safely observed. Pomare honoured his contractual obligations as a leading chief of the area by appointing himself Clendon's protector.

Through favourable circumstances, therefore, Clendon acquired valuable land on which to establish a trading post and ship's chandlery at the Bay of Islands. He returned to England and made plans for permanent settlement in New Zealand. In 1832 Clendon sailed again for the Bay of Islands in the *Fortitude*, a ship more suitable for the coastal and river trade, accompanied by his family, several employees and his new business partner Samuel Stephenson.

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<sup>67</sup> Wyatt, pp.57-58; J.C. Andersen and G.C. Petersen, *The Mair Family*, Wellington: A.H. & A.W. Reed, 1956, pp.15, 300-303.

## **CHAPTER THREE - A Merchant at the Bay of Islands 1832-1839**

### **Global connections**

Clendon's trade between New Zealand and Australia during the 1830s was part of a global stepping stone in the transport of commodities, people, ideas and empires between the old world and the new. His trading vessels and activities from Britain and then from New Zealand demonstrate the interconnectedness of the central and peripheral spheres of British and foreign trade. Globalisation, as Bayly suggests, was not a phenomenon of the late twentieth and early twenty-first centuries. It was well established in the nineteenth century.<sup>1</sup> New Zealand in the 1830s was part of a wider global economy that consisted of trade between Britain, Australia, New Zealand, Europe, the Indian sub-continent, Indonesia, South America and the United States of America. As previously stated, Clendon's ship *Medora*, built in Great Britain or India, transported goods between Britain, India, South America and Australia. The *City of Edinburgh*, built in Calcutta, India, transported convicts, provisions and other commodities to the Australian penal colonies, returning to Britain with cargoes acquired from New Zealand and South America. Clendon's next ship *Fortitude*, a schooner built in Cork, Ireland, brought household and other goods, the Clendon family, their employees and passengers as emigrants from England to New Zealand. It was then used for coastal trade around New Zealand and to transport goods and passengers between New Zealand and Australia. The schooner *Fanny*, purpose-built in New Zealand, was used for coastal trade and for shipping cargoes and passengers between New Zealand and Australia. The *Hokianga* and *Tokirau*, built or refurbished in New Zealand were used for coastal trade and the international whaling trade.

Clendon emigrated from England to New Zealand in 1832 to trade from a permanent base at the Bay of Islands. His decision, and trading activities, formed part of a wider momentum towards the spread of formal empire to that country. New Zealand's import-export trade more than doubled in the years 1830-1840. Immigration increased New Zealand's population from about 300 Europeans in 1830-31 to approximately 2,000 by 1839. Not only did Clendon find New Zealand an attractive place to live and work, it

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<sup>1</sup> C.A. Bayly, *The Birth of the Modern World 1780-1914: Global Connections and Comparisons*, Oxford: Blackwell Publishing, 2004, pp.1-2, 478-469.

became an attractive resettlement option for large numbers of Australian colonists.<sup>2</sup> Clendon's and other individuals' efforts to establish and protect their business interests in New Zealand during the decade built, wittingly or otherwise, an infrastructure that anticipated New Zealand's annexation into the British imperial hegemony.<sup>3</sup>

Furthermore, Clendon, who would probably not have thought of himself in such terms, but as a 'merchant', 'wholesaler' or 'middleman',<sup>4</sup> in fact exhibited some of the primary characteristics of the entrepreneur identified in David Deakins' book *Entrepreneurship and Small Firms*: a desire for independence, risk taking, adaptability and an ability to identify opportunities for profit arising out of uncertainty surrounding change.<sup>5</sup>

This chapter firstly explores Clendon's shipping activities. Not only do they demonstrate that a lively trans-Tasman trade existed in northern New Zealand during the 1830s, but also they identify Clendon's adroitness at taking advantage of business opportunities provided by a number of different groups at the Bay of Islands: missionaries, Maori, and British authority. His activities also demonstrate further the role of contingency in his affairs as financial difficulties and geo-physical uncertainties dogged his experience of earning a living on the New Zealand frontier.

Secondly, the chapter focuses on some issues of class in early New Zealand. Masking some of the Clendon family's difficulties and uncertainties was their rising social position and prestige among Maori and Europeans at the Bay. Sarah Clendon's actions at the Bay of Islands demonstrated that she played an important role in this.

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<sup>2</sup> J.M.R. Owens, 'New Zealand Before Annexation' in *The Oxford History of New Zealand*, 2<sup>nd</sup> ed., Geoffrey W. Rice (ed.), Auckland: Oxford University Press, 1992, p.50.

<sup>3</sup> A parallel can be drawn with the British East India Company's entry and settlement in the Indian subcontinent, where minimum British intervention to assist private economic initiatives was superseded over time by total annexation in order to protect Britain's economic and political interests.

<sup>4</sup> Terms identified by Adam Smith in *The Wealth of Nations*, Books IV-V, Andrew Skinner (ed.), London: Penguin Books, 1999, pp.107-110.

<sup>5</sup> David Deakins, *Entrepreneurship and Small Firms*, 2<sup>nd</sup> ed., London: McGraw-Hill Publishing, 1999, pp.11-23.



## Shipping, trade and set-backs

The ship *Fortitude* in which the Clendon family, Stephenson and their retainers returned to New Zealand was the foundation of James Clendon and Samuel Stephenson's joint venture (referred to hereinafter as 'the partnership') in New Zealand. A schooner of 132 tons, the vessel had the advantage of a shallow draught, which gave it more maneuverability in New Zealand's harbours and rivers.<sup>6</sup> It is notable, however, that James Clendon, personally, owned neither the ship nor any of its cargo. He depended entirely on credit from Britain to finance his far flung venture. Clendon's reliance on borrowed capital from his father increased at this time. George Clendon apparently had sufficient faith in his son's New Zealand future to purchase the *Fortitude* at a cost of £950, of which Samuel Stephenson paid a one-third share as well as one-third of the cost of the cargo.<sup>7</sup> Stephenson's financial independence at this time probably resulted from an inheritance from his father's estate in Java.<sup>8</sup> The combined cost of the vessel and its cargo was £1722 4s 10d and a signed agreement between Stephenson and George Clendon was made on 23 April 1832 just prior to Clendon's departure.<sup>9</sup>

Modern economic scholarship suggests that an important aspect of entrepreneurial endeavour is the need to have a certain amount of personal wealth, and to be able to actively control that wealth either by reallocating or limiting resources, or by reducing the degree of uncertainty surrounding it.<sup>10</sup> James Clendon's commercial activities were constrained by his indebtedness to his family, but he strived in New Zealand's uncertain geo-physical environment to reduce the degree of uncertainty that surrounded his ventures.

The *Fortitude* arrived at the Bay of Islands in August 1832. Among Clendon's passengers was Maria Coldham, sister of missionary Marianne Williams of Paihia, whose

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<sup>6</sup> T. B. Byrne, *Wing of the Manukau: Capt. Thomas Wing: His Life and Harbour 1810-1888*, Auckland: T.B. Byrne, 1991, pp.8-9; N.G. & A.B. Stephenson, 2<sup>nd</sup> ed., *Samuel Stephenson: Pioneer Merchant of Russell 1804-1885*, U.K: Private Publication (1984), 1993, p.4.

<sup>7</sup> 'Papers Relating to Fortitude: Fortitude Accounts 1832 - Dr. Owners of the Fortitude in Account with J. R. Clendon' NZMS 849, James Reddy Clendon Papers, APL. Among the items detailed in this account were advances to ship's officers and seamen, provisions, coal purchase and portage, paints and oil, a ship's compass and chronometer, wages for carpentry, and a bill for coppering and caulking the ship, and portage costs.

<sup>8</sup> N.G. & A.B. Stephenson, pp.36-37.

<sup>9</sup> Ross Clendon, 'On the Trail of James Reddy Clendon', in *The Clendons: Five Hundred Years of the Clendon Family. An Illustrated History*, U.K., Malvern Wells: Harold Martin & Redman, 1997, p.192; Byrne pp.8-9; 'Material relating to Fortitude', NZMS 849, James Reddy Clendon Papers, APL.

<sup>10</sup> Deakins, pp.14, 25.

passage cost £63.<sup>11</sup> Included in the ship's cargo was freight (including books) for the missionary establishments in the Bay of Islands and Hokianga, valued at £248.<sup>12</sup> The voyage was uneventful and the passengers and crew enjoyed good health; lime juice and other fresh produce including eggs and potatoes were among the ship's provisions.<sup>13</sup> Among the staff on board were a manservant; William Gardner, a carpenter and boat builder; and Stephenson's cousin Thomas Wing, a 22 year old mariner of considerable navigational and hydrographical skill, who was travelling as first mate.<sup>14</sup> The vessel carried a large quantity of mail for the settlement, causing great excitement among the Williams family at the Paihia mission, who observed its arrival.<sup>15</sup>

Clendon soon found that the decision to settle at Okiato in order to provide a general commodity, ship-building and repair trade to settlers and visiting shipping was well justified. As outlined previously, he had been obliged to tow his ship *City of Edinburgh*, to Sydney for repairs in 1830 as no proper facilities were available in New Zealand. This gap in the New Zealand market was obvious. In addition, through the shortages he experienced at the time, he perceived the need for a general store to supply clothing, food and other commodities and services to visiting ships, and to local settlers. The provision of these facilities at the Bay of Islands was bound to succeed.

The backbone of the partnership's trade was the shipment of goods and people between New Zealand and the Australian colonies. Commodities, formerly only available in Sydney, were sold or bartered from their store, which was also a clearing house for Maori produce and a post-office for whalers and other visitors at the Bay of Islands.<sup>16</sup> As the *Sydney Gazette* and *Sydney Herald* reported during the decade, their export commodities included flax and timber; potatoes and pigs (usually from Maori producers); and wool and whale oil from New Zealand. Imports ranged from livestock, guns and

<sup>11</sup> 'Material relating to Fortitude: Accounts of Fortitude - On Account of G. Clendon and S. Stephenson', NZMS 849, No.22, James Reddy Clendon Papers, APL. (Appendix H); Byrne, pp.11-13; N.G. & A.B. Stephenson, p.4.

<sup>12</sup> See a letter from Richard Jones to S. Stephenson concerning this cargo, which is discussed further on.

<sup>13</sup> 'Papers Relating to Fortitude: Fortitude Accounts 1832 - Dr. Owners of the Fortitude in Account with J. R. Clendon', NZMS 849, James Reddy Clendon Papers, APL. (Appendix H.1.)

<sup>14</sup> 'Material relating to Fortitude: Accounts of Fortitude - On Account of G. Clendon and S. Stephenson' (Appendix H). Byrne, pp.11-13; N.G. & A.B. Stephenson, p.4.

<sup>15</sup> Lawrence M. Rogers (ed.), *The Early Journals of Henry Williams: Senior Missionary in New Zealand of the Church Missionary Society, 1826-1840*. Christchurch: Pegasus Press, 1961, p.257. Maria Coldham was a sister of Marianne Williams, wife of Church Missionary Society missionary Henry Williams.

<sup>16</sup> John Horsman, *The Coming of the Pakeha to Auckland Province*, Wellington: Hicks Smith & Sons, 1971, p.11; Jack Lee, *The Bay of Islands*, Reprint, Auckland: Reed Books, 1996, pp.123-124.

ammunition, building materials, ship repair materials - iron, pitch and tar - to foodstuffs, liquor and beer, tobacco and pipes, household furniture and goods, and personal effects from England or Australia.<sup>17</sup> Fare-paying European and Maori passengers travelled frequently on their ships, between the Australian colonies and the New Zealand frontier. Their vessels provided a regular trans-Tasman mail-run, for which a shipping fee was charged.<sup>18</sup> Voyages between New Zealand and Australia could last anything from nine days, if sailing directly to Sydney, to two or three months if the ship first travelled around the New Zealand coast in search of cargo for the Australian market.

There were setbacks to be overcome, due mostly to New Zealand's peculiar geographical and physical environment, and Clendon and Stephenson experienced a number of these during their trading years at Okiato. Many were caused by cultural misunderstandings or misinterpretations. One of the first of such difficulties Clendon encountered was the knowledge that Maori land sellers were more astute than he had previously realised. In 1830 Clendon doubtless thought he was getting a bargain in New Zealand, when Crown land in New South Wales was selling at around a minimum price of 5s per acre. However, on possession in 1832 he found that further payment was required, making the total cost about 14/- per acre. The 1830 payment, claimed the chiefs, was a deposit and a 'balance' was required when Clendon returned to settle on the lands.<sup>19</sup> It is clear that Pomare and KiwiKiwi were well versed in European trading practices by the 1830s. They and other Maori exhibited a sound grasp of the nature of the European marketplace and of capital appreciation, and were confident of making a good bargain. Clendon declared later to the Old Land Claims Commission:

I purchased on the 7<sup>th</sup> December 1830 of the Native Chiefs Pomare ['Etoi'], KiwiKiwi, Hauwau, Hiki & Wareamu, the tract of land called Okiato, Bay of Islands extending from the Bay of Pipiroa, round a point called Opanui to Ti Wi Patupa & From the Bay of Pipieoa across to Ti Wi Patupa by a marked line & fence, & containing about 220 acres. I paid for it at that time a Carronade,<sup>20</sup> Muskets and Gunpowder to the value of £14.4s and upon my taking possession of the Land in September 1832 an additional demand for the purchase was made,

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<sup>17</sup> Typical cargoes are footnoted further on.

<sup>18</sup> Clendon's own correspondence to his family in England gives evidence of these charges. The fee for a 'ship letter' was usually paid to the captain of the vessel. Persons using Clendon's ships for mail transport to Australia and elsewhere probably paid this fee directly to him at his Okiato store.

<sup>19</sup> J. R. Clendon, *Old Land Claims 114 & 115*, Archives NZ.

<sup>20</sup> It is debatable how useful this weapon was to Maori. A carronade was short, light gun that could project heavy shot over a short distance using only a small charge of gun powder. It was in use by the British Navy during the Anglo-American war of 1812-15 and could be used only at very close range. See Michael Lewis, *The Navy of Britain: A Historical Portrait*, London, George Allen & Unwin, 1948, p.545

which I complied with, in Muskets, double barrelled guns & Gunpowder to the amount of £137.10s.<sup>21</sup>

The increased prices reflected the prominent position of the Okiato headland and its commercial value in the Bay of Islands. Clendon required missionary assistance to help sort out a satisfactory bargain between the parties. The Reverend Henry Williams of the Paihia mission station, a fluent speaker of Maori, helped negotiate the final details in a deed dated 13 September 1832. Clendon supplied 40 muskets, 15¼ casks of Gunpowder and 4 double-barrelled guns, value £137.10s.<sup>22</sup> Similarly, to possess the Manawaora land in 1832, Clendon had to make a further payment of £10 and further payments were required when later he began developing his farm there, increasing the cost to about £156.<sup>23</sup>

### The Fortitude 1832-1835

The *Fortitude* returned to Sydney for cargo soon after her arrival at the Bay. The vessel made at least nine voyages between New Zealand and Australia between 1832 and 1835, often sailing via Tasmania to collect agricultural produce for sale in Sydney or for shipment to New Zealand.<sup>24</sup> A cargo of note in February 1833 included a shipment of wool to Australia, possibly the first recorded wool cargo from New Zealand.<sup>25</sup> Fare paying Maori passengers were regular commuters on the *Fortitude*'s trans-Tasman

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<sup>21</sup> J. R. Clendon, *Old Land Claims 114 & 115*, Archives NZ. The Memorandum of Agreement shows that only two chiefs were actually involved in the original deal, Kiwikiwi and Pomare. Clendon actually exchanged in the first instance: One six pound Carronade. Two muskets. Ten Pounds of Gunpowder and three Cartouche Boxes. See 'Memorandum of An Agreement between J.R. Clendon, Master of the City of Edinburgh on the one part and Kiwi Kiwi and Pomare Etoi on the other part'. See J. R. Clendon, *Old Land Claims 114 Case 66*, Archives NZ.

<sup>22</sup> J. R. Clendon, *Old Land Claims 114 (66)-115*, Archives NZ; Byrne, p.13.

<sup>23</sup> When Clendon began building and improving the Manawaora property in 1837, Maori from two other tribes laid claim to the land by which time the price had increased from about One penny per acre to One shilling per acre. In June 1838, 'in consequence of other Natives claiming a right to the land also', Clendon made additional payments to them, and to the first sellers. This payment consisted of a horse valued at £45 and a further £15 in cash and goods to the value of £69.17s. 6d, making a total payment for the land of £156. 7s. 6d. There appear to have been other payments; Old Land Claims Commissioners investigating Clendon's purchases during the 1840s assessed the total value of money Clendon spent purchasing the Manawaora property at £248.2s. J.R. Clendon, *Old Land Claims 114 (66)-115*, Archives NZ.

<sup>24</sup> *Sydney Gazette*, 13 November 1832; *Sydney Herald*, 24 December 1832. Note that 'Slops' (listed among the items on board), was the name given to clothing and other items charged to whaleboat crews. It was also a term applied to convict clothing in Australia. See W.B. Rhodes, *The Whaling Journal of Captain W. B. Rhodes: Barque Australian of Sydney 1836-1838*, C. R. Straubel (ed.), Christchurch: Whitcombe and Tombs, 1954, pp.95-96.

<sup>25</sup> Byrne suggests this may have come from the mission farm at Te Puna, where missionary King's son ran a small flock of sheep. Byrne, p.15.

voyages.<sup>26</sup> Clendon's wife and children usually stayed in New Zealand during these voyages, but occasionally they accompanied him to Sydney.<sup>27</sup>

During their first year in operation, Clendon and Stephenson made excellent progress. In March 1833, the *Fortitude* transported building materials from Sydney for the partnership's planned new store and Clendon's new home. A small raupo cottage for himself and family with a separate cookhouse and a gardener's shed was by that time already in evidence.<sup>28</sup> By December 1833 the carpenter William Gardner was constructing a new boat for the Paihia mission station.<sup>29</sup> This 'long boat' named *Kukupa* was an open boat measuring 13.7 metres long by 2.1 metres wide suitable for harbour and river travel.<sup>30</sup> Clendon's new house was under construction in early 1834. Captain J Eagleston, a visitor to the Clendons in April, recorded that 'they had a fine house underway which will be ready to receive them soon and it is after the English fashion and of great size'. He also observed that 'these two men are the first in the place for business and character.'<sup>31</sup> In August 1834, Edward Markham, an English visitor who spent a few weeks at Okiato, recorded that their boat house was almost completed, 'and the House also and great improvements going on'.<sup>32</sup>

The partnership's trading activities, however, received two further setbacks during their first year of operation. Both confirmed to them the physical dangers of trading in New Zealand. The first was the Maori plundering of the Clendon/Stephenson store at Okiato in April, which will be outlined in a later section. The second was the Maori plundering of their ship when it ran aground in the Hokianga harbour.

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<sup>26</sup> For example, when the ship sailed from Sydney for New Zealand in mid-January 1833 its cargo included 21 packages, ironmongery, hardware, 5 barrels of pitch, 5 barrels of tar, sugar, flour, sale, 'porter' (ale) 3 kegs of tobacco, 8 cows, 7 calves, 1 horse and stores.<sup>26</sup> Thirteen passengers, of whom three were Maori ('New Zealanders') were on board, bound for the Bay of Islands. The Europeans were mostly intending settlers, including New Zealand's first doctor - Dr. Ross and his wife, J. S. Polack, moving to settle in New Zealand on account of his wife's health, a Mr. Leving, James Smith, Thomas and Mary Green, and missionaries George and Sarah Hall and their two children. *Sydney Herald*, 24 January 1833; Ross p.15.

<sup>27</sup> Sarah Clendon's role in New Zealand is discussed in a later section.

<sup>28</sup> See Illustration 2: 'Sketch of Okiato c.1832'.

<sup>29</sup> Rogers, *Williams Journals*, p.269.

<sup>30</sup> Byrne, p.24.

<sup>31</sup> Cited in N.G. & A.B. Stephenson, *Samuel Stephenson: Pioneer Merchant of Russell 1804-1885*, 2<sup>nd</sup> ed., U.K: Private Publication, p.11.

<sup>32</sup> Edward Markham, *New Zealand or Recollections of It*, E.M. McClintock, (ed.), Wellington, R.E. Owen, 1963, p.74.



The incidents surrounding the plundering of the *Fortitude* not only illustrate the geographical and personal physical dangers to Europeans trading in New Zealand during the 1830s, but also the importance of reciprocal relationships between European and Maori. Patronal arrangements with local chiefs were essential to the success of European trading ventures in New Zealand. Without chiefly patronage Europeans could neither trade effectively in New Zealand, nor feel secure when they met with difficulties; unfortunately, the preferred method of settling disputes was at that time violent retaliation, by Europeans as well as Maori.<sup>33</sup>

Furthermore, the *Fortitude* affray outlines the importance of missionary assistance to European traders. The majority of missionaries in Northland were fluent in Maori language, and could thus act as interpreters and peace emissaries for Europeans and Maori. Clendon had the highest praise for missionary efforts in Northland. His opinion of their conduct and character was recorded by W.B. Marshall, Assistant Surgeon on H.M.S. *Alligator* in March 1834:

But for them, Sir, no Europeans could live in the land! My own place has been frequently surrounded and my personal safety threatened by a host of armed natives; at such times I have only had to send a message to 'the settlement' [at Paihia] to procure the attendance of a missionary, who, upon his arrival would speak to the principal chiefs, and by his mediation never failed to rid me of the invaders, they being ashamed to perpetrate an outrage in the presence of a missionary....all...are equally indebted with myself to the general respect felt for the missionaries, for the safety of their lives and properties in times past.<sup>34</sup>

Visitors to the Bay of Islands and Hokianga reinforced this view. Captain Robert FitzRoy<sup>35</sup> recorded after his visit to New Zealand in 1835 that he found missionaries not only had the respect of Maori Chiefs, but also that of settlers:

All the principal settlers look up to the Missionaries and acknowledge the value of their protection; and they say to anyone who asks them the question, that they could not remain in the Islands without the Missionaries.<sup>36</sup>

The *Fortitude* with Samuel Stephenson as supercargo<sup>37</sup> left the Bay of Islands on 18 April 1833 for Hokianga. There the ship loaded a cargo of 40,000 feet of kauri timber

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<sup>33</sup> C.O. Davis, *The Life and Times of Patuone: The Celebrated Ngapuhi Chief*, Auckland: J.H. Field, 1876, pp.34-35.

<sup>34</sup> W.B. Marshall, *A Personal Narrative of Two Visits to New Zealand in H.M.S. Alligator 1834*, London: J. Nisbet: 1836, p.20, cited in Byrne, p.26.

<sup>35</sup> Later Governor of New Zealand.

<sup>36</sup> Robert Fitzroy to Select Committee on the State of New Zealand, 11 May 1838, *British Parliamentary Papers, Colonies New Zealand vol 1, Sessions 1837-1840*, Shannon: Irish University Press, 1968, pp.161-162.



from the Te Horeke shipyard, near the Wesleyan mission at Mangungu. It set sail for Sydney on about 3 May. While negotiating the harbour reaches in a fog the vessel ran aground on a mud bank near Motukauri (near the Whirinaki River), where it stuck fast and was exposed by the receding tide. The Hikutu, a tribe described by Eliza White, wife of Wesleyan missionary William White, as 'a feeble tribe the worst characters in the river,'<sup>38</sup> plundered the ship.<sup>39</sup> During the affray Captain Wood, Stephenson and a number of the crew were beaten and bound, the ship's cabin robbed and the ship's Register stolen – possibly thrown overboard. A vivid description of the plundering was given by the *Sydney Gazette* on 4 July 1833:

The Schooner *Fortitude*, in sailing down the river for her destination, got on a mud-bank during a fog. She was hauling off, when some natives, who purposely came along side for plunder, commenced cutting the ropes at the belaying-pins. The master [Henry Wood], a courageous young man, was hastening to the cabin for his pistols, when he was seized, hurried forward, and bound with cords. Mr. Stephenson, the Supercargo, immediately came to his relief and he also was seized and tied. The natives attempted to throw the first officer overboard, but were prevented by one of the party who went to his succour. They then went into the cabin, which they plundered of whatever they could lay their hands on.<sup>40</sup>

News of this attack was conveyed swiftly overland to Clendon at Okiato. He sought the help of the Rev. William White of Hokianga to avert the tribal warfare that usually arose from such incidents. They appealed to Chief Moetara of Ngati Korokoro based at Pakanae across the harbour who, with his brothers, encouraged and protected European trade in their *rohe*. During Moetara's attempts to retrieve the stolen property, his brother and sister were killed and fighting at Motukauri quickly escalated. A number of Maori were killed on both sides, including the principal chief of Hikutu who had plundered the *Fortitude*.<sup>41</sup> Fortunately, on the day this fighting occurred, the *Fortitude* was refloated on an incoming tide and sailed out of the Hokianga harbour, headed for Launceston, Tasmania. In spite of the danger and excitement the crew, cargo and passengers on the ship were unharmed, and the vessel arrived safely in Launceston, where oats, wheat and potatoes were loaded for Sydney.<sup>42</sup> It was business as usual for the partnership.

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<sup>37</sup> The ship's commercial agent, responsible for procuring, loading and discharging its cargo.

<sup>38</sup> Journal of Eliza White, Book IV, 27 April 1833, MET 011 Series 2/8, Kinder Library, St. John's College, Auckland; J. S. Polack, *New Zealand: Being a Narrative of Travels and Adventures during a Residence in that Country Between the Years 1831 and 1837*, 2 vols., Vol.2, London: Richard Bentley, 1838, p.50.

<sup>39</sup> See footnote 15, Chapter Two.

<sup>40</sup> *Sydney Gazette*, 4 July 1833; Journal of Eliza White, Book IV, 31 August 1833

<sup>41</sup> Byrne pp.18-19; Davis, pp.34-35, 69; *Sydney Herald*, 17 April 1834.

<sup>42</sup> *Sydney Herald*, 18 July 1833; I. H. Nicholson, *Shipping Arrivals and Departures*, 2 vols, Vol 2, *Sydney 1826-1840*, Canberra: Roebuck Society, 1977, p.100; Byrne, p.19.

The success of Chief Moetara's actions resulted in a general peace being proclaimed by the Chiefs of the tribes near Hokianga.<sup>43</sup> This allowed trade to continue, which was of course beneficial to Clendon and other European traders. Moetara was rewarded with a commendation and expensive gifts from the Tasmanian governor to mark the significance of the peace, and he marked the occasion with a feast to which he invited all his Europeans friends living around the harbour.<sup>44</sup>

An unfortunate result of the incident, however, was that the *Fortitude's* Register and other papers were not among the stolen goods recovered. This situation demonstrated the inter-dependence of peoples living and trading at opposite ends of the world. George Clendon recorded that the ship 'sailed subsequently under a Certificate from the Customs at Sydney, N.S. Wales'.<sup>45</sup> But although some goods were returned – Clendon estimated his losses at £100 – it was unlikely that the ship's owners, George Clendon and Samuel Stephenson, could have claimed insurance for these losses as the ship had lost its formal proof of British registration.<sup>46</sup> Without formal evidence of a ship's country of registration, shipowners meeting with misfortune in other parts of the world were denied access to legal restitution from their European centre.

In spite of this early mishap the partnership prospered. Among their new customers was British Resident James Busby, who arrived at the Bay of Islands in 1833. In November 1833 the *Fortitude* transported a large quantity of bricks and shingles from Sydney for Busby's house at Waitangi. Busby's shipment included two horses and a mule and earlier in the year he purchased a canoe and timber from the Okiato yard.<sup>47</sup> Demand for goods from the Okiato store was obviously strong. In November the *Fortitude* transported ironmongery, hardware, ship's chandlery, foodstuffs, cloth, soap, blankets, haberdashery, shoes, leather, liquor, tobacco and agricultural produce to Okiato.<sup>48</sup>

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<sup>43</sup> *Sydney Herald*, 17 October 1833.

<sup>44</sup> *Sydney Herald*, 17 April 1834

<sup>45</sup> Statement by George Clendon, 'Material Relating to Fortitude 1837', NZMS 849, James Reddy Clendon Papers, APL.

<sup>46</sup> Journal of Eliza White, Book IV, 4 May 1833.

<sup>47</sup> *Sydney Herald*, 11 November 1833; Nicholson, *Shipping Arrivals and Departures*, Vol 2, p.103; 'James Busby's Account Book', NZMS 168, 169, Chapelli, Albert Bygrave, comp., APL.

<sup>48</sup> *Sydney Herald*, 11 November 1833; Nicholson, 1977, p.103.

Clendon and other agents' shipping services were important in maintaining wider links between communities in the Australian colonies and New Zealand. Erik Olssen's assertion that various settlements in New Zealand were linked by communication and trade only after 1870<sup>49</sup>, does not take into consideration the role shipping played in maintaining such links during New Zealand's earliest European settlement. Similarly, Miles Fairburn's assertion that New Zealand society was 'atomized' and comprised isolated groups whose individuals who were probably 'socially isolated by the effects of geographical mobility' looks only at the later part of the nineteenth century.<sup>50</sup> New Zealand's earliest European settlements were coastal; family news, British and Australian newspapers and current affairs were easily relayed by shipping. Ship's captains played a vital role in keeping the colonies and the New Zealand settlements informed of the whereabouts of other vessels trading in the area. The *Fortitude's* captain and other ship's captains recorded the number of ships in their port of departure and 'spoke' to other vessels they passed at sea, gathering information to deliver by memorandum on arrival at the next port. 'Shipping intelligence' from New Zealand was an important feature in the Sydney newspapers as it kept colonists up-to-date. Captain Henry Wood of the *Fortitude* was once publicly taken to task by the *Sydney Herald* in 1834 for 'having mislaid his [shipping] memorandums' and being unable to supply any shipping information from the Bay of Islands.<sup>51</sup>

#### Clendon and the missionaries – a policy of reciprocity - Missionary charters 1833-1834.

Clendon was careful to nurture good relationships with missionaries in the north. From the time of his first voyage to New Zealand Clendon required their expertise and assistance. Good relationships with missionaries were, therefore, vital to Clendon's personal and economic wellbeing.

The missionaries at the Bay generally held themselves aloof from the other European inhabitants of Kororareka, where drunkenness and prostitution prospered.<sup>52</sup> But useful new settlers like Clendon, from a middle class background similar to their own,

<sup>49</sup> Olssen, E. 'Social class in nineteenth century New Zealand' in D. Pitt (ed.), *Social Class in New Zealand*, Auckland: Longman Paul, 1977, pp.22-41.

<sup>50</sup> Miles Fairburn, 'Local Community or Atomized Society? The Social Structure of Nineteenth Century New Zealand, *New Zealand Journal of History* 16:2 (1982), p.158.

<sup>51</sup> *Sydney Herald*, 3 March 1834.

<sup>52</sup> Lee, *The Bay of Islands*, pp.118-119.

were welcomed.<sup>53</sup> Their relationships were reciprocal and missionaries proved a good source of business. On his return to New Zealand in 1832, Clendon brought Henry Williams some seeds, which were promptly planted at the Paihia mission. Williams in turn, assisted Clendon to finalise purchase of his land at Okiato and Manawaora. As noted earlier, Okiato carpenters built Williams a new boat for the mission.<sup>54</sup> In 1834 or 1835 Clendon supported Henry Williams when the CMS, planning a ministry to the inhabitants of Kororareka, commenced building a church at Kororareka. He gave £10, the highest and most generous donation recorded for the cause.<sup>55</sup>

This fostering of mutual goodwill and trust between missionary and merchant led within two years to CMS and Wesleyan missionaries chartering the partnership's vessels. Clendon profited from Missionary expansion to new sites south of the Bay of Islands and Hokianga.

In December 1833 and March 1834 CMS missionaries chartered the *Fortitude* for the purpose of establishing a new station at Puriri, near Thames. During its first voyage about 40 Maori were on board ship en route to various places. Among them were a Ngati Porou chief and other exiles displaced during inter-tribal squabbles on the East Cape, whom William Williams had undertaken to return to their tribe at Hick's Bay.<sup>56</sup> The second voyage transferred two more missionary families to Puriri, having first sailed to Sydney to load furniture, glass for windows, household effects and food supplies for the station.<sup>57</sup> Wesleyan missionaries from Hokianga chartered the *Fortitude* in November for a voyage to a new station at Kawhia.<sup>58</sup>

Between these missionary charters, the vessel undertook five more trading voyages between New Zealand and Australia. After the Wesleyan charter, the *Fortitude*

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<sup>53</sup> Both Henry and his brother William Williams were ex-naval men, who would have related well to the Clendon family's maritime background.

<sup>54</sup> Rogers, *Williams Journals*, pp.258, 269.

<sup>55</sup> 'Early Subscriptions to build the church at Kororareka' in *Christ Church, Kororareka, Russell, Bay of Islands*, n.p. 1997, last page.

<sup>56</sup> F. Porter (ed.), *The Turanga Journals 1840-1845: Letters and Journals of William and Jane Williams Missionaries to Poverty Bay*, Wellington: Victoria University Press, 1974, pp.54-55; William Williams, *Christianity Among the New Zealanders*, London: Seeley, Jackson & Halliday, 1867, pp.162, 172; *CMS Record*, 1834, vol. V, p.255, cited in Byrne pp.22-23.

<sup>57</sup> Byrne, p.26; *Sydney Herald*, 3 March 1834.

<sup>58</sup> The following year White acted as an interpreter in a dubious land transaction by Thomas Mitchell, a Sydney merchant who purchased a large tract of land from Maori residing at the Manakau harbour. He was eventually disgraced and forced to resign from the Wesleyan mission as his position of influence there had enabled him to acquire large tracts of land from Maori at Hokianga. See Byrne, pp 44-47 & footnote 84.

returned to its Sydney run in December 1834, where a new master, Captain Richard Mackay was employed to take charge of the vessel. At the Bay of Islands, Thomas Wing left to take command of the partnership's newly built coastal trader *Fanny*.<sup>59</sup>

Within two years, both vessels were lost: the *Fortitude* a victim of piracy, the *Fanny* shipwrecked.

#### The *Fanny* – 1834-1836.

The profitable trading voyages between New Zealand, New South Wales and Tasmania, coupled with missionary charters, gave the Clendon/Stephenson partnership a reasonable share of business generated by the needs of settlers at the Bay of Islands and Hokianga.<sup>60</sup> In 1834 the partnership added a new boat to their fleet. George F. Russell, of Hokianga's Te Horeke shipyard built them a single decked, 41 ton schooner, 14.3 metres long and 4.3 metres wide. The vessel was named *Fanny* (possibly after Clendon's daughter Ellen Frances [Fanny],<sup>61</sup> who would have then been four years old).<sup>62</sup> Being a New Zealand built ship the *Fanny* first required official certification in Sydney.<sup>63</sup>

#### The *Fanny* and the New Zealand Flag

The *Fanny* was one of the earliest New Zealand built ships to receive a New Zealand registration and to fly the New Zealand flag. This ensign on New Zealand ships symbolised that the ship was licensed by Australian port authorities to hold a New Zealand registration.<sup>64</sup> This was important to the Clendon/Stephenson partnership as it meant the *Fanny* could enter Australian ports without penalty.

From 1829 to 1835 ships built in New Zealand sailed without a register as New Zealand was technically an independent territory. This caused problems for New Zealand built vessels as they were liable for seizure in Australian ports, and in addition, as they

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<sup>59</sup> Byrne, p.29.

<sup>60</sup> 'James Busby's account book', for instance, discloses various transactions with the partnership between 1833-1835, including having his boat repaired and purchasing timber.

<sup>61</sup> The writer's great-great grandmother. Fanny Clendon was born in London on 9 October 1831 and would have been less than one year old when the Clendon family returned to New Zealand in 1832.

<sup>62</sup> Byrne, pp.33-34.

<sup>63</sup> See Illustration 3: *Fanny* c.1834.

<sup>64</sup> Claudia Orange, *The Treaty of Waitangi*, Wellington: Allen & Unwin/PortNicholson Press, 1987, p.19.



were not British ships, they were treated as foreign and liable for an additional five percent customs duty. A case in point was the Hokianga built *Sir George Murray*, which was seized by Sydney customs in November 1830 and her cargo impounded. The situation improved in January 1832, when under a legal ruling given in Australia, New Zealand built ships were entitled to trade between New South Wales and New Zealand, or within New Zealand waters. However, as New Zealand was not a British possession, locally built ships were not entitled under the Registry Act to receive a British Registry or carry a British flag. This situation was improved early in the tenancy of newly appointed British Resident James Busby, when he decided in 1834 that New Zealand should have its own distinctive flag.<sup>65</sup> In a pragmatic move, possibly designed to encourage a united Maori collective for the purpose of maintaining law and order in the north, he invited leading chiefs in the area to select the flag from a number of ensigns present. They chose a white flag with a red Saint George's cross. In its upper left-hand corner was a blue background with a red cross and four white stars. Vessels flying this flag were given the same duty-free entry at Australian ports as British and colonial shipping. The flag's significance was increased through flying it on-shore. FitzRoy saw it flying on a headland at the Bay in 1835.<sup>66</sup>

Armed with her national flag, the *Fanny* under Captain Thomas Wing's command made three voyages to Australia. Her principal outward cargoes were timber, oil from whaling stations further south, and pork, potatoes and maize collected from Maori sites around the coast.<sup>67</sup> In 1835 Wesleyan missionaries chartered the *Fanny* to undertake a major voyage on their behalf to the Kaipara and Manukau harbours.<sup>68</sup>

<sup>65</sup> Orange, *The Treaty of Waitangi*, p.19.

<sup>66</sup> Ibid., pp.19-20. Note that law and order is discussed in a later chapter; C.O. Davis, p.74.; There is a copy of the flag in R.J. Barton, *Earliest New Zealand: The Journals and Correspondence of the Rev. John Butler*, Masterton: Palamontain & Petherick, 1927, next to p.404.

<sup>67</sup> Prior to the schooner's second voyage it sailed south to Thames and Tauranga, where Maori grew maize in abundance and where pork was usually plentiful. Gilbert Mair noted that by 1839 Tauranga was famous for its cured pork. On arrival in Sydney in October 1835, the *Fanny's* outward cargo comprised 500 bushels of maize, 3 hogsheads of pork, 2 hogsheads of sperm oil for Sydney Agent H. Bell, 17 barrels and 29 half-barrels and 8 quarter casks of gunpowder, 1 boat and 8 barrels of pork for the partner's principal Sydney agent Francis Mitchell, and for R. Duke [possibly the whaling captain] '2 cases of curiosities'. What the curiosities were is not explained. They may have been Maori artifacts as the importation of dried Maori heads into Australian ports had been forbidden by the Sydney authorities in 1831. The large amount of gunpowder is of more interest. Usually gunpowder was imported into New Zealand. Byrne suggests it may have been defective and was being returned. See *Sydney Gazette* 17/9/1835; *Sydney Herald* 16 February, 1835; 23 February, 1835; Byrne, 1991, pp.39, 42; J.C. Anderson & G.C. Petersen, 'Appendix B, Gilbert Mair's Pilot', in *The Mair Family*, Wellington: A.H. & A.W. Reed, 1956, p.311.

<sup>68</sup> Byrne, pp.57-66.



An indirect contribution of Clendon's shipping activities was the knowing of New Zealand by other Europeans. An important outcome of the *Fanny* and *Fortitude*'s voyages was Captain Thomas Wing's production of navigational charts for a number of hitherto uncharted northern New Zealand harbours.<sup>69</sup> The nature of contingency in Clendon's affairs was demonstrated when Clendon's fortunes faltered after Wing, a decided asset to the partnership, left.

#### Loss of the *Fanny* - 1836

The missionary charter to the Kaipara and Manukau harbours was the *Fanny*'s last journey. Wing was replaced for reasons unknown by a new and possibly less experienced master, Captain J. Rogers. En route to Sydney in May 1836 the ship was wrecked at Neutral Bay on the East coast. Fortunately all hands managed to get ashore safely and local Maori relayed the news to Clendon and Stephenson.<sup>70</sup> It was a severe financial blow for the partnership as in 1835 they had also lost their larger vessel, *Fortitude*.

#### Loss of the *Fortitude* 1835

The *Fortitude*, from December 1834 to October 1835 continued trading between New Zealand and Australia, and was again chartered by the Wesleyan mission to help found stations at Kawhia and Whaingaroa. Missionary charters were financially successful for the partnership as missionaries honoured their contractual obligations. However, honesty in business was not necessarily the outlook of other Europeans. Soon afterwards, in an action they were destined to regret, the partnership chartered the vessel to an individual named James Harvey, a self-described 'merchant' at Kororareka. Unfortunately, New Zealand, without formal governance to keep law and order, received its share of fraudsters, cheats and embezzlers; Harvey was one of them. It was an ill-considered arrangement that left the partnership at huge risk if all the parties to the agreement did not honour their obligations.

The *Fortitude*, Captain McKay master, sailed for Tahiti in late October 1835. On board were Harvey, Robert Cunningham as supercargo and an individual named

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<sup>69</sup> See Wing's charts in Byrne after pp.36, 40, 45, 58, 59, 63 and 73.

<sup>70</sup> *Sydney Gazette*, 24 September 1836; *Sydney Herald*, 26 September 1836; also see Byrne p.66.

Mitchener.<sup>71</sup> Harvey left in Clendon's possession deeds to about four acres of land at the south end of the beach at Kororareka, including Kaierara Island as security for the *Fortitude* and her cargo, which was valued at £1800.<sup>72</sup> As Harvey was later pursued by many creditors, it appeared that Clendon and Stephenson had made an appalling error of judgement.<sup>73</sup> They were never to see their ship again.

The first public and dramatic news of the theft of the *Fortitude* came via reports in the *Sydney Gazette* and the *Sydney Herald* in December 1836 – one year later. The terms of the charter were quite clear: the *Fortitude* was to sail to Tahiti, the Sandwich Islands, then via Tahiti to Port Jackson. It was many months before the owners learned 'indirectly' that the vessel had been taken to Valparaiso (Chile) and sold for £4000 and was now sailing under Chilean colours. In the fourteen months since the vessel sailed from New Zealand, 'neither her owners, nor the agent in Sydney, have received any communication from either the charterer, or any other person in the vessel.'<sup>74</sup>

These reports were substantiated by correspondence between the Clendon family between 1836 and 1837. James Clendon learned the news from Robert Cunningham, supercargo on the on the ill-fated voyage. Clendon wrote at once to his father in England, who had already heard the news at the beginning of January 1837, but was awaiting his son's confirmation.<sup>75</sup> Upon receiving this, George Clendon wrote to John Clendon in London, urging him to take immediate steps to try and locate a member of the ship's crew who could provide a statement concerning the illegal sale of the *Fortitude*. The issue at stake was insurance for the ship. Without proof that the ship had been stolen, no insurance would be obtainable. Furthermore, the *Fortitude* no longer carried her British register – vital proof that it was indeed a ship built in Britain and therefore subject to British laws of recovery. John Clendon turned to the Thames police office for 'advice

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<sup>71</sup> N.G. & A.B. Stephenson, p.6.

<sup>72</sup> James Reddy Clendon, *Old Land Claims* 118, Archives NZ. A cottage built on this land was occupied by Clendon after 1840 for some years, and still exists today. It is next door to Pompallier House. The land was originally sold in December 1833 to Robert Cunningham by Chief Rewa, 'with the consent of the Chiefs and the principal men of my tribe' for a double barrelled gun, a cask of gunpowder and 500 percussion caps, valued at £8 to £10. Cunningham erected a small house on the land and later transferred the property to John Ritchie, who then sold it to James Harvey for £100 in March 1835. Clendon may have regarded the land as valuable as it fronted on to the bay and thought he had made a good bargain that would appreciate in value over time; he may have received some other form of payment as well, but unfortunately no record exists of the actual deal.

<sup>73</sup> *Old Land Claims* 118.

<sup>74</sup> *Sydney Herald*, 19 & 22 December 1836.

<sup>75</sup> Mary Clendon to James Clendon, 23 March 1837, NZMS 788-788A, Clendon, Mary Parson 1815-1849, APL.

and assistance'. His efforts met with success; he wrote to his brother James that 'after the hardest days work I ever did, I have succeeded in finding the steward or Cook of the *Fortitude* at the time she was sold'.<sup>76</sup> Time was of the essence as the steward, John Thompson, had signed on as cook of a West Indiaman vessel loading for Trinidad and was expected to sail within the week. John Clendon wasted no time in obtaining a statement.

Thompson declared that the *Fortitude*, prior to leaving New Zealand had undergone repairs to her bow and foremast at the Bay of Islands, but the bows still leaked. However, the vessel was seaworthy as it sailed to Hokianga, 'took in spars – American rock gin [sic] and some cases of clothing' and returned to the Bay of Islands, where the ship took in stores and water. There the charterers joined the ship. The vessel sailed to Tahiti, where it took in provisions for the crew, but within a few days of leaving Tahiti, the captain altered the ship's course for an unknown destination. On Christmas Day, after a long passage, during which the crew became very short of provisions (at one stage subsisting on peas) and water, the *Fortitude* reached Valparaiso, Chile. On arrival the ship was apparently still leaking and Harvey sold the cargo, worth in Thompson's opinion at least £500, to pay for repairs worth only £100 to £150. Soon afterwards, in spite of Captain Mackay's request to write to Clendon for money, Harvey, claiming he still had insufficient funds for repairs, ordered the ship to be sold to a Valparaiso merchant called Lyons. Involved in the affair was the captain of an American ship *New York Packet* from the Port of London, who helped to condemn the ship. The same captain had refused to take a letter from McKay to Clendon. Thompson estimated that Harvey made £1000 by the sale. The seven original crew members were paid off, receiving 'about £25 in wages and 18 dollars compensation each for the loss of 3 months wages'. Thompson also reported a grim fact that was to have serious consequences for the partnership: The ship had no registration papers on board.<sup>77</sup>

The ship's first mate, Mr. Bennet and Captain Mackay did not return to England from Valparaiso until about January or February 1836. It was unfortunate for the Clendon family that they had been unable to get a statement from Captain McKay, as it

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<sup>76</sup> John C. Clendon to George Clendon, 16 January 1837, NZMS 819 Clendon, J. R. Correspondence 1830-1846, APL.

<sup>77</sup> 'Statement by John Thompson in J.C. Clendon to George Clendon, 16 January 1837', NZMS 819, Clendon, J. R. Correspondence 1830-1846, APL; Unauthored statement in 'Papers Relative to "Fortitude"', undated, NZMS 849, James Reddy Clendon Papers, APL.

seems likely that Harvey had a deal arranged with the captain of the *New York Packet*. The latter's refusal to take a letter to Clendon asking for more funds suggests that these men saw an opportunity to dispose of the ship and pocket the proceeds. Unravelling the events given in Thompson's statement, it appears that Harvey had the ship condemned with support from the captain of the *New York Packet*, and was then in a position to purchase it for about £6,000 and resell it immediately to Lyons for £7,000. These large sums of money far exceeded the original cost of the vessel (£950 in 1832), particularly as Harvey had already sold the cargo for £500. Either, as the ship was a pirated vessel the risks to both sellers and purchasers if the deal was ever brought before the British courts were high, or, Thompson was a somewhat unreliable witness, particularly in terms of the finance involved. A further possibility is that the currency discussed was Chilean 'pounds' and not British pounds. However, if Harvey made a profit of £1000 as Thompson swore, that amount plus the sale of the cargo was approximately equal to the worth of the ship and its cargo before it left New Zealand (£1,800 as Clendon declared in 1841). The problem for the New Zealand partnership was that they did not receive a penny of it.

It was also unlikely that the *Fortitude* was eligible for an insurance claim. Although George Clendon had paid £36 to renew the insurance in good faith in May 1836, he and Stephenson were unlikely to receive compensation without being able to produce the ship's original British register for the insurance assessors.<sup>78</sup> The ship had continued sailing under the earlier noted Certificate of Customs issued at Sydney, but this was most likely on board the vessel when it was sold to Lyons. In addition there were other costs associated with the *Fortitude* that James Clendon, apparently, had not yet met, including interest on his mounting debt to his father. By the end of 1836 the total costs associated with the *Fortitude* amounted to £2,978. 1s. 6d.<sup>79</sup> It was a dire situation for all concerned.

Approaches to the British Foreign Office in London by the Clendon family for information concerning the condemnation and sale of the *Fortitude* were apparently fruitless. John Clendon's private correspondence indicated that theft of a family ship was a new experience. He recorded in his journal how best to approach his mission; whether to

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<sup>78</sup> Mary Clendon to James Clendon, 23 March 1837, NZMS 788-788a Clendon, Mary Parson 1815-1849, APL. The insurance payment is included in a list of expenses relating to the *Fortitude* in 1836 written on the reverse side of this letter.

<sup>79</sup> Ibid.

approach a solicitor and prepare a formal statement of the case, or whether to make a simple statement of his own. He also wondered whether the sale of a ship without her register was a 'bona fide sale', and whether, if a ship was condemned and then sent back to sea within a given time afterwards without substantial repairs having been completed, it was liable to seizure by the original owner 'whenever and wherever he may find her'.<sup>80</sup>

There is no evidence in the surviving papers of George Clendon's estate that any insurance was paid. Clendon's parents adopted a philosophical approach to the whole venture, having lived with the effects of their son's misfortunes for a number of years. Mary Clendon wrote to her brother James in 1837 that 'our dear Parents have borne the affliction with great composure and fortitude'. They were apparently more concerned with their son's anxiety over the loss than their own.<sup>81</sup>

#### The Clendon/Stephenson Partnership dissolves

With the combined loss of the *Fanny* and the *Fortitude*, the main maritime basis for the Clendon/Stephenson business activities was destroyed. The partnership suffered a substantial blow from these losses. Evidence suggests, however, that there were already cracks in their relationship, some of which may have been caused by animosity between Stephenson and Clendon's wife Sarah. Stephenson wrote to his brother-in-law Richard Jones in 1833 to say he was building himself a new house 'to be boarded and shingled' and 'delightfully situated within five minutes walk from the Stores', which would enable him 'to get out of the way of a disagreeable female high in office in our establishment, "Mrs. C"'.<sup>82</sup> On another occasion he wrote 'Mrs. Clendon and me were at variance as usual'.<sup>83</sup>

Other cracks existed through pressure from the Stephenson family in England on George Clendon to repay debts owed to them by his son. These pressures were indicative of the financial constraints English merchants faced in a commercial sphere based on the constant circulation of credit: Merchants relying on trading ventures on the other side of

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<sup>80</sup> Journal entry J.C. Clendon (undated) re visit to Foreign Office, 'Material relating to Fortitude', NZMS 849, James Reddy Clendon Papers, APL.

<sup>81</sup> Mary Clendon to James Clendon, 23 March 1837, NZMS 788-788A, Clendon, Mary Parson 1815-1849, APL.

<sup>82</sup> S. Stephenson to Richard Jones 20 June 1834, MS 91/41, F.2/2, Jones Richmond Papers 1818-1861, AML. Also at WTU under MS-Papers 4308-2, Jones, Richard H.

<sup>83</sup> S. Stephenson to Richard Jones, 1 February 1834 MS91/42.F.2/1, AML.



the world were often forced to keep their creditors waiting. One such example involved a debt incurred in 1832 prior to Clendon's emigration to New Zealand in the *Fortitude*. He had promised to repay a debt to Stephenson's agents 'when the Missionary Society's freight was received'.<sup>84</sup> However, by February 1833 two bills were still outstanding, as James Clendon had chosen without his father's knowledge to take '12 months credit'. George Clendon, obviously embarrassed by this, vowed to the agent that 'his son had left him in a state which sleeping and waking was alike distressing to him' and that he had no money to pay the firm.<sup>85</sup> The account was not settled until February 1834.<sup>86</sup>

Financial pressures appeared to be constantly at the heart of the Clendon/Stephenson venture. By 1836 they had lost two valuable ships and cargoes and this, combined with personal differences between Stephenson and Sarah Clendon, probably led inevitably to a partnership split some time during the years 1836 and 1837. Stephenson was fortunate that he had sufficient capital to set up a rival trading establishment at Tapeka, Russell (Kororareka) which cost him about £1,200.<sup>87</sup>

Clendon eventually received insurance for the loss of his New Zealand registered ship. He informed his parents in December 1840 that he had 'lately recovered £800 insurance on the Fanny'.<sup>88</sup> Unfortunately, it came too late. By that time, Clendon had sold his Okiato holdings to the government and gone out of business.

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<sup>84</sup> Some of the freight listed in the *Fortitude's* Accounts of 1832.

<sup>85</sup> R. Jones to Stephenson, 20 February 1833, MS91/42 Jones, Richmond Papers 1818-1861, AML.

<sup>86</sup> S. Stephenson to R. Jones, 1 February 1834, MS-Papers 4308-2, Jones, Richard H., WTU.

<sup>87</sup> Stephenson purchased two small blocks of land in 1836, 15 acres known as 'Rahiwai' at Tapeka beach, and about 15 acres at Tapeka headland, near the northern end of the present town of Russell (formerly Kororareka).<sup>87</sup> Stephenson lived on the Rahiwai block from the time of its purchase, a situation that the Stephenson family believe probably coincided with the severing of the Clendon/Stephenson partnership. Stephenson later moved into Russell, where he built a house, warehouse and wharf on the Strand, dealing mostly in whale products. It occupied the sections next to the present day 'Policeman's House'. During the 1850s he imported a small iron crane from England to lift barrels of oil and other goods to and from vessels anchored at the wharf. Its trolley lines ran the length of the wharf and across the road to his warehouse where the oil was stored. S. Stephenson, *Old Land Claims* 444/445, Items 215 and 215a, Archives NZ, cited in N.G. & A.B. Stephenson, pp.22-23. Also see S. Stephenson to Richard Jones, 20 December 1837, MS91/42.F2/1, Jones, Richmond Papers 1818-1861, AML.

<sup>88</sup> J. R. Clendon to George and Eliza Clendon, 21 February 1840, NZMS 819, Clendon J. R. Correspondence 1830-1846, APL.



### The Hokianga.

Early in 1838, now operating as a sole trader and in urgent need of another ship with which to continue his shipping activities, Clendon ordered a new vessel from the Hokianga shipyard. Larger than the *Fanny*, the *Hokianga* was a 60 ton coastal schooner. Registered at Hokianga, it flew the New Zealand flag. From March 1838 until August 1839, the vessel sailed around the New Zealand coast for timber and produce.<sup>89</sup> However, misfortune again dogged Clendon's shipping ventures; the *Hokianga* was plundered at Thames. The *Sydney Herald* recorded the violent incident in April 1838:

By the *Buffalo*, we learn that a new schooner called the *Hokianga*, built by Mr. Clendon, at New Zealand, was entirely stripped of her cargo by a party of New Zealanders, while at anchor in the Thames. Previous to plundering the vessel, the savages seized the master and men and lashed them to the ring-bolts on deck.<sup>90</sup>

James Busby was pressed into service to try and recover the £200 worth of stolen goods. His efforts to secure a visit by Bay of Islands Maori to Thames to obtain compensation were unsuccessful, and all he could do was report the matter to the authorities in Sydney.<sup>91</sup> Little is known about the eventual fate of this vessel, as it disappeared from the historical record after arriving back at the Bay of Islands in August 1839. Byrne suggests that it may have been lost in a hurricane in April 1840, during which 38 boats were reported to have been lost in the Bay of Islands.<sup>92</sup>

### The Tokirau

At the end of the decade, Clendon and Gilbert Mair purchased and converted a damaged American whaleboat into a coastal trader. The *Independence*, a 318 ton whaler, was towed to New Zealand in March 1838 by a Captain Robert Milne, from Vava'u in the Tongan Islands, where it had been badly damaged in a hurricane in February 1837. Milne sold the whaler to Clendon and Mair for £1,000, of which price Clendon paid two thirds and Mair one third. They had the vessel repaired and fitted for the coastal timber trade. Under a new name, *Tokirau* (the Maori name for the Bay of Islands), the vessel was registered by Busby, flew the New Zealand flag, and was put under the command of

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<sup>89</sup> *Sydney Herald*, 16 April 1838; 20 September 1839; Byrne, p.72; Rees Richards & Jocelyn Chisholm, *The Bay of Islands Shipping Arrivals and Departures 1803-1840*, Wellington: Paremata Press, 1992, npn.

<sup>90</sup> *Sydney Herald*, 12 April 1838.

<sup>91</sup> E. Ramsden, *Busby of Waitangi*, Wellington: A.H. & A.W. Reed, 1942, pp.189-190.

<sup>92</sup> *Sydney Herald*, 10 April 1840.

Captain Thomas Wing. Newspaper shipping records indicate that its first voyage transported a cargo of spars to Chile.<sup>93</sup> On its return an individual named J. White chartered the vessel to take kauri timber to Sydney. Unfortunately, this was another unlucky charter. White had an argument with Clendon, who refused him credit for ten pounds of sugar. As a result White aborted the charter and dismantled the vessel. Wing and his officers left the ship, which, according to the *Sydney Gazette*, lay in the river 'ready to receive Baron de Thierry's prisoners on board'.<sup>94</sup> Just who de Thierry's 'prisoners' were in 1838 is open to speculation. A self-styled French baron, de Thierry had acquired 40,000 acres of land at Hokianga by 1835 and subsequently proclaimed himself an independent sovereign chief, a position he was prepared to establish by force. In November 1837 he arrived with colonists from Sydney and a military force recruited in Tahiti, causing considerable concern to European settlers and British Resident Busby. However, Hokianga chiefs subsequently repudiated de Thierry's purchase, granting him 800 acres, and his colonists and military supporters soon scattered.<sup>95</sup> The *Sydney Gazette* recorded that the vessel eventually returned to Okiato with a cargo of timber in December 1838.<sup>96</sup>

In March 1839 an acrimonious dispute between Clendon and Mair erupted over the *Tokirau*, which the partners had decided to refit as a whaler. At the heart of the dispute was the division of costs for the repairs, which amounted to 'upwards of £600'. Following innumerable delays, Clendon took the initiative and commenced refitting the ship for whaling himself as 'I cannot allow my interest in her to be any longer sacrificed'.<sup>97</sup>

Clendon's first whaling voyage to Cook Strait was unsuccessful<sup>98</sup> The vessel was again whaling in Cook Strait in 1839, after being sent to Kapiti Island for an experienced

<sup>93</sup> *Sydney Gazette*, 30 July 1838 cited in Wigglesworth, 1981, p.370; R. McNabb (ed.), *Historical Records of New Zealand*, vol.1, Wellington: Government Print, 1908, p.757.

<sup>94</sup> *Sydney Gazette* 16 September 1838.

<sup>95</sup> J.D. Raeside, 'Thierry, Charles, Philippe Hippolyte de', W. H. Oliver (ed.), *Dictionary of New Zealand Biography 1769-1869*, vol.1, Wellington: Allen & Unwin/Dept. of Internal Affairs, 1990, p.533.

<sup>96</sup> *Sydney Gazette*, 16 September 1838; Byrne, pp.73-74. Note that Byrne claims that J. White was the former Wesleyan missionary, William White.

<sup>97</sup> J. R. Clendon to Gilbert Mair 18 January 1839, NZMS 186 part I, Mair, Gilbert 1797-1857 Papers, APL; Mair to Clendon 25 January 1839; Mair to Clendon 15 March 1839; Clendon to Mair 29 April 1839; Clendon to Mair 29 April 1839, Typescript copies, MS Papers 0230-008 NZ Department of Internal Historical Affairs, WTU.

<sup>98</sup> *Sydney Gazette* 30 July 1838 cited in Wigglesworth, 1981, p.370; *Historical Records of New Zealand*, vol.1, p.757.

whaling captain and crewmen, but its success or otherwise is not recorded.<sup>99</sup> One of Mair's descendants claimed it was eventually broken up 'for the copper, which was sold along with the sales, spars rigging etc'.<sup>100</sup> This may be correct; Clendon wrote home to his mother in December 1840 that he was attempting to sell his ship so that he could pay a remittance to her.<sup>101</sup>

### **The social hierarchy at the Bay of Islands.**

Clendon, with education, expertise and capital backing, realised a social position in New Zealand largely unavailable to him in the structured society he had left behind in England.<sup>102</sup> His acceptance by missionaries and a few middle class settlers in northern New Zealand suggests that class was an important consideration for a number of Europeans settling in New Zealand prior to 1840. This raises some interesting historiographical questions about the way modern commentators view European social stratification in New Zealand settlement. James Belich suggests that there was no 'tight' class, as understood in Britain, but that class existed, albeit merged at the margins.<sup>103</sup> W.H. Oliver writes that from earliest settlement, common experiences banded settlers together in insulated local communities, engendering a process of local class integration.<sup>104</sup> Miles Fairburn disputes this, claiming that transiency prevented any sort of real social cohesion.<sup>105</sup>

Early nineteenth century settlement at Bay of Islands suggests that some social stratification clearly existed and was to some extent determined by standing before arrival in New Zealand. In New Zealand the Clendon's found two classes of European: the missionaries and a handful of middle-class settlers, and everyone else – or the European ex-convict traders, whalers, runaways, deserters at Kororareka and elsewhere, who made up the balance of the population. A man of Clendon's calibre, who displayed excellent

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<sup>99</sup> Harry Morton, *The Whales Wake*, Dunedin, University of Otago Press, 1982, pp.172-173; *Australian*, 9 April 1840.

<sup>100</sup> Mair History, MS Papers 0230-008, NZ Dept. of Internal Historical Affairs, WTU.

<sup>101</sup> *Sydney Gazette* 30 July 1838 cited in Wigglesworth, 1981, p.370. Richards & Chisholm, 1992; J.Lee, *The Bay of Islands*, 1983, p.243; Richards & Chisholm, 1992; *Australian* 9 April 1840.

<sup>102</sup> Philippa Wyatt, 'The Old Land Claims and the Concept of 'Sale': A Case Study', MA Thesis in History, University of Auckland, 1991, p.135.

<sup>103</sup> James Belich, *Making Peoples: A History of the New Zealanders From Polynesian Settlement to the End of the Nineteenth Century*, Auckland: Penguin Books (NZ), 1996, pp.321-322.

<sup>104</sup> W. H. Oliver, *Towards a New History?*, 1969 Hocken Lecture, Dunedin, 1971 pp.19-20, cited in M. Fairburn, 'Local Community or Atomised Society?', *New Zealand Journal of History*, 16:2 (1982), p.147.

<sup>105</sup> Fairburn, pp.146-165.

manners, a hospitable disposition and good connections 'at home' was bound to be accepted into the middle class enclaves at the Bay of Islands. His acceptance was not so much on property and landed wealth as on respectability, education, good manners and even personality. Furthermore, the type of 'loose' class arrangements Belich suggests are demonstrated by Sarah Clendon's rising importance in her community. Through her kindness and sometimes hard-headed support for Clendon's business aspirations, Sarah rose above her humble and somewhat obscure origins to become a woman of respectability and high social standing.

What is unusual about the New Zealand landscape prior to the 1840s is that each class of settlers kept to themselves. Ormond Wilson, in *Kororareka and other Essays*, notes that the pattern of settlement around the Bay of Islands appeared by 1833 to have 'organised itself on the basis of English class distinction of the homeland'. Kororareka at the time appeared to correspond to the English equivalent of 'lower parts' inhabited by 'the lower orders'.<sup>106</sup> Facing Kororareka, Clendon, Mair and other conservatives had settled at various points around the Bay.<sup>107</sup> These merchants, the missionaries at Kerikeri, Paihia and Waimate and Busby at Waitangi, each with their own self-contained colonies, represented a class similar to the elites in New South Wales.

Education was an important aspect of a middle-class upbringing and this raised difficulties for the Clendons. The first two years after their arrival in New Zealand they turned to family and friends in Sydney as a means of educating their children. The availability of suitable tutors in New Zealand was limited. The Clendons had the services of an individual named Rogers for a short period during 1834.<sup>108</sup> Three of the Clendon children were later educated with three of the Mair children at a school-house built by Gilbert Mair at Te Wahapu. Their tutor, John Fogan of New York, returned to America in 1838.<sup>109</sup> Unlike the missionary women stationed at Paihia, Jane and Marianne Williams, Sarah appeared to have little education of her own to pass on to her children, a fact noted

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<sup>106</sup> Ormond Wilson, *Kororareka and other Essays*, Dunedin: John McIndoe, 1990, pp.81-82.

<sup>107</sup> Ibid., pp.81-82.

<sup>108</sup> Markham, p.63. Rogers was a fellow shipmate of Edward Markham, who voyaged to New Zealand on the *Brazil Packet* from Australia in February 1834 and shared a 'skilling' (sleepout) with Rogers for a few weeks when he visited him at Okiato in July 1834. Rogers may have been training as a ship's first mate, and was possibly the young Englishman who captained the partnership's new schooner *Fanny* on her fateful voyage into obscurity in 1836.

<sup>109</sup> J.C. Andersen & G.C. Petersen, *The Mair Family*, Wellington: A.H. & A.W. Reed, 1956, pp.29-30, 84.

by Sarah Mathew, a visitor to New Zealand in 1840.<sup>110</sup> The only European-run school in the area was the William's missionary school across the bay at Paihia, which catered for Maori children. The missionaries also educated their own numerous children, rather than send them to school in Sydney. Henry Williams summed up their general aversion to Sydney life:

The best class of society is degraded in the extreme with very few exceptions, and even those families where religion is professed are so loose in their ideas of propriety that I could not on any account entrust a child in whom I had an interest even to visit any one of them for a single month.<sup>111</sup>

As noted earlier, the Clendon family appeared to have a more robust and tolerant view of life and pragmatism was probably the paramount factor in their early decision to have their children educated in New South Wales, where Sarah had family and friends. In 1834 she travelled to Sydney to leave her eldest two children, James and Eliza, to be educated with friends and family records suggest that her fourth child, Mary Parsons Clendon, was borne in Sydney in September that year.<sup>112</sup>

#### Sarah Clendon's role – a 'colonial helpmeet'.

Clendon's efforts to establish himself as a leading merchant at the Bay of Islands were supported by his wife Sarah, whose courage and tenacity helps to explain Clendon's position and deserves some recognition. In 1832, while Clendon was on his first voyage from New Zealand to Australia in the *Fortitude*, his wife Sarah stayed behind with their children. Her first experience of living at the Bay of Islands was frightening. While her husband was absent, Henry William's called on her as she 'was much alarmed at the number of Europeans prowling about'.<sup>113</sup> He called again on 7 November 1832, when

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<sup>110</sup> Sarah Mathew's Diary, 19 March 1840, in J. Rutherford (ed.), *The Founding of New Zealand: The Journals of Felton Mathew, First Surveyor-General of New Zealand and his wife 1840-1847*, Dunedin/Wellington: A.H. & A.W. Reed, 1940, p.95. Sarah and Felton Mathew's involvement with the Clendon family is discussed further on.

<sup>111</sup> Caroline Fitzgerald (ed.), *Letters from the Bay of Islands*, Auckland: Penguin Group (NZ), 2004, pp.186-187.

<sup>112</sup> S. Stephenson (Okiato) to R. Jones (London), 20 June 1834, MS91/42. F2/2, Jones, Richmond Papers 1818-1861, AML, Ryland Clendon, *The Clendons: Five Hundred Years of the Clendon Family. An Illustrated History*, U.K., Malvern Wells: Harold Martin & Redman, 1997 p.202.

<sup>113</sup> Rogers, *Williams Journals*, p.260.



Sarah was 'in difficulties'.<sup>114</sup> The difficulties were not surprising. By this date Sarah Clendon had three young children, James who was five, Eliza who was two, and Ellen Frances (Fanny) born in London, a one year old baby. Left to cope with three young children, with probably no more than a nursemaid to assist her in what was proving a dangerous new environment, Mrs Clendon's anxiety can only be imagined. It was a situation far removed from the position of status and security she and her husband would attain by the end of the decade.

Clendon became involved in local politics soon after his arrival in New Zealand. In particular he showed an interest in any public moves that were likely to provide protection or support for his growing business and his growing family. He was fortunate that both he and his wife Sarah were generous and hospitable people. It is likely that Clendon continued the sailing officer's tradition of keeping a 'good table' at his new home at Okiato. The Clendons developed good relationships with missionaries and other settlers in the Bay of Islands and Hokianga, while providing a seemingly endless 'open house', offering hospitality to visiting officers of naval vessels and whale ships, missionaries and others, apparently without favour. The couple also appeared to be on good terms with their chiefly patron, Pomare, whose pa at Otuihu was a short boat ride across the river. These relationships were important in terms of the Clendon's survival in New Zealand. Without an established framework of laws, governance or social standards, successful trading and personal relationships depended to a great extent on the personalities and attitudes of the people involved.

Furthermore, Europeans in a new and challenging environment could select or reject attributes and social distinctions from their former societies as they found expedient. Sarah Clendon's life as a wife and mother in New Zealand's raw frontier may have typified the idea of 'the colonial helpmeet', a woman who was required to take on a far wider range of responsibilities than an English woman 'at home'.<sup>115</sup> Frontier wives had to be resourceful, strong-minded and at times hard-headed. Sarah, whose own correspondence is absent from historical records, had an opportunity to be a person of note in her new environment and she appeared to embrace her new role with enthusiasm.

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<sup>114</sup> Rogers, *Williams Journals*, p.263. The expression 'is in difficulties' could have referred to a miscarriage.

<sup>115</sup> Raewyn Dalziel. 'The Colonial Helpmeet: Women's Role and the Vote in Nineteenth-Century New Zealand', *New Zealand Journal of History*, 11:2 (1977), p.112.



Sarah Mathew, who joined her husband Felton Mathew in 1840 when he travelled to New Zealand with other officials as Surveyor-General to Lieutenant-Governor William Hobson, recorded that on arrival at the Bay of Islands they 'were received with the greatest kindness and hospitality' at the Clendons. Mrs Clendon may have appeared a little uncouth, but she was 'a very kind sort of good creature', whose 'trouble with her guests was much increased by a cross, screaming babe of 4 months old.'<sup>116</sup> Sarah Clendon did her best to observe the proprieties of middle class elegance, making the most of her limited resources:

I cannot say much for her refinement or education; yet she has all the comforts and many of the luxuries of civilised life about her, the house is very neatly finished and seems well furnished, there is a splendid piano by Broadwood in the drawing room, but so woefully out of tune that it is quite impossible to touch it. We drank tea from splendid china served on a silver salver....There are also appearances of a garden, the first I have seen.<sup>117</sup>

A number of diaries and whaling logs referred to Mrs Clendon's hospitality; to her visitors and contemporaries she appeared kind, hospitable and a good homemaker.<sup>118</sup> As the Okiato establishment grew Sarah Clendon embraced the role of benefactress to the poor and needy, nursing sick sailors or taking in people that missionaries were not always willing to help and caring for widows.<sup>119</sup> Sarah, who by 1839 had six children of her own, is recorded as showing particular and impartial concern for other women and children living at the Bay or Hokianga.<sup>120</sup> She also encouraged her husband's relationship with his patron Pomare, educating visitors like the Mathews about the correct way to address the chief.<sup>121</sup> Through her actions Sarah achieved a social capital in New Zealand that may have been denied her in England's, or Australia's, more rigidly stratified society. At her death in 1855 at the relatively young age of 49, her obituary read:

Her death is universally and sincerely regretted, for her well known charity and disinterested benevolence have rendered her, for years, the beloved benefactress of the poor, the sick and the afflicted. Requiescat in pace!<sup>122</sup>

Together, the Clendons had established themselves among the elites at the Bay of Islands.

<sup>116</sup> See Sarah Mathew's Diary, in Rutherford (ed.), *The Founding of New Zealand*, pp.19-92, 95.

<sup>117</sup> Ibid., pp.93, 95.

<sup>118</sup> Ross Clendon, 'On the Trail of James Reddy Clendon', in Ryland Clendon, p.197.

<sup>119</sup> Robert W. Kenny (ed.), *The New Zealand Journal 1842-1844 of John B Williams of Salem, Massachusetts*, Salem: Peabody Museum/Brown University Press, 1956, p.90.

<sup>120</sup> Journal of Eliza White, 11 August 1835, Kinder Library St. John's College, Auckland; Rogers, *Williams Journals*, p.273. Hobbs Journal, Trinity MSS, February 23 & 25, March 6, 1838 cited in Ruth Ross Papers, MS 1442, Box 14, Clendon House, Rawene, Hokianga..

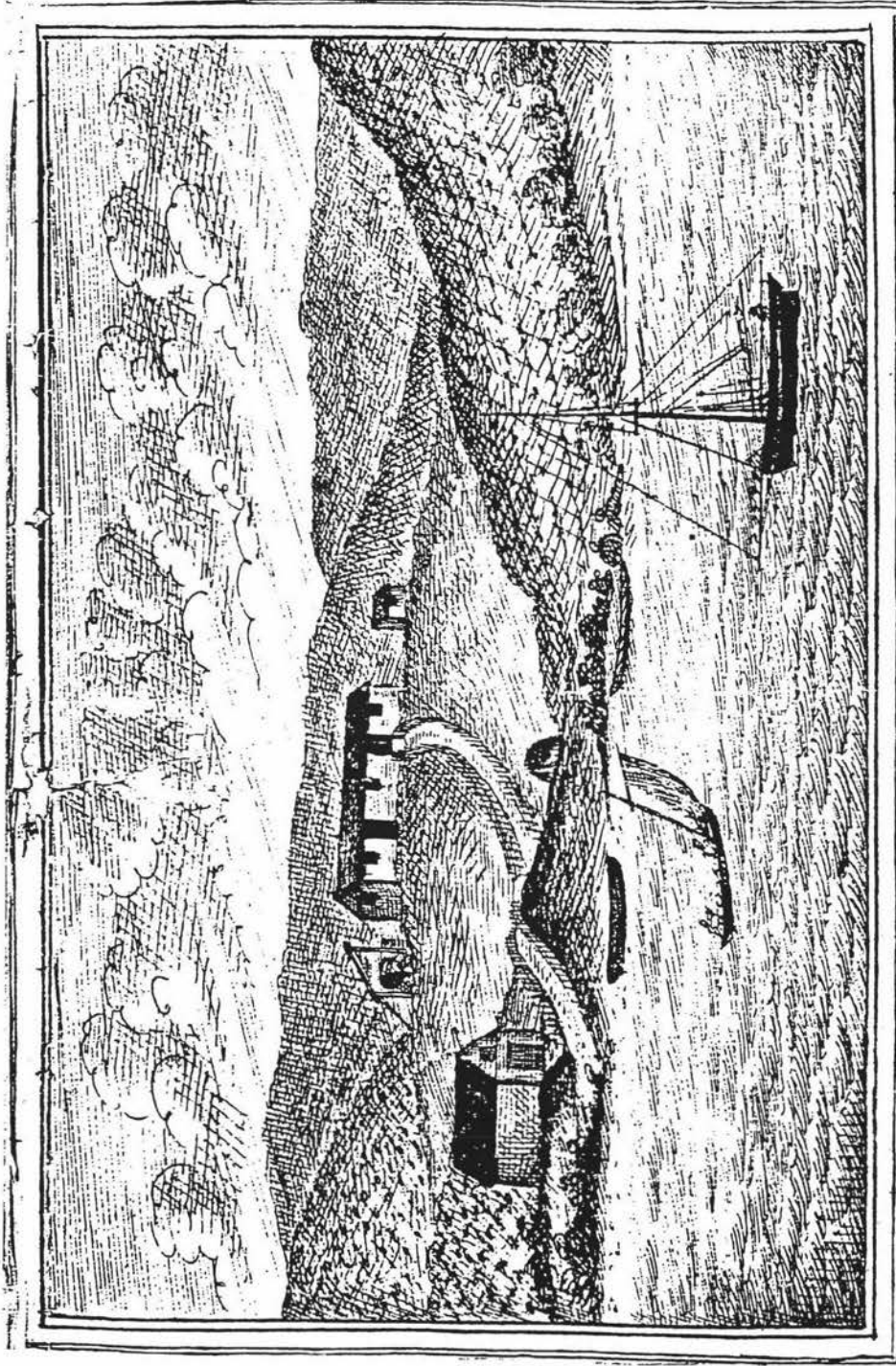
<sup>121</sup> Sarah Mathew's Diary, 6 April 1840 in Rutherford, (ed.), *The Founding of New Zealand*, p.105.

<sup>122</sup> Ross Clendon, in Ryland Clendon, p.197.

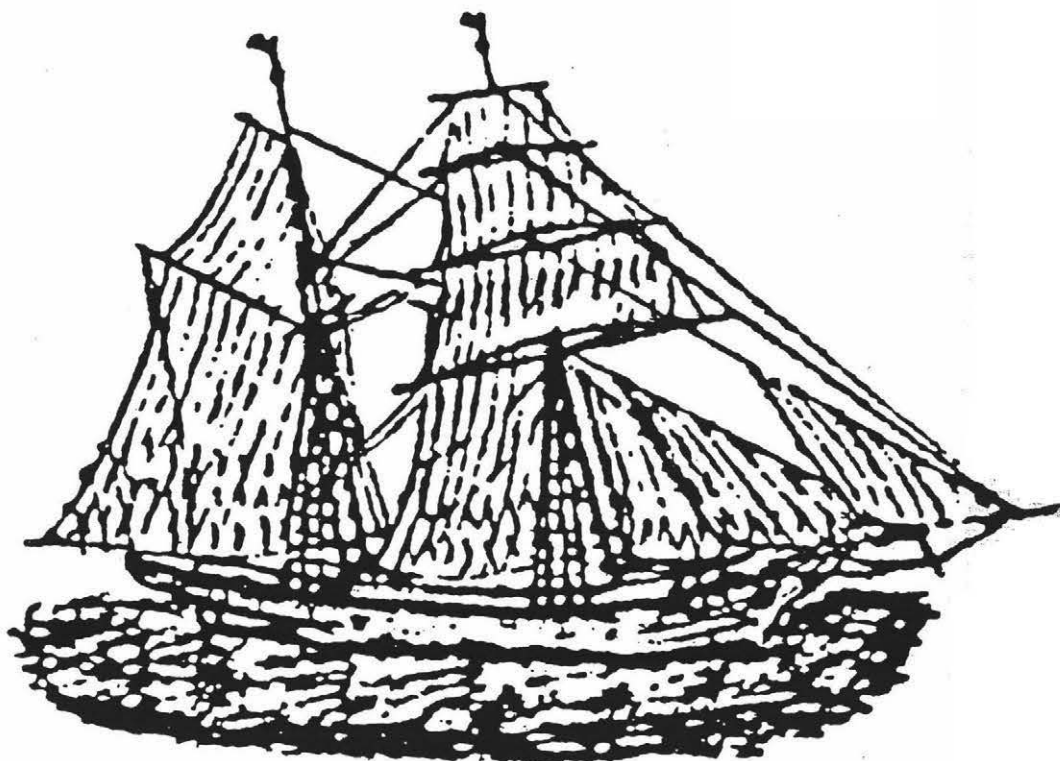


*Sarah Isabella Hill and James Reddy Clendon*

*1: Sarah and James Clendon c.1829.*



2: Okiato c.1832



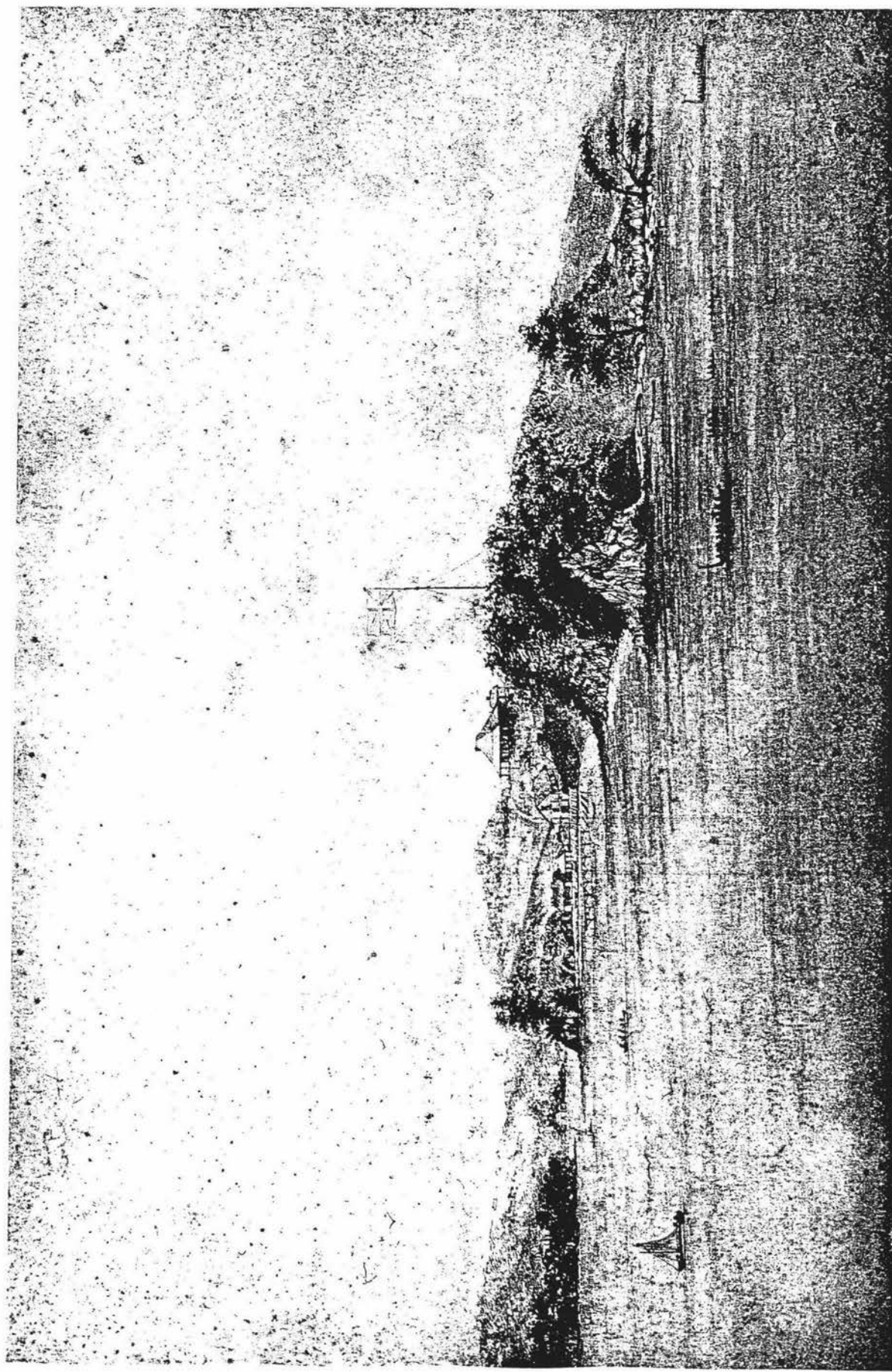
*The Fanny, drawn by Capt. Thomas Wing, 1836*  
(Courtesy: Auckland Public Library)

3: *Fanny* c.1834.



4: *James R. Clendon, United States Consul c.1839*





5: *Okiato 1840*

Felton Mathew's sketch of Government House, Russell, Bay of Islands, 6 April 1840, Hobson Album, WTU.





6: *James Reddy Clendon in old age*



7: *Photographic collage from research visit to Northland, 1993.*

The Bay of Islands Harbour from Okiato; The Okiato homestead site and garden well;  
Clendon's Manawaora homestead built c.1839 (author in foreground); Clendon's memorial stone, Wesleyan Mission churchyard, Mangungu, Hokianga harbour.

## **CHAPTER FOUR - Politics and change**

Before the end of the decade, Clendon had reached the zenith of his commercial prosperity and had considerable influence in the Bay of Islands, a position consolidated when he accepted the appointment of acting consul for the United States government. The trading stations of Clendon and Mair, Belich's 'merchant princes', remained the most important in the Bay until the arrival of Captain William Hobson, acting Lieutenant-Governor for the proposed new British colony of New Zealand. The ensuing events brought profound change to the lives of the residents at the Bay of Islands, and especially to Clendon.<sup>1</sup>

This chapter continues the theme of Clendon's entrepreneurial adaptability during the decade. It explores his financial position and his further land purchase at the Bay, his involvement in local politics and his acceptance of the position of acting American Consul. It demonstrates his skill at mediating between a number of important groups, and in positioning himself to deal with British annexation. Thus, his role in the Treaty of Waitangi is examined, particularly his influence with Maori. Finally, it discusses the factors surrounding Clendon's sale of his home and business at Okiato in 1840 to the newly founded British government in New Zealand.

### **Clendon's financial position**

One of the essential features of a frontier was that labour and much of the capital came from outside that frontier.<sup>2</sup> Clendon brought a number of tradespeople with him to New Zealand from England, and his father George invested about £7,000 in his son's mercantile ventures. Without this global umbilical cord, the trade of the British empire, and indeed the overseas trade of any northern hegemony could not have flourished.

Clendon's mercantile establishment in New Zealand, in spite of his shipping losses, appeared moderately prosperous. Since 1832 Clendon had repaid almost £4,500 in

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<sup>1</sup> Jack Lee, *The Bay of Islands*, Reprint, Auckland: Reed Books, 1996, pp.63-64; James Belich, *Making Peoples: A History of the New Zealanders from Polynesian Settlement to the End of the Nineteenth Century*, Auckland: Penguin Books (NZ), 1996, p.185.

<sup>2</sup> O. Lawrence Burnette, Jr. (ed.), *Wisconsin Witness to Frederick Jackson Turner: A collection of Essays on the Historian and the Thesis*, Wisconsin: Madison State Historical Society, 1961, p.6.

capital and interest to his father.<sup>3</sup> By 1838 he had purchased two new ships, more land adjacent to Okiato, and had begun developing his Manawaora property. In 1839 he purchased a further 5,000 acres at Mangawai. These were all indications that by the end of the decade Clendon had built up some capital of his own. It is a reflection of his entrepreneurial acumen, therefore, that he had repaid his father to such a considerable extent, while expanding his asset base in New Zealand. However, Clendon still owed his father money in 1839.<sup>4</sup>

Towards the end of the decade, the uncertainties surrounding New Zealand's political status saw Clendon begin to hedge his bets. By 1838 rumours that Britain was considering some kind of formal annexation of New Zealand increased. This spurred Clendon to position himself for a successful transition into a new regime and he took advantage of family connections in London. In July 1839 John Clendon wrote to Lord Normanby at Downing Street, offering his brother's services as an official in any proposed new government. The appeal was carefully worded:

My Lord,

Understanding that it is the intention of Her Majesty's ministers to establish a local government in the colony of New Zealand, I take the liberty of suggesting to your Lordship that my Brother Mr. James Reddy Clendon who has been some years a resident landowner in the Bay of Islands, carrying on a more extensive trade than any other merchant, and who from his high character and integrity possesses the friendship and esteem of the Missionaries & great influence with the native population – would be enabled to offer [sic] effective assurance to, and cooperate with, those officers Her Majesty's government may appoint to administer the affairs of the Colony. Of his willingness to be of service I feel confident as all his letters for a length of time have expressed the most sanguine [sic] wishes for the protection of the British Government & representing such a measure as the only thing necessary to render New Zealand all that man could desire.<sup>5</sup>

At the time the appeal drew a negative response.<sup>6</sup> However, it introduced James Clendon formally to the Colonial Office well before Normanby's instructions to William

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<sup>3</sup> 'Statement of Interest due to the Estate of George Clendon 31/10/1839'; 'Summary of Estate of George Clendon, 1 November 1839', Papers relating to the Estate of George Clendon, NZMS 849, James Reddy Clendon Papers, APL. Clendon's account books for his trading years at Okiato no longer exist. It is possible he took them with him to his farm at Manawaora after 1840, or that they were held at the Kororareka premises he acquired from James Harvey in 1837 and were lost during Hone Heke's war when the family fled to Auckland.

<sup>4</sup> 'Papers relating to *Fortitude*', Journal Entry *Fortitude*, NZMS 849, James Reddy Clendon Papers APL; Attached to letter Mary Clendon to J. Clendon, 23 March 1837, NZMS 788-788A, Clendon, Mary Parson 1815-1849, APL; Clendon Papers Series 9/3 NZMS 478 Okiato Papers, APL.

<sup>5</sup> J. C. Clendon to Marquis of Normanby 19 July 1839, NZMS 849, James Reddy Clendon Papers, APL.

<sup>6</sup> Lord Melbourne [sic] to Charles Clendon, 31 July 1839, NZMS 849, James Reddy Clendon Papers, APL.



Hobson in 1839 to annex New Zealand for the British government. Clendon, one of the elite Europeans at the Bay, probably met Hobson in 1837 when he spent a week there interviewing missionaries, traders and chiefs<sup>7</sup>. This may have influenced Clendon's subsequent approach to the Colonial Office, and his increased land purchases at the Bay.

### **Land aggregation, improvement and speculation**

The easy acquisition of Maori land that was a factor in his decision to settle in New Zealand, enabled Clendon to increase his landholdings in the Bay of Islands up to 1840 with a minimum of expense and without competition or interference. As noted earlier, he had found that land acquisition in the Australian colonies was subject to government regulations, price fixing and competition from the landowning classes. However, landed property owners formed the elite of British society, and also that of citizens in its colonies and Clendon may well have had 'aspirations...of becoming a wealthy pastoralist and a foundation member of New Zealand's landed gentry'.<sup>8</sup> Speculation in land was a feature of frontiers; settlers viewed land as the most permanent asset they could obtain – a form of insurance for a family's future. In New Zealand merchants as well as missionaries sought land on which to settle their children, especially their sons. As A.T. Yarwood suggested in *Samuel Marsden the Great Survivor*, 'the ruling passion for respectability [was] measured by landed property, and the concern of the newly rich to establish heirs in unchallenged affluence.'<sup>9</sup> There is little doubt that Clendon was thinking of his children's future when he acquired more land as after about 1840 the remnants of his landholdings were transferred over the next few decades into the names of his children.

Clendon added a further 80 acres to his Okiato holdings in November 1837, purchased from Pomare and two others, for gunpowder and other goods to the value of £28.15s.<sup>10</sup> He added about 400 acres to his Manawaora landholding in 1839, which he

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<sup>7</sup> Paul Moon, *Hobson, Governor of New Zealand 1840-1842*, Auckland: David Ling, 1998, p.27; Lee, *The Bay of Islands*, pp.197-200.

<sup>8</sup> Ross Clendon, 'On the Trail of James Reddy Clendon' in Ryland Clendon, *The Clendons: Five Hundred Years of the Clendon Family: An Illustrated History*, U.K., Malvern Wells: Harold Martin & Redman, p.196.

<sup>9</sup> A.T. Yarwood, *Samuel Marsden, the Great Survivor*, Wellington: A.H. & A.W. Reed, 1977, p.227; Lee, *The Bay of Islands*, p.215.

<sup>10</sup> The goods comprised a double barreled gun, 2 casks of gunpowder, 2 greatcoats, 10 spades and a 20 gross box of tobacco pipes. *Old Land Claims* 114 & 115, James R. Clendon, Archives NZ.



exchanged for '40 Casks of Gunpowder'. He also acquired 5,000 acres at Mangawai, near to his Okiato property. What his intentions were for this land are unclear, but he did not profit from it. He sold the block a year later to an American Captain and settler, William Mayhew,<sup>11</sup> for 'about the same amount I paid for it'.<sup>12</sup>

In addition, Clendon developed his Manawaora land for farming purposes, clearing the land and building a cottage. Farming was one of the few occupations open to the children of these early New Zealand settlers. Clendon was obviously intending to provide a farm for his only son James Stephenson Clendon. By his own admission he spent about £3,000 on clearing, building, cultivating and fencing the property up to the time of Hone Heke's war with the government (1845-46).<sup>13</sup>

### Law and Order

Sarah Clendon's concern for her husband, their business and her family outlined in the previous chapter was not at all unfounded. New Zealand was still a dangerous place for settlers and visitors alike. Maori still acted according to their customary laws of retaliation and plunder, and as Lee notes, 'casual acts of cannibalism' and intertribal feuding put Europeans in their midst at considerable risk.<sup>14</sup> At the same time Europeans, particularly sailors, ex-convicts and ships' deserters, free from the surveillance of any major power, had license to act as they pleased. Their drunken and lawless behaviour fluctuated, according to the number of whaleboats and other ships in port.<sup>15</sup> Law and order, therefore, was an issue of considerable concern throughout the 1830s, and the Clendons and other settlers faced on-going threats to their security and livelihoods. It is not surprising, therefore, that Clendon supported all attempts, private or official, to keep

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<sup>11</sup> His successor as American Consul.

<sup>12</sup> J. R. Clendon, *Old Land Claims* 114 & 115, Archives NZ; Deed No. 197, 'Maori Deeds of Old Private Land Purchases in New Zealand from the Year 1815 to 1840, with Pre-emptive and Other Claims, Together With a List of the Old Land Claims and the Report of Mr. Commissioner F. Dillon Bell', in H. H. Turton (ed.), *An Epitome of Official Documents Relative to Native Affairs and Land Purchases in the North Island of New Zealand*, vol 1, *Province of Auckland*, Wellington: New Zealand Government, 1877-1883, p.186.

<sup>13</sup> Clendon's role in this is discussed in the next chapter. During the war many fences were damaged by fire, but the substantial homestead was undamaged. James Clendon, 'Sworn Statement to Land Claims Commissioners, 18 March 1858', J. R. Clendon, *Old Land Claims* 116, Archives NZ. Note that the Manawaora homestead is still in use today and has had a number of owners. A floor-plan of it is in the Clendon correspondence held at APL.

<sup>14</sup> Lee, *The Bay of Islands*, p.197.

<sup>15</sup> Richard Wolfe, *Hell-hole of the Pacific*, Auckland: Penguin Group, 2005, p.192.

the peace. A settled environment was essential for the well-being of his family and for the growth of his commercial interests.

The first plundering incident at the partnership's newly built store at Okiato was in April 1833. Stephenson, still new to Maori cultural mores, committed a social indiscretion with a Maori chief who called to trade. He observed that an iron pot that Chief Kauwiti [Kawhiti] had been looking at a few days earlier 'would make him a very good hat.' The expression was tantamount to a threat or *kanga* that the chief would be cooked in an iron pot, an insult that required immediate retribution. Clendon sent an urgent note to Henry Williams at the Paihia mission that a party of Maori were at the store, threatening to strip it. By the time Williams reached Okiato, a number of goods had been stolen. Unable to recover the goods, Williams was told by the Maori party concerned that they 'had been very lenient in not stripping the place altogether'.<sup>16</sup>

Early 1833 appeared to be a period of general unrest in the district as during the same month, April, Clendon's neighbour, Gilbert Mair's establishment and home were plundered. John Poyner, a small trader and some drunken Europeans and Maori from Kororareka were responsible. The Te Wahapu store was burned and Mair's house on Toretore Island (off the Wahapu headland) attacked and pulled down.<sup>17</sup> In May 1833 Maori plundered the *Fortitude* at Motukauri, Hokianga. British Resident James Busby, newly settled at Waitangi, had his house and store broken into and raided by a small group of Bay of Islands Maori and Busby suffered a minor gunshot wound to his face.<sup>18</sup>

### Boundary and property disputes

James Busby's appointment as British Resident not only gave Clendon and other Bay merchants a new client with which to do business, but also an impartial representative of the British government whose role was primarily to arbitrate disputes and protect its commercial interests. Unfortunately, Busby had no magisterial authority

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<sup>16</sup> Lawrence M. Rogers (ed.), *The Early Journals of Henry Williams: Senior Missionary in New Zealand of the Church Missionary Society, 1826-40*, Christchurch: Pegasus Press, 1961, p.307.

<sup>17</sup> Ibid., p.307. Note that Jack Lee writes that Poyner, Polack, Harris, McDiarmid, Montefiore, Spicer, and other Europeans were living at Kororareka by mid-1834. Polack, Montefiore and Spicer were apparently general merchants. They and the others had either bought land or were operating businesses of some sort. The Bay of Islands' doctor, Ross, lived at Waitangi, 'loosely attached to the mission' there. Lee, *The Bay of Islands*, p.186.

<sup>18</sup> See details below.

and when he could not settle disputes satisfactorily himself, he referred them to the Colonial Office. Historians are divided over Busby's effectiveness. Some consider he was 'largely irrelevant as a force for order', or 'merely egotistical'.<sup>19</sup> Claudia Orange maintains that his apparent ineffectualness was actually one of his strengths, and without it there may have been no British intervention.<sup>20</sup>

Clendon's experiences demonstrated that in some instances Busby was an effective adjudicator. Many early disputes were over boundaries and the protection of private property and Clendon was among a number of Europeans and Maori who consulted Busby for arbitration. One dispute in 1833 involved John Poyner (the drunken reveller noted above) and Gilbert Mair over the ownership of Tore Tore Island, at the mouth of the Kawakawa River. The protagonists took their case to Busby. However, Clendon entered this dispute when a debt owed to him by Poyner to surrender timber from Tore Tore Island led to a clash between the two men and to Clendon's forcibly taking the timber and returning it to his Okiato depot. Again Busby was called to intervene and eventually he ruled against Poyner.<sup>21</sup> The particulars of this dispute make interesting reading, as they reveal some of the mental toughness required by wives of early traders. At one point, Poyner found himself unable to take Busby's advice to apply to Clendon in person concerning the timber, because Sarah Clendon threatened to shoot him. The use of firearms was not uncommon for the protection of property – even by women, and Mrs. Clendon appeared more militant than most:

After having received your communication I applied to Mr. Clendon respecting the Timber but Mr. Clendon being absent my note was delivered to Mrs. C. The answer was should any person attempt to take the timber away from the premises she would shoot them. Mr. Clendon had gone to Hokianga with the intention of proceeding to Port Jackson. I therefore most respectfully solicit your advice on what manner to act there being only Mrs. Clendon residing on the premises.<sup>22</sup>

Unlike James Clendon, Samuel Stephenson and Sarah Clendon were prepared and unafraid to threaten or resort to violence if their property was in any way threatened. For

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<sup>19</sup> J.M.R. Owens, 'New Zealand before Annexation' in Rice, G.W. (ed.), *The Oxford History of New Zealand*, 2<sup>nd</sup> ed., Auckland, 1992, p.42; I.C. Campbell, 'British Treaties with Polynesians in the Nineteenth Century' in Redwick, W. (ed.), *Sovereignty and Indigenous Rights: The Treaty of Waitangi in International Contexts*, Wellington: 1991, p.73, cited in Moon, *Hobson*, p.26.

<sup>20</sup> Claudia Orange, *The Treaty of Waitangi*, Wellington: Allen & Unwin/Port Nicholson Press, 1987, pp.12, 18.

<sup>21</sup> R.P. Wigglesworth, 'The New Zealand Timber and Flax Trade 1769-1840', PhD Thesis in History, Massey University, 1981, p.286.

<sup>22</sup> J. Poyner to J. Busby, 18 September, 1833, qMS-0342 BR Series 1, Inwards Letters to Br. Resident James Busby, Series 1/88 Vol 1, 12 October 1832 - 28 October 1834, Microfilm 6908, Archives NZ.

instance, some time after the *Fortitude* was plundered in 1833, Clendon's brother-in-law William Hill travelled from Sydney to Okiato with Clendon. He was promptly embroiled in a violent dispute with Clendon's neighbour. In September 1833 when Captain John Wright shot two of Clendon's cows for trespassing, Clendon chose to work within the law and went to Busby for arbitration. However, Stephenson and Sarah Clendon preferred the spirit of retaliation. Stephenson went with 'Mr. Hill', who was acting on behalf of Mrs. Clendon, and shot two of Wright's cows. Abuse and an exchange of blows between Wright and Hill followed. These events came at the end of a long series of minor disputes between Clendon and Wright, who both appeared before Busby and gave their accounts. Whatever Busby suggested as a solution was not recorded, but he appeared to receive no further reports of this dispute.<sup>23</sup> Private disputes were still being brought before Busby in 1838. One was the colourful Clendon/Robertson dispute discussed in connection with the formation of the Kororareka Association, outlined in a later section.

Not all disputes reached Busby's ear. Occasionally a frustrated European would take matters completely into his, or her, own hands. Sarah Clendon, whose propensity for retaliation was still evident in early 1840, was involved in one such incident. Charles Wilkes, Commander of the U.S. navel vessel *Vincennes*, part of an American exploratory expedition of the Pacific, called at the Bay of Islands during March and April 1840. Wilkes spent some time enjoying the Clendon's hospitality, and later recorded an example of the forthright courage of the wife of 'our consul', which had taken place shortly before the American vessels arrived. The incident involved a 'mischievous white boy' staying with the Clendons who placed a small brass kettle on the head of an old chief, causing some amusement to bystanders. The chief showed no signs of being offended, and 'was known to have a strong partiality to the family'. However, on his return to the *pa*, he mentioned the incident to his tribe who 'assembled and advanced in a body' to the house and demanded satisfaction for the affront. Sarah Clendon and members of her family explained that no offence had been intended, but the enraged Maori party stripped clothes hung out on a line to dry, and took anything else they found lying about the premises, including the shoes and clothes of 'a sick boy who was lying on the verandah'. Exasperated at the continued pillage, Sarah Clendon picked up a 'billet of wood' and threw it at the principal chief. Her bold action astonished the chief, who admired her

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<sup>23</sup> Wigglesworth, pp.284-285; J. Clendon to J. Busby 14 December 1833; Wright to Busby, (undated) qMS-0342 BR Series 1/95-95a, 96, Inwards Letters to Br. Resident James Busby Vol 1, 12 October 1832 – 28 October 1834, Microfilm 6908, Archives NZ.

courage, and stopped the act of *utu*. He commended her for her ‘big heart’ a figurative Maori term for her courage.<sup>24</sup>

### Maori protectors

An interesting feature of intra-European squabbles, especially in the early 1830s, is that Maori patrons of European settlers became involved in their disputes. During one altercation over a mule owned by Clendon that had strayed onto Wright’s land, chief Kiwikiwi sent two canoes of Maori warriors down, to protect Wright ‘as they understood there was a fight coming to my [place]’. Ten or more Maori [presumably from Pomare] also arrived to protect Clendon and Stephenson and when the two parties met, ‘they danced the war dance – and then sat down’.<sup>25</sup> It appeared to be a show of support more than anything else, but the message for both Europeans was clear: Maori chiefs took their patronage seriously and did not hesitate to send support to their Pakeha in times of distress.

### Private efforts to impose public protection

As noted above, in 1833, Busby’s residence at Waitangi was attacked and his store ransacked. Following this incident, Clendon and other settlers at the Bay petitioned angrily that the outrage be punished. The HMS *Alligator* was eventually dispatched from Sydney to take some action. While it was at the Bay of Islands, some chiefs gave up a man named Rete as the culprit, met publicly to banish him, and ceded a piece of land to King William IV as compensation. Following this incident, Busby asked for two constables to police the residence, but his request was refused. Instead the Colonial Office appointed Lieutenant T. McDonnell, a Hokianga timber merchant, as an additional Resident.<sup>26</sup>

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<sup>24</sup> Charles Wilkes, *Narrative of the United States Exploring Expedition during the Years 1838, 1839, 1840, 1841, 1842*, Five volumes, and an Atlas, vol. 2, Philadelphia: Lea & Blanchard, 1845. Reprint: New Jersey: Gregg Press, pp.397-398.

<sup>25</sup> J. Clendon to J. Busby 14 December 1833; Wright to Busby, (undated) qMS-0342 BR Series 1, 1/95, 95a, 96 Inwards Letters to Br. Resident James Busby Vol 1, 12 October 1832 – 28 October 1834, Microfilm 6908, Archives NZ.

<sup>26</sup> J. Rutherford, ‘Busby, James (1801-71)’, A. H. McLintock (ed.), *An Encyclopedia of New Zealand*, vol. 1, Wellington: Government Printer, 1966, p.278; Claudia Orange, ‘Busby, James’, W.H. Oliver (ed.), *Dictionary of New Zealand Biography, 1769-1869*, vol.1, Wellington: Allen & Unwin/Department of Internal Affairs, 1990, p.84.



The British government's refusal to enforce law and order resulted in private interest groups in the Bay of Islands and Hokianga moving to provide themselves with some structures of a civil society. In September 1835 Clendon and McDonnell took a leading role in support of Hokianga chiefs' attempts to reduce drunken behaviour and lawlessness in their district. At a public Temperance meeting held in the Wesleyan chapel at Mangungu, a charter was drawn up that prohibited the importation and sale of spirits on the Hokianga River. Clendon, McDonnell and Chief Moetara of Pakanae took leading roles in the resolutions passed, a copy of which were sent to the New South Wales government, who supported the scheme.<sup>27</sup> However, of the success of this venture at Hokianga, R.A. Sherrin wrote:

The resolutions were not, however, likely to be kept. Some of the settlers renewed their excesses openly, and some of them went so far as to visit the mission chapel at Mangungu and dance around it holding bottles of rum in their hands. They were a rough lot congregated at Hokianga.<sup>28</sup>

In support of the resolutions passed at Hokianga and to encourage more sober habits at the Bay of Islands, Clendon publicly, and no doubt at some considerable expense, drained all his rum casks. A society was formed among the Missionaries at the Bay, and Clendon and the other merchants there agreed to sell no more spirits after the 21<sup>st</sup> December 1835.<sup>29</sup> Clendon's fine example at the Bay proved fruitless. Unfortunately, a significant portion of the whole trade at the Bay of Islands was based on the 'free flow of grog'.<sup>30</sup> The prohibition movement died quietly.

#### Clendon's Support for The Maori Declaration of Independence 1835

Clendon supported a Maori collective's attempts to establish law and order at the Bay of Islands. In October 1835 he was present at a meeting called by Busby to encourage thirty-four chiefs known as 'The United Tribes of New Zealand' to sign a Declaration of Independence of New Zealand, asking for Crown protection 'of their infant state'. Clendon, Gilbert Mair and the missionaries Henry Williams and George Clarke witnessed the chief's signatures. The declaration was acknowledged by the Colonial Office and the Maori chiefs were assured of the King's protection; however, little came of

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<sup>27</sup> Jack Lee, *The Bay of Islands*, pp.180-181; R. A. A. Sherrin & J. H. Wallace, *The Early History of New Zealand*, Thomson W. Leys (ed.), Auckland: H. Brett, 1890, pp.371-372.

<sup>28</sup> Sherrin & Wallace, pp.371-372. Appendix I is a copy of these resolutions, passed 21 September 1835.

<sup>29</sup> *Journal of Eliza White*, 17 September 1835, MET 011 Series 2/8, Kinder Library, St. John's College, AK..

<sup>30</sup> Lee, *The Bay of Islands*, p.181.

the proposed congress. The term 'United Tribes of New Zealand' was later perpetuated in the Treaty of Waitangi and still exists in present day Maori politics.<sup>31</sup>

#### Clendon and the Kororareka Association – a private army

In March 1838 Clendon was challenged to a duel by a whaleboat captain named John Roberton. The cause was Clendon's supposed theft of a boat. Roberton, a hardened seafarer, was obviously a colourful figure. His memorable threat to Clendon at the time was 'If any man sucks my blood, I shall suck his'. Clendon rushed to Busby complaining that Roberton had gone mad and 'was lurking about with firearms'. Busby threatened to lock Roberton up, but actually had no gaol in which to do this, and the Colonial Office refused his request to appoint an official magistrate to enforce law and order. The outcome of this dispute remains unknown, but Roberton was one of a number of ship's captains who, before he left New Zealand in May that year, subscribed financially to the forming of the private vigilante committee known as the Kororareka Association.<sup>32</sup>

The Kororareka Association assembled in May 1838. It established a system of steep fines for acts of aggression against people or property, the obligatory return of runaway sailors to their ship's captains and tenancy agreements that enforced the right of the Association to enforce their laws. All members were required to carry arms and ammunition. Original membership was confined to the Kororareka area, but soon included most of the substantial settlers at the Bay, including Gilbert Mair, who was president for some time.<sup>33</sup>

No doubt Clendon also supported the Association; however, there is no evidence that he subscribed to it financially. His Okiato premises were physically distant from Kororareka and because of the size of his own operation and the support he obviously enjoyed from Chief Pomare, he could police his own establishment. More importantly, at that time he was exploring an alternative avenue to support his business. On 12

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<sup>31</sup> 'Declaration of Independence of the United Tribes of New Zealand', *Historical Dictionary of New Zealand*, Keith Jackson & A. McRobie (eds.), Auckland: Addison, Wesley, Longman: 1996, pp.88-89; Orange, *Dictionary of New Zealand Biography*, vol. I, p.61; Orange, *Treaty of Waitangi*, pp.20-21, 255-256; Lee, *The Bay of Islands*, p.184.

<sup>32</sup> John C.M. Cresswell, *Murder in Paradise: The Strange Adventures of the Roberton Brothers*, Whangarei: J.M. Gover, 1998, reprint 2002, pp.6-62; E. Ramsden, *Busby of Waitangi*, Wellington/Dunedin: A.H. & A. W. Reed, 1942, pp.189-190.

<sup>33</sup> Lee, *The Bay of Islands*, pp.131-132, 208.

October, 1838, he was notified of his position as acting American Consul for New Zealand, to ensure the protection and interests of American citizens visiting or domiciled there.<sup>34</sup>

#### Clendon's support and assistance to seamen and other visitors

During this period, while Clendon sought protection for his family and business interests at the Bay of Islands, he acted on behalf of ship's captains and sailors. Although a former sailor, Clendon was one of the handful of literate men who settled in the Bay of Islands. American whaling captain W.B. Rhodes' journal shows that the Clendon store acted as a repository for other ships cargoes as well as a general store, post office and an agency for Bills of Exchange between whaling captains. Furthermore, Clendon acted as a whaling agent, helping whaling captains to obtain suitable crews for whaling voyages or holding documentation and instructions from Sydney whaling companies to their whaling captains for collection.<sup>35</sup>

Clendon was impartial in his approach to others and it is important to note that he carried on these duties in spite of his own personal and financial difficulties. The Clendons helped distressed sailors at the Bay, including writing letters to the families of those who died. Clendon wrote in July 1836, for instance, to the widow of Captain Christie of the whaleboat *Harriet*. The captain had met with an accident on board, and by the time the ship reached the Bay of Islands, a fatal infection had set in. Mrs Clendon nursed him at Okiato, where he died shortly afterwards. Before he died the captain asked Clendon to act as executor on his behalf. So grateful was he for the attention and care he received from the Clendons he gave Mrs Clendon £4 as a donation towards the building of a new church at Kororareka.<sup>36</sup>

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<sup>34</sup> Lee, *The Bay of Islands*, p.207.

<sup>35</sup> W. B. Rhodes, *The Whaling Journal of Captain W.B. Rhodes: Barque 'Australian' of Sydney 1836-1838*, C. D. Straubel (ed.), Christchurch: Whitcombe & Tombs, 1954, pp. 95, 99-103, 106-107. (See Appendix C).

<sup>36</sup> J. Clendon to captain's widow, 2 July 1836, NZMS 4-77, Clendon, James Reddy, APL.

## United States Consul.

Prior to 1835 few American whaleboats called at the Bay of Islands. They seldom represented more than half the total whale ships visiting the Bay.<sup>37</sup> However, by 1838, 56 American ships had called at the Bay of Islands, outnumbering British, Colonial, French and German shipping.<sup>38</sup> By 1839 the number of American whalers represented two-thirds of the total number of ships that visited the Bay of Islands; this far exceeded the numbers of all other whalers operating in New Zealand waters. Without this business, the economy of the Bay of Islands and indeed New Zealand was in danger of collapse. The flax trade had faltered completely since the start of the decade; the timber and gum trades had declined.<sup>39</sup> Even without the financial constraints caused by his shipping losses, Clendon's future as a merchant at the Bay of Islands may have been in jeopardy without the American whaling industry.

In May 1839 he was formally appointed acting American Consul in New Zealand. There is no doubt that Clendon was interested in accepting this position. It was not only an honour that cemented his influence with all international shipping at the Bay, but also an entrepreneurial move that would boost his personal fortunes. Once in office he acquired the monopoly of all the American trade that entered the Bay. All United States shipping was required to report to him on arrival at his Okiato establishment. There they received his services, and he received their trade.<sup>40</sup>

Clendon's impartial hospitality to American whaleboat captains and their crews, his literacy and perceived importance as a substantial merchant at the Bay were no doubt qualities that suggested him to the American authorities as being a suitable representative of United States' interests. Indeed, in May 1836 ten American shipmasters had appealed to the United States government for consular representation, recommending Clendon for the appointment.<sup>41</sup> It is a reflection of his qualities that someone who had weathered so

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<sup>37</sup> Rees Richards & Jocelyn Chisholm, *The Bay of Islands Shipping Arrivals and Departures 1803-1840*, Wellington: Paremata Press, 1992, npn.

<sup>38</sup> Lee, *The Bay of Islands*, p.177. Lee notes: British (23 ships), Colonial [Australian] (30 ships), French (21ships) and German (1 ship).

<sup>39</sup> Ibid., pp.211-212.

<sup>40</sup> Ibid., pp.210-211.

<sup>41</sup> L. Wasserman, 'The United States and New Zealand: Political and Commercial Relations', Dissertation, University of California, March 1948, p.42 cited in Ian Wards, *The Shadow of the Land*, p.15; George

many business setbacks should achieve such a position. Clendon's British nationality appeared to be a minor problem for the American authorities as at that time New Zealand had no formal national status. For the American government, Clendon was a suitable man-on-the-spot, an impartial and successful businessman with a good knowledge of local conditions, who was well able to satisfy American interests.<sup>42</sup>

Indeed, Clendon's Okiato property in 1839 gave every impression of a large and successful trading enterprise, one that suggested an air of permanent settlement in New Zealand. On the hill above the beach, in an area of about four acres, stood a substantial four bedroomed cottage with separate dining and living rooms, a study, kitchen and scullery, a stable and other outbuildings. Below was an extensive store, an office, a large blacksmith's shop, a boatbuilder's shed, a three-storied timber store house, two timber built cottages, and other buildings. The site had deep water close to the shore out to which Clendon had built a substantial wharf and jetty, 180 feet in length. He had imported from England, at considerable expense, his own boat builder and man servant. Added to this were numerous Maori and Pakeha labourers, skilled artisans and his own numerous family; Okiato was an establishment worthy of considerable scrutiny.<sup>43</sup>

The Okiato establishment soon flew the American flag on the headland overlooking the Bay and the junction of the Kawakawa and Waikare Rivers. Captain Sanford who delivered the U.S. documents of appointment and the flag, reported on his return to Nantucket, 'Mr. Clendon is a fine man and will do the duties of his office to the full satisfaction of the department'.<sup>44</sup>

Clendon's duties included providing statistical evidence of the number of American ships arriving and departing from the Bay of Islands. The 1839 return for the

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Harron, 'New Zealand's First American Consulate', Appendix A, History of New Zealand Thesis, Auckland University, 1970. (Appendix B).

<sup>42</sup> See footnote 13, Introduction.

<sup>43</sup> J. Rutherford (ed.), *The Founding of New Zealand: The Journals of Felton Mathew, First Surveyor-General of New Zealand, and his Wife 1840-1847*, Dunedin/Wellington, A.H. & A.W. Reed, 1940, pp. 114-115; Jack Lee, *Old Russell, New Zealand's First Capital*, Russell: Northland Historical Publications Society, 1998, p.14; J. R. Clendon, *Old Land Claims*, enclosure No.2 114 & 115, Archives NZ. When his case came before the Land Commissioners in October 1841, Clendon stated he had enclosed and cultivated seven acres of land and had spent £3,600 erecting various buildings on his Okiato property; Ruth Ross, *New Zealand's First Capital*, Wellington: Dept of Internal Affairs & Whitcombe & Tombs, 1946, pp.37-38. See Illustration 5, 'Okiato, c.1840'.

<sup>44</sup> Sanford to Secretary of State, 24 September 1839, 'United States Consular Records' in R. McNab (ed.), *Historical Records of New Zealand*, vol.2, Wellington: Government Print, 1914, pp. 607-608. Also see Illustration 4: James Reddy Clendon, United States Consul c.1839.



first half-year, 1839 recorded 37 American whaleboats at the Bay, whose cargoes had an estimated value of US \$1,113.310.00. In the second half-year 25 whale ships were reported, carrying about 7,603 tons of whale oil at an estimated value of US \$523,025.00, and 612 seamen.<sup>45</sup> The number of American vessels cited in these returns suggests that during 1839 well over 1000 American officers and seamen were in a position to frequent the grog-shops, brothels, stores, hotels and other facilities provided at the Bay of Islands, including those of Chief Pomare. In addition, their ships could be repaired and refurbished at Clendon's Okiato facilities, and Clendon could purchase liquor, oil and other resalable goods from American whale ships.

Clendon also reported shipwrecks and made arrangements for survivors to be shipped back to the United States. In one instance he reported that the whaler *Richmond*, having been condemned as unseaworthy, was auctioned and realized US \$1670. Her cargo of 1250 barrels of sperm oil was sold by the ship's captain, by private contract. Another of his duties was the administration of a fund to assist 'distressed seamen'; one report concerned Thomas Jenkins of Orland, Maine, who deserted from the whale ship *Alph* and was found ill, starving and his clothes in rags. Clendon made arrangements for Jenkins to be looked after by missionaries until he could be found some employment. He dealt with disturbances between British and American subjects, due largely to over-indulgence in liquor.<sup>46</sup> Many of these were exacerbated by a practice that gave Kororareka a very bad name: kidnapping sailors from ships at the Bay:

The village of Korareka [sic] is inhabited by a set of lawless fellows, the greater part of whom are convicts escaped from New South Wales and get a livelihood by decoying seamen from their ship – and shipping them at an enormous advance on board of any other vessel that may have been in like manner distressed.<sup>47</sup>

However, not all of the perpetrators came from New South Wales. In October 1839 Clendon reported a riot at Kororareka following the destruction of a British subject's house by armed American crewmen. The cause of the riot was the absconding of three American sailors from the ship *Hannibal* to drink at the house of an English grog seller named Chalk. They took with them by force a young boy 'who was under the special charge of Captain Bennett'. The *Hannibal's* master sought the aid of several other American whaleboat captains in the harbour to retrieve the boy and the deserters, and the

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<sup>45</sup> Clendon to Secretary of State, 30 July 1839, 10 January 1840, 'United States Consular Records', *Historical Records of New Zealand*, vol.2, pp.605-606; 611-612.

<sup>46</sup> Clendon to John Forsyth, 2 August 1839; 26 October 1839, *ibid.*, pp.608-609.

<sup>47</sup> Clendon to John Forsyth, 26 October 1839, *ibid.*, p.608.

officers and men from these vessels raided the house. Chalk 'in a state of insensibility', refused to give up the Americans, and attacked the party with abusive language. In consequence, the American sailors were ordered to demolish the house. Henry Williams, Busby and Clendon were all called to the scene, and Busby and Clendon sent a joint statement of the affair to the United States government. Bennett later received a letter from 'the respectable inhabitants of Korareka [sic]' thanking him 'for destroying one of the greatest sinks of iniquity in the place'.<sup>48</sup>

When later living at Manawaora, Clendon continued to act as Consul, sending statistical and other reports to the United States after New Zealand had been formally annexed by Britain in 1840. He was then in the peculiar position of representing one country while being a citizen of another, a situation that could only have arisen because of the isolation and distance of the New Zealand frontier from the preciseness of regulations by Britain and the United States of America. His mixed obligations were, however, a portent of the chaos to come as Britain established governance over New Zealand. It began early. In a report sent in July 1840 Clendon wrote:

The British Government have formed several settlements on this (Northern) Island and are preparing to put their laws in force. At present they have only a Police Magistrate and a small detachment of troops at each settlement.<sup>49</sup>

This statement was followed by another outlining the time wasted in his having to apply to the Police Magistrate for a warrant to apprehend deserters from American whalers. He was instructed to apply to Hobson for 'a commission of the Peace' so that he could, as a British subject, issue warrants for the arrest of American deserters and return them to American ships.<sup>50</sup> It was duly received, backdated to February 1840.<sup>51</sup>

Clendon continued his duties as American consul until he formally resigned his commission in July 1841, by which time he was a member of the newly appointed New Zealand Legislative Council in Auckland. On his resignation, Clendon appointed American Captain William Mayhew, 'a Merchant of the highest respectability' who he considered eminently qualified to act as U.S. Consul in his place.<sup>52</sup> Unfortunately, as will

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<sup>48</sup> Clendon to John Forsyth, 26 October 1839; Busby and Clendon to John Forsyth, 17 August 1839, 'United States Consular Records', *Historical Records of New Zealand*, vol.2, pp.608-611.

<sup>49</sup> Clendon to Secretary of State, 3 July 1840, *ibid.*, p.614-615.

<sup>50</sup> *Ibid.*, pp.614-615.

<sup>51</sup> *The New Zealand Advertiser and Bay of Islands Gazette*, 15 June 1840.

<sup>52</sup> Clendon to Secretary of State, 20 April 1841, *Historical Records of New Zealand*, vol. 2, p.618.

be seen, Mayhew did not return Clendon's sentiments, and neither was he as respectable as Clendon supposed. Harron notes that some of the information Mayhew reported to the United States was incorrect and that he left the colony in 1844 'with debts and bad feeling behind him'.<sup>53</sup>

### **Clendon's role in the signing of the Treaty of Waitangi.**

As the New South Wales' frontier expanded, Britain was drawn inevitably into New Zealand affairs. European traders in New Zealand still depended on their European centres for financial and other support. New Zealand became increasingly important as a regional place of British economic interest with a thriving trans-Tasman trade by the late 1830s.<sup>54</sup> British governments at that time were in Belich's words 'reluctant imperialists', already holding the lion's share of world trade, provided mostly from their existing 'far flung' regions. The Colonial Office was influenced by this view, which was reinforced by humanitarian beliefs and a reluctance to incur new costs. According to Belich, three main imperatives led to the signing of the Treaty of Waitangi: pressure from evangelical missionaries for a protectorate to keep out the Catholic French, control lawlessness and facilitate missionary work with Maori; agents and advocates of 'systematic colonisation' – the Wakefield schemes to import surplus British labour and capital to the new colonies; and the continuation of British trade as advocated by British merchants and capitalists.<sup>55</sup> Orange suggests that the protection of British trade was the decisive factor for the Colonial Office.<sup>56</sup>

These and suggestions of lesser importance, such as the perceived threat of French or even American intervention, have been examined and discussed by eminent historians in numerous texts to the present day. They are not the most important issues to the actors concerned here. The important issue for Clendon, and other settlers at the Bay, was the need to survive in a country that was about to undergo profound change. Clendon, whose position as an official of the United States government was now threatened by British imperial interests, needed to reposition himself to profit from impending change. He did this in a number of ways: Firstly he used his influence to persuade some Bay of Islands

<sup>53</sup> Harron, p.10. Harron's information came from H. Carleton, *The Life of Henry Williams*, vol.2, Auckland: 1874, Appendix p.xv.

<sup>54</sup> Orange, *Treaty of Waitangi*, pp.8-9.

<sup>55</sup> Belich, pp.180-183. 47.

<sup>56</sup> Orange, *Treaty of Waitangi*, p.12.

chiefs to sign the Treaty of Waitangi, a document that Hobson assured Clendon and other settlers would be in their best interests; secondly he offered to sell his premises at Okiato to Hobson for use as a temporary seat of government; thirdly he sought a position for himself as a citizen in the newly established British government of New Zealand.

On the surface he appeared the archetypal English settler, patriotic and supporting the British government at every turn. Indeed, he, like most middle class Englishmen of that era probably held deep-seated beliefs about the superiority of British civilization and 'its power for good in the world'.<sup>57</sup> However, Clendon was also a pragmatist; he correctly foresaw that his position as American Consul must soon be relinquished once he was formally a British citizen in New Zealand. This position had boosted his business at Okiato and it would suffer once American whalers were no longer obliged to report to him on arrival. He saw an opportunity to quit himself of the business by selling the land and buildings at Okiato to Hobson at a good price, sufficient to clear his remaining debt to his family in England, continue the development of his farm at Manawaora and pursue other goals. Furthermore, as an established official of the United States government he had gained experience that could undoubtedly be transferred to some official position in a British government. Clendon was in transition; and like the good entrepreneur he was, he marshaled his talents and resources to meet another change.<sup>58</sup>

Hobson arrived in New Zealand on 30 January 1840 and in the church at Kororareka packed with settlers he read out two Proclamations. The first extended the boundaries of New South Wales to include New Zealand and appointed him, under Letters Patent dated 15 June 1839, as Lieutenant-Governor. The second Proclamation brought all British subjects in New Zealand under the Authority of the Crown; refused to acknowledge titles to land already purchased that were not derived from or granted by the Crown; and declared that from 30 January 1840, all future land purchases from Maori would be considered "null and void". Existing landholders were alarmed. Some considered it would be prudent to persuade Maori against this cession of sovereignty, but

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<sup>57</sup> Phillip Temple, *A Sort of Conscience: The Wakefields*, Auckland: Auckland University Press, 2002, p.82.

<sup>58</sup> David Deakins, *Entrepreneurship and Small Firms*, 2<sup>nd</sup> ed, London: McGraw-Hill Publishing, 1999, p.25. A successful entrepreneur can minimise risks either through limiting his financial stake or reducing the degree of uncertainty.

Busby suggested they should wait, and rely on the uprightness of the British Government.<sup>59</sup>

It is clear that Clendon was skilful at positioning himself as a mediator between many different groups; his opinion was sought during the drafting of the Treaty of Waitangi. Clendon, Busby, Hobson, his Secretary J.S. Freeman and the missionaries Henry Williams and A. Brown collaborated on the final draft drawn up on 3-4 February 1840.<sup>60</sup> On 20 February Clendon sent a copy of Hobson's January Proclamations to the Secretary of State, Washington, together with a copy of the Treaty in Maori, with a translation attached.<sup>61</sup>

Clendon's influence with Europeans was equalled by his influence with Maori. From the humbling beginnings he experienced at the hands of Hokianga Maori in 1829 when they refused to harvest and load timber for him, he had risen to a position of influence that culminated with his persuasion of Pomare and probably a number of other chiefs to sign the Treaty of Waitangi. A possible indication of this influence was demonstrated during a war in 1837 between Titore Takiri of Kororareka and Pomare at Otuihu. As a precaution against possible attack, American whaleboat captain W.B. Rhodes of the barque *Australian* sent some of his men to protect Clendon's Okiato property and took Sarah Clendon and the children to the mission house at Paihia. The properties of George Greenway and Dr. Ross were plundered by Titore's warriors, but the Okiato property was left untouched.<sup>62</sup> Furthermore, Clendon's influence with Maori exceeded that of Busby. At one point during the fighting, he dissuaded some of Titore's followers from eating the body of an enemy chief dragged on to the beach below Busby's house at Waitangi.<sup>63</sup> Busby had intended to try and recover the body, but was forestalled when he heard Clendon addressing the Maori present. The body was subsequently buried.<sup>64</sup>

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<sup>59</sup> T. Lindsay Buick, *The Treaty of Waitangi*, New Plymouth: Thomas Avery & Sons, 1936, pp.107-109.

<sup>60</sup> Ian Wards, *The Shadow of the Land: A Study of British Policy and Racial Conflict in New Zealand 1832-1852*, Wellington: Historical Publications Branch, Dept. of Internal Affairs, 1968, p.42

<sup>61</sup> Clendon to J. Forsyth, 20 February 1840, *Historical Records of New Zealand*, vol 2, pp.613-614.

<sup>62</sup> Rhodes pp.49-50.

<sup>63</sup> Ross Clendon in Ryland Clendon, p.176; Lee, *The Bay of Islands*, pp.197-198.

<sup>64</sup> Ramsden, p.169.



Contemporary European opinion on Clendon's influence with Maori is scarce. However, one notable opinion comes from the pen of the aforementioned American Commander Charles Wilkes, who met Clendon in 1840. Harron notes that Wilkes' comments on Clendon were written in 1845 and should be treated with some skepticism; they possibly reflected the opinions of another American Wilkes met, William Mayhew, whom Clendon had recommended for the U.S. Consul's position. Mayhew apparently did not like Clendon.<sup>65</sup>

According to Wilkes, during the first day of Treaty negotiations, February 5, Hobson persuaded Clendon and other settlers present that 'their interests would be much promoted if they should forward the views of the British Government' to Maori chiefs present who were not in favour of the Treaty.<sup>66</sup> Wilkes wrote, 'every exertion was now made by these parties to remove the scruples of the chiefs' and a small group formed among them strong enough to influence the rest of the chiefs present.<sup>67</sup> Clendon's influence, suggested Wilkes, arising from his position as a representative of the United States, played a primary role in obtaining the assent of this small group of chiefs:

The natives placed much confidence in him, believing him to be disinterested. He became a witness to the document, and informed me when speaking of the transaction that it was entirely through his influence that the treaty was signed.<sup>68</sup>

Wilkes' attitude to Clendon could have been the result of intense nationalism. He was questioning the wisdom of allowing Clendon, who at the time represented the interests of the United States of America, to use his influence to persuade chiefs to sign a treaty for another foreign power whose interests were at stake. In Wilkes' opinion Clendon's actions proved the necessity of having American citizens as American consuls abroad. He remarked that 'They [the chiefs] came to Mr. Clendon for advice, how they should act, and he admitted that he had advised them to sign, telling them it would be for their good. He himself signed the treaty as a witness, and did all he could to carry it into effect.'<sup>69</sup>

Nationalistic or not, Wilkes' opinion has some merit. The integrity of a British citizen who, while holding an official position on behalf of the United States government,

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<sup>65</sup> Harron, p.6. (Appendix B)

<sup>66</sup> Wilkes, pp.375-376.

<sup>67</sup> Ibid., pp.375-376.

<sup>68</sup> Ibid.

<sup>69</sup> Wilkes, p.379.

influenced Maori to sign a document that could effectively dispossess them is perhaps open to question. Clendon claimed to Wilkes that on the advice of Hobson, he had acted as a private citizen to persuade Maori to sign, thus 'separating his public duties from his private acts'. However, as Wilkes pointed out:

His personal interest was very great in having the British authority established, while the influence he had over the chiefs was too great not to attract the attention of the Governor, and make it an object to secure his [Clendon's] good-will and services.<sup>70</sup>

Clendon may have been convinced that annexation was in everyone's best interests. Certainly Busby appeared to think so and Hobson had obviously impressed this on to the settlers present at Waitangi on 5 February. It could also be conjectured from Clendon's willingness to persuade Maori to sign the Treaty, however, that Hobson reciprocated Clendon's undoubted usefulness by later agreeing with Felton Mathew that the most suitable site for a temporary seat of government for which he was prepared to pay a good price was Clendon's establishment at Okiato.

There is no doubt that Clendon, by the end of the 1830s, had built up a considerable influence with leading chiefs in the Bay of Islands and mediated successfully between them and the government. Clendon persuaded Pomare to sign the Treaty some time after the gathering at Waitangi on February 5, witnessing his signature on 17 February.<sup>71</sup> Later, Pomare later brought other chiefs to Hobson to discuss the document. Ensign Best, a young army officer from the convict and merchant ship *James Pattison* was in New Zealand in April 1840. His journal recorded compelling evidence of the Clendon/Pomare relationship when he attended an event at which Pomare had brought a number of other chiefs to *korero* over the Treaty. He noted that 'they were all dressed in their native costume and were all exceedingly fine men'.<sup>72</sup> Present were Clendon, Hobson, Major Bunbury, Best and Captain Lockhart. Pomare discussed the different clauses of the Treaty with the chiefs as they were read over to them, and declared himself satisfied with them. He promised to bring Tirarau, a leading chief of the Whangarei-Wairoa area, and Kawiti, a notable chief of the Bay of Islands, 'and all the principal chiefs for many miles around on a future day to sign it'.<sup>73</sup> It was known at this time that

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<sup>70</sup> I Wilkes, pp.379-380.

<sup>71</sup> A. D. W. Best, *Journal of Ensign Best*, Nancy M. Taylor, (ed.), Wellington: Government Print, 1966, p.409.

<sup>72</sup> Best, p.220

<sup>73</sup> Ibid.,

Clendon had agreed to dispose of his Okiato holdings to the government, and Pomare expressed regret at Clendon's intending departure from Okiato. Clendon replied that he would find 'a kind and more powerful friend in Capt. Hobson', but Pomare apparently regarded these words with caution:

It is easy, said he, to say I am your friend. Capt. Hobson does not know how good a friend Mr. Clendon has been to us. I do not expect him to be such a one, but I give him three years then I shall see if he is a friend. Pomaray is rich now perhaps he may be poor, perhaps not, but I shall by that time see if when the Poor *Mauri* goes to his door naked he is given a blanket and to eat should he be hungry or if he is driven away. It is easy to say I will be a friend, I give Capt. Hobson three years to prove his words.<sup>74</sup>

### The sale of Okiato

Clendon spent as much money as he could building up his assets in New Zealand, a decision that was inevitably to the detriment of his parents in England. Although he had repaid a considerable amount off the debt to his father during the 1830s in 1839 Clendon still owed him £2,300. There is no evidence that he was attempting to reduce this balance in 1839. Furthermore, due to distance Clendon was not aware until early in 1840 that his father had died in October 1839, or that interest on the capital sum was now to be paid as an annuity to his widowed mother.<sup>75</sup> In view of the events to come, it was unfortunate that Clendon did not take advantage of his renewed prosperity as American Consul to rid himself entirely of family debt. However, his reaction was not untypical when Hobson arrived at Kororareka and read out his government's proclamations to the assembled settlers. Foreseeing the demise of his affluent position, Clendon looked for new ways to survive.

The British government's annexation of New Zealand in 1840 was an attempt to address economic imperatives, and cope with 'distant but awkward social problems'. However, New Zealand was to be 'swept under the Imperial carpet with a minimum of effort and expense'.<sup>76</sup> From the outset British expectations of economic growth in New

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<sup>74</sup> Best, p.22. This may be Best's transcription of what Pomare said. It is not clear whether Pomare spoke in English or Maori.

<sup>75</sup> 'Statement of Interest due to the Estate of George Clendon to 31/10/1839'; 'List of Geo Clendon's family indebted to his estate. Died Nov. 1839', NZMS 849, Papers Relating to the Estate of George Clendon, James Reddy Clendon Papers, APL.

<sup>76</sup> W. J. Gardner, 'A Colonial Economy' in Geoffrey W. Rice (ed.), *The Oxford History of New Zealand*, 2<sup>nd</sup> ed., Auckland: Oxford University Press, 1992, p.58.

Zealand were based on the cheap acquisition of Maori land, either privately or publicly. The New South Wales government was responsible for the initial cost of annexation, giving Hobson limited finance from its land fund, but when New Zealand was proclaimed a separate Crown Colony in 1841 the Colonial Office expected that New Zealand's government should be self-supporting, and not a charge on the British tax-payer.<sup>77</sup>

It is not surprising, therefore, that Clendon's sale of Okiato to Hobson in April 1840 was precarious from the beginning. In March 1840, he negotiated to sell his Okiato home, buildings and land (in two blocks of 230 and 80 acres) to the British government for £15,000. Governor Hobson was ill in March, so a preliminary agreement was entered into with Surveyor-General Felton Mathew on 22 March 1840 with vacant possession due on 1 May. It was approved by Hobson on 23 April, and a final deed signed on 13 May, at which time the Clendon family and all their staff had quit the premises.<sup>78</sup>

The reverberations of this sale have echoed down the years to the present day. Ruth Ross in *New Zealand's First Capital*, (1949) wrote a scathing account of the circumstances surrounding Mathew Felton's choice of Okiato as the preferred seat of government, throwing not a few aspersions at discussions may have taken place during Clendon's meetings with Mathew prior to the sale.<sup>79</sup> Paul Moon echoes her opinion, stating in his 1998 book *Hobson: Governor of New Zealand 1840-1842*, that circumstantial evidence suggests Mathew could well have been working covertly with Clendon – to their mutual advantage.<sup>80</sup> Graeme Hunt's 2001 publication, *Hustlers, Rogues & Bubble Boys*, portrays Felton and Clendon as outright speculators.<sup>81</sup> As suggested above, Hobson may have known more about this deal than the historical record reveals. Unfortunately, Clendon has left no record of the discussions that took place, and Felton's information is restricted to official reports supporting his choice of Okiato, which give little away.

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<sup>77</sup> Gardner, pp.58-59.

<sup>78</sup> Letter of Agreement between Clendon and Felton Mathew dated 22 March; Deed dated 3 May containing Articles of Agreement between James Reddy Clendon and W. Hobson, Lieutenant Governor, 25 April 1840. MS 802, Clendon Papers, AML.

<sup>79</sup> Ross, *New Zealand's First Capital*, pp.39-45.

<sup>80</sup> Moon, *Hobson*, p.183.

<sup>81</sup> Graeme Hunt, *Hustlers, Rogues & Bubble Boys: White Collar Mischief in New Zealand*, Auckland: Reed Books, 2001, pp.104-119

John Rutherford in *The Founding of New Zealand* explained some of the difficulties that led to Hobson's need for an immediate government site in the Bay of Islands. Hobson fell ill after arriving in New Zealand and appeared unwilling to leave the choice of a suitable site for the principal capital to any of his officials. This delay led to the necessity of determining a place at the Bay of Islands 'to form a secondary settlement [township] and to serve temporarily as the seat of government'. The situation was aggravated by the arrival from Sydney on 17 March 1840, of the government store ship *Westminster* with immigrants for whom no accommodation had been provided. Felton Mathew was, therefore, instructed to report on the possibilities of forming a temporary settlement at the Bay. One of the difficulties he claimed to have encountered was that most of the available land had already been claimed by Europeans.<sup>82</sup>

It is more than likely that Hobson's proclamation in January concerning Crown assessment of existing Maori land purchases was the impetus to established settlers to offer to sell their lands to Hobson. In this way, they would bypass the forthcoming enquiry into their land purchases, having already disposed of some or all of their land for, if they were lucky, a decent capital sum.<sup>83</sup> The Kororareka residents offered their lands and buildings. Busby offered his land at Waitangi, having already subdivided parts of it into a town named 'Victoria' and commenced selling sections, one of which Clendon purchased for £65.<sup>84</sup> In April, Mair offered his holdings at Te Wahapu, which he valued at £13,900, a sum Mathew dismissed as 'ridiculously absurd', the whole property in his estimation not being worth more than £5,000. Mathews had earlier dismissed Kororareka as unsuitable; the water near the beach was shallow and exposed to north and north-western winds, making boat landing difficult. In addition, he claimed insufficient land was available there, most of it in the hands of private individuals who had made multiple subdivisions, sales and resales, causing conflicting claims that were difficult for the government to assess prior to purchase. Busby's town of Victoria was also dismissed, as its shores were exposed and shoal, making it inaccessible to ships except in good weather. Paihia he disregarded altogether, probably out of deference the missionaries there, who were not disposed to sell.<sup>85</sup>

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<sup>82</sup> Rutherford, *The Founding of New Zealand*, pp.113-117.

<sup>83</sup> They learned later that existing land purchases were to be limited to 2560 acres per settler and valued on a pro-rata basis between sixpence and four and eight shillings an acre for land purchased between 1815 and 1839. Lee, *The Bay of Islands*, pp.238, 240.

<sup>84</sup> Busby Papers, Letter 4, J. Busby to G. Mair 21 March 1840, NZMS 185 Mair, Gilbert, 1797-1857 APL.

<sup>85</sup> Rutherford, *The Founding of New Zealand*, p.116.



Clendon's property at Okiato certainly *seemed* to be the ideal choice, improved immeasurably by Clendon having already begun subdividing the land into town lots. Mathew, reporting to Hobson at Waimate on 23 March 1840 favoured Okiato for a number of reasons. It had deep water close to the shore, which afforded safe anchorage; the lie of the land was favourable for a township; there was abundant water, firewood and brick-earth and admirable facilities for internal communication via the Kawa-Kawa river. Clendon had built "a very comfortable cottage with suitable buildings, an extensive and substantial store, office, smith's shop, boat-builders shed, etc., the whole of which are in good repair, and would be immediately available for the purposes of the Government". Mathew extolled Okiato's further advantages: The heavy expense of erecting buildings at a time when materials were scarce would be saved; and the sale of Town lots would afford immediate and considerable revenue. In short the Okiato site would 'lay the foundation for a very important and flourishing settlement.'<sup>86</sup>

It is notable, however, that on 22 March, one day prior to his report to Hobson, Mathew had already entered into a preliminary agreement with Clendon to purchase his land and buildings.<sup>87</sup> Indeed, on 21 April, two days prior to confirming the Mathew/Clendon agreement, Hobson informed New South Wales Governor, George Gipps that Clendon, well aware that Mathew had determined that Okiato was the most eligible site for a township in the Bay, had surveyed and laid out a town on his land and begun selling allotments.<sup>88</sup> To all appearances Clendon was anticipating an outright speculation that would bring him a huge profit.

However, Clendon was, as always, under pressure to repay his debt to his family. George Clendon had already written, probably in early 1839, of his uneasiness at his son's lack of regular repayments. Unaware that his father had died in October 1839, James Clendon replied in February 1840, approximately two weeks after the Treaty meetings at Waitangi, that he was intending to dispose of his land and premises at Okiato and hoping for a deal that would give him an ongoing income. He must have written this letter while in the process of subdividing his Okiato lands and at the time he appeared to be

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<sup>86</sup> *Great Britain Parliamentary Papers*, 1842 p. 569 cited in Rutherford, *The Founding of New Zealand*, pp.113-114.

<sup>87</sup> Ross, *New Zealand's First Capital*, p.42.

<sup>88</sup> Hobson to Gipps, 21 April 1840, *Great Britain Parliamentary Papers*, 1842, pp. 146-7, 569, cited in Ross, *New Zealand's First Capital*, p.4. Hobson confirmed the agreement on 23 April 1840, see Rutherford, *The Founding of New Zealand*, p.115.

contemplating renting his home and buildings. Sale of the subdivisions would have provided him with the cash he needed to repay his father's estate, and renting out his house and premises would provide an annual income. He was acting astutely and his letter shows that he was anticipating, at last, financial independence from his family:

My dear Father,

You appear uneasy about my account with you but I hope the day is not far distant when I shall be able to remit the full amount as well as to my Uncle Parson. My remittances I must acknowledge have been very irregular but when you consider what I began with etc, etc.

If I had arrived here without a shilling and clear of the world I should have been much better off. *It is however useless saying much about it without sending you the cash, which I hope the sale of the land will enable me to do.* Do not be surprised [if] at any time I may tell you that I am living there (Manawaora) for both Sarah and myself have a great inclination to do so but this will not take place until I have paid every farthing I owe in the world and then I will let [the] Okiato premises House Stores and buildings.<sup>89</sup>

From this letter it seems clear that in February, 1840 Clendon was already selling land in an attempt to clear his debt and move to his farm at Manawaora. Hobson's decision to choose a site at the Bay of Islands for a temporary seat of government, therefore, played right into Clendon's hands. It is likely that once Clendon knew the government store ship *Westminster* had arrived on 17 March with its load of immigrants who required immediate housing, he saw an opportunity to sell all his Okiato land and buildings to the Government.<sup>90</sup> The original sum he requested, £23,000, although seemingly exorbitant was not inconsistent with prices for land with a beach frontage at the time.<sup>91</sup> Mathew's negotiations brought the figure down to £15,000. Rutherford, obviously unaware of Clendon's personal financial pressures, writes that Clendon, 'with an eye to a bargain insisted on being able to continue selling his allotments to private purchasers until reference was made to Gipps concerning them.'<sup>92</sup>

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<sup>89</sup> Excerpts of letters JR Clendon to George and Elizabeth Clendon, 21 February 1840 and 6 December 1840, NZMS 819 Clendon J.R. Correspondence 1830-1846, APL. The italicised words are mine.

<sup>90</sup> Rutherford, *The Founding of New Zealand*, p.112.

<sup>91</sup> While this price seems exorbitant, Jack Lee cites the Rev. J.D. Lang of Sydney, a visitor to New Zealand in 1839, who commented on the high prices being paid for land, and in particular the price per foot for one lot of land sold with a shore frontage, extending back for 60 feet. From Lang's figures, Lee worked out a price of £726 per acre for this particular sale, but noted that prices for such land varied. Lee, *The Bay of Islands*, p.212. Clendon's Okiato site had the attributes Lang mentioned, including a wide view of the harbour, and the added value of a homestead, a store, numerous outbuildings, a deep water jetty and a boat-repair yard, which, as noted earlier, Clendon estimated had cost him £3,600. If one multiplies the value of Clendon's acreage (310 acres) by Lee's sum of £726 per acre, the land in 1839 could have been worth £22,506 – just under the £23,000 Clendon was asking.

<sup>92</sup> Rutherford, *The Founding of New Zealand*, pp.113-116.

The final agreement dated 23 April 1840 valued the land at £2000, and the buildings at £13,000.<sup>93</sup> This amount took into account a rental of £1,300 per year for 10 years, being a fair capital valuation of the property. Rutherford suggests that this was high, but not exorbitant due to the scarcity of labour and materials.<sup>94</sup> This was presumably the type of rental Clendon thought he could receive had he leased Okiato as his letter to his parents suggests. However, considering Clendon had originally paid to Maori chiefs less than £180 for all his land at Okiato, £15,000 represented a huge profit. A deposit of £1000 was paid in cash on possession, with £1000 due on 1 October 1840. Interest of 10 percent per year was payable on the balance, until such time as the government chose to repay it. The first half-year's interest was due on 1 April, 1841 eleven months from the May 1840 possession date. The sale was subject only to title approval by government appointed Land Commissioners. Clendon seemed assured of a good income.

Hobson took up official residence on May 23<sup>rd</sup> 1840, and re-named Okiato 'Russell' in honour of the Colonial Secretary. Mathew rapidly completed the survey and by the end of July preparations were made for the first sale.<sup>95</sup> It was at this stage, to Clendon's acute personal and financial embarrassment, that New South Wales Governor George Gipps intervened. He refused to sanction the sale, and forbade the town lots to be advertised, thus prohibiting the sale. A fair rent was to be paid only for the buildings the government was using. As Rutherford observes, 'this put a complete stop to the development of Russell although the Government remained in possession till the following March' [1841].<sup>96</sup> Clendon who had received only one instalment of £1000 was offered a further £1,250 in cash as compensation for rent and interest, and 10,000 acres of waste land at Papakura, far from the town of Auckland. The wider ramifications of Gipps's ruling affected Clendon's finances for the rest of his life. Rutherford writes:

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<sup>93</sup> Rutherford, *The Founding of New Zealand*, pp.113-116. (Appendix J is a copy of this agreement.)

<sup>94</sup> *Ibid.*, p.112. Note: Captain William Mayhew leased Gilbert Mair's land at Te Wahapu, including Toretore Island, in 1840. Mayhew, an American citizen, replaced Clendon as United States Consul. He converted his original lease with Mair into a 999 year lease in 1842 for which the consideration was £7,000. However, like many other settlers at the Bay of Islands after annexation, Mayhew was unable to repay the balance. He paid £900 in cash and goods in 1842, and the balance of the purchase money was in promissory notes, the majority of which were never paid. See J.C. Andersen & G.C. Petersen, *The Mair Family*, Wellington: A.H. & A.W. Reed, 1956, p.25

<sup>95</sup> Thirty-seven allotments were first advertised for Auction on 22 July 1840, and re-advertised on 27 August 1840 in the *New Zealand Advertiser and Bay of Islands Gazette*. Each allotment comprised approximately 1 rood 38 perches (about 1/3 acre) and the reserve price was £60 per acre. See Rutherford, *The Founding of New Zealand*, p.117.

<sup>96</sup> *Ibid.*, p.117.

Failing the anticipated revenue from land sales, the New Zealand Government could not discharge its obligations to Clendon, who was much embarrassed in consequence. Eventually, in July, 1841, Clendon, who had received only the first instalment of £1000, was prevailed upon to accept £1250 as compensation for rent and interest, and a Crown grant of 10,000 acres in lieu of capital outstanding. Even this did not turn out to his satisfaction, for as the value of country lands fell heavily, his 10,000 acres at Papakura became little more than an investment in long-distance futures. The market price in 1845 was under 1/6d an acre, and Clendon complained to Lord Stanley that he had lost £18,000 in capital and accumulated interest. Felton Mathew, who was largely responsible for the original contract, recorded his opinion in his diary that Clendon “was scandalously used by the Government”.<sup>97</sup>

It was not only the New Zealand Government that could not discharge its obligations. As will be outlined briefly in the final chapter, neither could Clendon. However, in spite of the government’s shortcomings, he turned to it for survival, taking whatever official position he could over the next decade and beyond.

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<sup>97</sup> Rutherford, *The Founding of New Zealand*, p.117.

## **CHAPTER FIVE – After the sale of Okiato.**

The bulk of this thesis has been concerned with Clendon's early life and his experiences in Australia and New Zealand. These have been set in the wider context of a number of important issues in New Zealand's early history, including the extension of the British Empire towards New Zealand, New Zealand's early economic ties with Australia and the importance of trade in the early settlement of New Zealand. Clendon was placed at the centre of these themes; he was a young entrepreneur who came to New Zealand for the purpose of trade and settlement. The ways in which he engaged with the chaos and complexity of the early colonisation of New Zealand in order to survive have, therefore, been examined. This chapter acts as an epilogue to Clendon's life in the Bay of Islands, first focusing briefly on three main areas of interest: his involvement in New Zealand's first bank, his three years as a member of the Legislative Council in Auckland and his role as a police magistrate during Hone Heke's war during 1845-1846. It finishes with a summary of his remaining years in the North.

Clendon's career up to the British annexation of New Zealand was mercurial. Clendon was one of New Zealand's earliest colonizers; he brought with him capital, education, seamanship, trade, and his family. However, geographically, physically and economically New Zealand was a difficult place in which to live. The Clendon family entered an atmosphere that was completely foreign. Maori were dominant and often violent, and the number of Europeans of Clendon's 'respectability' were limited to a handful of other merchants and the missionaries. The Bay of Islands had become New Zealand's most important trading port, but the behaviour of whalers, traders and escaped convicts at Kororareka and elsewhere did little to suggest New Zealand was a safe country for settlement.<sup>1</sup> As Clendon found, life was often rough, riven with violence and lawlessness, uncertain and difficult. However, it was also a place of opportunity for those who dared to grasp it. By 1840 Clendon had prospered socially and, to some extent, financially. New Zealand gave this obscure middle-class English merchant a chance to excel, to acquire large landholdings, and to be a man of consequence, a position he was unlikely ever to obtain in England's larger sphere and entrenched class divisions, or in Australia. However, while Clendon's endeavours in New Zealand were entrepreneurial

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<sup>1</sup> Richard Wolfe, *Hell-hole of the Pacific*, Auckland: Penguin Group, 2005, p.78.



and sincere in intent, he was hampered by having borrowed from his family in England and by New Zealand's foreign status.

New Zealand's lawlessness, particularly at the Bay of Islands, was by 1839 under a measure of control and New Zealand's status as a dependency of New South Wales, however limited, went some way to mitigate some of the difficulties earlier outlined. Still, Clendon, Busby, a number of Maori chiefs, and interest groups in Australia, Britain and New Zealand lobbied for further British protection, which resulted in New Zealand's formal annexation in February 1840. These parties may have thought bringing New Zealand under the British umbrella was in everyone's best interests for a number of good reasons, but few Europeans and Maori already settled in the far north of New Zealand profited by it. The Treaty of Waitangi, a vehicle assumed to be a step to impose order on Maori and settlers in New Zealand, in fact, imposed considerable disorder for people in the North. The European colonization of New Zealand moved south, first to Auckland and following the arrival of the New Zealand Company's ships, to Wellington, Wanganui, New Plymouth and other sites at the lower end of the North Island, and to the South Island. The once thriving colony in Northland was soon reduced to an economic and political backwater.<sup>2</sup>

Prior to Hobson's arrival in January 1840 at the Bay of Islands, New Zealand's largest settlement and most important port, land values escalated as speculators from Australia and elsewhere purchased land in anticipation of formal British annexation.<sup>3</sup> Then in early 1841 Hobson removed his temporary seat of government at the Bay to an official site in Auckland. Within two years, Bay of Islands' commerce began to falter and land prices tumbled. As noted, Clendon had already sold 5000 acres of land at Mangawai to Captain William Mayhew in about 1840 for the same price he had paid its Maori owners for it a year before. By proclamation, Governor Gipps of New South Wales had ended European speculation in Maori land, and in addition, many settlers faced a Commission of Inquiry into their early land acquisitions from Maori that would deprive many of them of a large portion of their land. During the next few years a number of

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<sup>2</sup> Jack Lee, *The Bay of Islands*, Reprint, Auckland: Reed Books, 1996, pp.240-251; James Belich, *Making Peoples: A History of the New Zealanders from Polynesian Settlement to the End of the Nineteenth Century*, Auckland: Penguin Books (NZ), 1996, pp.184-188.

<sup>3</sup> E. Ramsden, *Busby of Waitangi*, Wellington/Dunedin: A.H. & A.W. Reed, pp. 198-199; Lee, *The Bay of Islands*, pp.214-215.

settlers, including James Busby<sup>4</sup> and Gilbert Mair moved to other parts of the North Island; others tried their luck in Australia, where conditions were little better.<sup>5</sup> The population at the Bay of Islands slowly diminished.

However, Clendon stayed in the Bay of Islands and settled with his family to farm his Manawaora land. He kept the cottage at Kororareka, acquired from the ill-fated *Fortitude* transaction with embezzler James Harvey, and used it as base from which to transact some small-scale retail business.

#### Clendon establishes New Zealand's first Bank at Kororareka in September 1840

It appears strange that Clendon would involve himself in a formal banking operation in a town that was soon to become a commercial backwater. In November 1840, soon after he and other merchants established a bank at Kororareka, the site of Auckland was already being laid out as a township.<sup>6</sup> Nevertheless, prior to the establishment of Auckland in 1841, whalers continued to visit the Bay of Islands and trade continued.<sup>7</sup> It appeared that Clendon and other settlers and traders still had faith in the port's economy. An official exchange would have been welcomed by the traders at Kororareka at that time, especially once agencies like Clendon's Okiato store, where he had provided a brokerage service for Bills of Exchange, had closed. As before, finance on the periphery had to be privately arranged and executed, and depended on credit previously arranged in Britain or other European centres, or on a ready supply of exchangeable goods. External credit systems were by 1839 an encumbrance where the amount of hard cash and scrip<sup>8</sup> required for land purchase was concerned. A locally established bank that could hold a

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<sup>4</sup> Busby's property at Waitangi was seized by the New Zealand Banking Company in 1844. See Lee, *The Bay of Islands*, p.245.

<sup>5</sup> Gilbert Mair for example, leased his Te Wahapu property to William Mayhew in March 1840 and left to live on land he had acquired at Whangarei. Mair's Sydney agent, O. Browne, wrote to him in June 1841 that he was thinking of emigrating to India, as 'the state of things here is worse than ever – Sydney is almost bankrupt'. O. Browne [Sydney] to Gilbert Mair, 15 June 1841, NZMS 184-192/4, Mair, Gilbert, 1797-1857 Papers, APL; G. Mair to R. Bernard, c.1940, MS-Papers 0230-008 New Zealand Department of Internal Historical Affairs, WTU.

<sup>6</sup> *New Zealand Advertiser and Bay of Islands Gazette*, 12 November 1840.

<sup>7</sup> R. Burrows, *Extracts from a Diary Kept by the Rev. R. Burrows during Heke's War in the North in 1845*, Auckland: Upton, 1886, p.5.

<sup>8</sup> Scrip was a form of IOU, usually given by a land-holder to an intending purchaser. It was a promise to hand-over land once it had been surveyed, title awarded and the full cost paid. Scrip could be arranged on the payment of a deposit on land; it was a method commonly used by the Crown after annexation to dispose of unsurveyed Crown land, as it offered the stakeholder the security of a Crown Grant once title was established.

readily available supply of cash and trade in bills of exchange would solve these problems, shifting financial backing from European centres to New Zealand.

It is an indication of Clendon's experience and personal standing at the Bay of Islands that he was a founding shareholder and President of New Zealand's first bank, the New Zealand Banking Company, which opened its head office at Kororareka to much acclaim from the local newspaper editor, Barzillai Quaife:

Most heartily do we congratulate the Inhabitants of the Bay of Islands, and particularly of Kororarika [sic], on the establishment of this highly-important and useful institution. Its establishment is truly an era in the history of New Zealand, and we hail it as the harbinger of everything bright and beneficial to this infant Colony.<sup>9</sup>

The bank was a privately financed venture that paved the way for future financial infrastructures such as New Zealand's first government bank, the Bank of New Zealand. The idea of a bank at Kororareka was floated in 1839 but it did not commence business until September 1840, with a nominal capital of £100,000 in lots of 10,000 shares of £10 each, of which only about £8,000 was ever paid. Its Sydney agent was The Commercial Banking Company.<sup>10</sup> Among the bank's eight directors were some of the Bay's elite: Clendon, Gilbert Mair, Edward March Williams (son of Henry Williams), and Captain William Mayhew. James Busby later became a director, and American William Mayhew was elected President in 1842. Through Clendon's influence, the bank also provided employment for a member of his family; his brother-in-law Joseph Dixon, who arrived with his wife and family at the Bay of Islands in about 1840, had secured the position of manager by 1842.<sup>11</sup> To attract business the bank offered interest of Four per cent per

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<sup>9</sup> *The New Zealand Advertiser and Bay of Islands Gazette*, 10 September 1840. Quaife, editor and founder in June 1840 of New Zealand's first independent newspaper, the *New Zealand Advertiser*, later combined with the *Bay of Islands Gazette*, was a vociferous opponent of Hobson's policies. His editorials constantly supported the inhabitants of Kororareka, whom he believed had been short-changed when Felton Mathew chose Clendon's site for Hobson's temporary government. See Peter Kennett, *Unsung Hero: Barzillai Quaife*, Palmerston North: Dunmore Press, 1991.

<sup>10</sup> *New Zealand Advertiser and Bay of Islands Gazette*, 15 June & 24 September 1840; Lee, *Bay of Islands*, p.213.

<sup>11</sup> J. Dixon to J. C. Clendon, London, 20 September, 1845, NZMS 819 Clendon J. R. Correspondence 1830-1846, APL; 'The Clendon Family Tree, 2000', Private Publication, St. Albans: Tom Clendon, 2000, p.4. Joseph Dixon was one of a number of former naval men in the Clendon family. He married Clendon's younger sister Louisa. Dixon wrote to John Clendon to explain why he could not repay any of the money he and his wife had borrowed from George Clendon to emigrate to New Zealand. His letter is indicative of the chaotic conditions that existed in the Bay of Islands after 1841. When the New Zealand Banking Company at Kororareka closed in 1842, Dixon was appointed Sheriff of the Kororareka district, a position he subsequently lost when the government moved to Auckland. He was left with only his navy pension to live on. Dixon obtained work as a Clerk in the Colonial Secretary's office, Auckland, for which he received only 5/- per day. Unable to obtain better employment he moved to Sydney, New South Wales,

annum on current accounts, and Five percent on deposits repayable at ten days notice. It charged interest of Ten percent on Bills of up to 60 days, and 12.5% percent on bills of up to 100 days.<sup>12</sup>

It was no coincidence that the idea of a bank was timely for Clendon's existing financial situation. A bank that could be utilised to forward monies to his family in England, would remove the need to adopt the complex transactions discussed earlier. He had by early 1840 received £800 insurance money for the *Fanny*, and following the sale of Okiato in April 1840 to Hobson, expected to receive, in instalments, some large sums of money.<sup>13</sup> The first interest instalment on the £15,000 purchase price was due in April 1841 and he confidently expected more. A bank would provide a safe repository and additionally, would pay interest on his money.

But more important than this, Clendon learned sometime in 1840 that his father George had died in October the previous year. With his death, James Clendon's source of credit from England ended abruptly. This was exacerbated when later in 1840 Governor Gipps' refused to sanction the sale of Okiato and forbade the advertising of town lots at Russell. Clendon was thrust into a financial limbo. This unfortunate position was demonstrated in late 1840 when Clendon, as noted earlier, told his mother he would sell his ship in order to repay some of his debt to his father's estate. It was not until July 1841 that the sale of Okiato was clarified. Instead of £15,000, the Crown forced him to accept £2,250 cash and 10,000 acres of land at Papakura, 'at the time a pitiful compensation for what Clendon planned would be a profitable enterprise'.<sup>14</sup>

A local bank, therefore, provided Clendon with a new source of credit. Some time after the government failed to honour its financial obligations over Okiato, Clendon took

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where he arrived with £4 in his pocket. There, Dixon found that the government's clerical positions were largely held by 'respectable' emancipist convicts and he was unable to secure a position. He looked for a mercantile position, but the New South Wales' economy was again in recession and unemployment was rife. He struggled financially for the rest of his life and the Clendon genealogy notes that he died in Sydney in 1863/4, 'insolvent'. Dixon had few good words to say about his brother and sister-in-law, James and Sarah Clendon, who he claimed had treated him badly. (Unfortunately the letter he wrote is damaged and the reasons for his complaint are lost to modern readers). Dixon also considered that the bank had treated him badly, offering him a new 'and not near so good' contract at the very time they were considering closing the Kororareka branch.

<sup>12</sup> Advertisements for the 'New Zealand Banking Company', *The New Zealand Advertiser and Bay of Islands Gazette*, 25 September 1840; *Bay of Islands Observer*, 25 August 1842.

<sup>13</sup> J. Clendon to Elizabeth Clendon, 6 December 1840, NZMS 819, Clendon, J. R. Correspondence, APL.

<sup>14</sup> Paul Moon, *Hobson Governor of New Zealand 1840-1842*, Auckland: David Ling, 1998, p.185

out a mortgage with the New Zealand Banking Company. The ethical considerations of a bank's director and founding shareholder borrowing money from his own bank appeared not to have been an issue. For security, Clendon must have offered his land at Papakura, for which he received a Crown Grant in 1842.<sup>15</sup> According to Joseph Dixon, he used this money to complete his home and continue developing his property at Manawaora.<sup>16</sup>

Unfortunately, like some of his earlier decisions made with the best of intentions, opening a bank was one Clendon was to regret. After 1841 'when the tide of business ebbed from the Bay of Islands and flowed correspondingly to the new town of Auckland' the bank's fortunes deteriorated.<sup>17</sup> It failed in 1842 and was closed abruptly. Although a large proportion of its investments were at the Bay, most of the population there was by that time like Sydney's, largely bankrupt. The bank was re-established in Auckland, the new centre of commerce, by the end of the year. Much of the bank's Bay of Islands business after the transfer to Auckland consisted of foreclosing on its clients' mortgages and selling its securities at the Bay. Clendon and James Busby were among a number of leading settlers on whom the bank foreclosed.<sup>18</sup>

### The financial noose

As the financial noose tightened around Clendon's neck from 1840 onwards, he was increasingly under pressure to sell his remaining land. His generous and apparently trusting nature may have added to this parlous financial state. Joseph Dixon referred to some of his subsequent actions as:

Engagements he has got entangled in, his trusting people contrary to advice and in the teeth of letters written to him telling him that no doubt he would be left in the lurch and have to pay.<sup>19</sup>

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<sup>15</sup> Clendon did not receive a Crown Grant for Manawaora until after the Old Claims Commissioners awarded him 1800 acres of land there on 24 April 1844. F.D. Bell to Under-Secretary for Lands, 31 May 1861, J. R. Clendon, *Old Land Claims* 116, Archives NZ.

<sup>16</sup> J. Dixon to J. C. Clendon, 20 September 1845, NZMS 819, Clendon J. R. Correspondence 1830-1836, APL.

<sup>17</sup> J. Clendon to Sarah Ann Clendon, 21 November 1845, Clendon Family Papers, NZMS 849 James Reddy Clendon Papers, APL.

<sup>18</sup> A Special General Meeting held on 11 August 1842 voted that the New Zealand Banking Company's headquarters be moved to Auckland. The existing proprietors of the bank were to hold their present positions until a Special General Meeting on 24 September 1842 was held at which new directors would be elected and a dividend declared. *Bay of Islands Observer*, 25 August 1842; Lee, *The Bay of Islands* pp.213, 245-246.

<sup>19</sup> J. Dixon to J. C. Clendon, 24 August 1844, NZMS 819, Clendon, J. R. Correspondence 1830-1846, APL.



Clendon's attempt to sell the Kororareka property he had exchanged with James Harvey for the *Fortitude* and her cargo in 1836 was thwarted in August 1840 by a notice in the *Bay of Islands Observer* cautioning the public against purchasing the house, as 'James Harvey, late of the Bay of Islands' was 'insolvent' and proceedings had begun against him to make the property available for payment of his debts. It also claimed that the property had not been conveyed to anyone else.<sup>20</sup> Clendon's deal with Harvey had undoubtedly effected an exchange, but without any official documents, he could not prove this. However, no doubt aware of the depressed state of the Bay of Islands economy, bargain hunters with ready cash soon arrived at the Bay of Islands. In 1842 a passenger named Chapman from the vessel *Theresa* called on Clendon and offered £2000 in cash for the Manawaora land and buildings. At the time the government Commission investigating early land purchases had gazetted only 993 acres for this land. Clendon refused Chapman's offer 'not considering it equal to the outlay'.<sup>21</sup>

Instead James Clendon turned once more to his family in England to help him. It was in the family's interests to do so, as Clendon had still owed money to his father's estate. Firstly, he asked his brother John in London to try and sell some of the Papakura land to intending settlers, 'at almost any sacrifice'. Secondly in August 1844, after receiving a Crown Grant for the Manawaora land, Clendon travelled to Sydney to try and sell or raise money on the property. However, he had little hope of doing so as Sydney was still suffering from an economic depression. He wrote from Sydney to his sister Sarah in England 'such is the depressed state of business that I fear...I shall fail in my object'. It appeared his efforts in Sydney were fruitless as within a fortnight of writing to Sarah, Clendon wrote to his brother John in London, sending him a plan of the Manawaora house in the hope that John could find a buyer for that property as well.<sup>22</sup>

The Manawaora establishment had been considerably improved. The weatherboard house 'was well finished and papered' with 'Mortice Locks' on the 'doors and French windows'. The house, garden and orchard were fenced. Clendon had built a store, shed, stables and a corn room. In the orchard were about 160 fruit trees, and the

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<sup>20</sup> *The New Zealand Advertiser and Bay of Islands Gazette*, 27 August 1840.

<sup>21</sup> J. R. Clendon to J. C. Clendon, 24 August 1844, NZMS 819 Clendon, J. R. Correspondence 1830-1846, APL.

<sup>22</sup> J. R. Clendon to J. C. Clendon, 14 September 1843, Hamilton, Douglas, Letters, 87-063, WTU; J. R. Clendon to Sarah Ann Clendon, 17 August 1844; J. R. Clendon to J. C. Clendon, 24 August 1844, NZMS 819, Clendon J. R. Correspondence 1830-1846, APL.

house had a 'good garden of about  $\frac{3}{4}$  of an acre'. Eighty acres of the land had been 'cleared ready for ploughing and fencing'.<sup>23</sup> Clendon obviously hoped for a good price.

Unfortunately, John could not find a buyer. With the rapid establishment of the New Zealand Company settlements elsewhere in New Zealand and the government re-established in the new town of Auckland, the Bay of Islands was no longer considered a good investment by intending settlers.

### The Papakura Land

Had Clendon been able to hold on to his Papakura land, he may have eventually had his fortunes restored and his descendants might found themselves in possession of an asset of considerable wealth.<sup>24</sup> Unfortunately, the fate of this land was indicative of the chaos generated by European colonisation in a new country; it was in the wrong place at the wrong time and virtually worthless.

Clendon petitioned Lord Stanley at the Colonial Office through Governor Robert Fitzroy in 1845, asking for compensation for the way in which he had been used by the government. The British government appeared to show him little sympathy; his petition and subsequent appeals were ignored.<sup>25</sup>

As things transpired, James Clendon was obliged to dispose of the majority of the Papakura land in liquidation of his debt to the New Zealand Banking Company. Some of this land was conveyed directly to the bank. A deed conveyed 3957 acres to the bank at a value of £513, in August 1846.<sup>26</sup> Furthermore, Clendon wrote to his sister Sarah in November the same year that all of his Papakura property 'excepting a thousand acres of land near Auckland' was now sold to discharge his debt to the New Zealand Banking

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<sup>23</sup> J. R. Clendon to J. C. Clendon, 24 August 1844, NZMS 819 Clendon, J. R. Correspondence 1830-1846, APL.

<sup>24</sup> Deed of Conveyance, H.M. Government to J. R. Clendon, 18 October 1842, 'Material relating to land owned by Clendon, NZMS 849, James Reddy Clendon Papers, APL. Note that the copy of this deed is damaged, and the boundaries of the land given in the deed are not legible.

<sup>25</sup> Memorial of James Reddy Clendon of Manawaora Bay of Islands to Governor Robert Fitzroy, October 1845 and correspondence attached, J. R. Clendon Papers, 75/105, MS 802, Hobson, William Papers, AML.

<sup>26</sup> Deed of Conveyance, J. R. Clendon to Alexander Kennedy, Manager of Affairs of the New Zealand Banking Company, 20 August 1846, 'Correspondence about sale of land at Manakau', NZMS 478, 6/4, Clendon, James Reddy, Papers, APL. The value of this land was roughly 2/6d per acre.

Company.<sup>27</sup> The land was low-lying, a mix of meadow and swamp and had varied commercial value. One block of 180 acres of better land, already mortgaged, he managed to sell in 1844 for almost £1 per acre, but most of the land realised less than 1/6d per acre.<sup>28</sup> Of the land remaining after Clendon's conveyance to the bank, a further 440 acres, priced at £200, [about 10/- per acre] were conveyed to his brother John Clendon in 1860 in liquidation of Clendon's outstanding debt to his father's estate. It was a poor return for the credit George Clendon had given his son, and the difficulties John Clendon had in disposing of an estate on the other side of the world were considerable. Firstly, the cost of conveyance, survey and other expenses had to be met from George Clendon's estate.<sup>29</sup> Secondly, John Clendon was obliged to write to George Howard, his sister Rebecca's husband in New Zealand, to act as an agent for the disposal of the land.<sup>30</sup> Thirdly, the land was of poor quality and by 1868 it was worth little more than 4/- per acre. War with Maori in the Waikato in the early 1860s had affected Auckland land prices, a situation exacerbated when the government made hundreds of acres of confiscated Maori land in the Waikato available to settlers. The Waikato lands were extremely fertile and more suitable for farming than land at Papakura, and John Clendon had difficulty selling the Estate share.<sup>31</sup> The balance was disposed of whenever and wherever James Clendon could find a willing buyer or even a willing creditor.

Meanwhile, James Clendon lived on his farm at Manawaora, and turned to the New Zealand government to provide him with some additional income in the form of a job.

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<sup>27</sup> J. Dixon to J. C. Clendon, 20 September 1845, NZMS 819, Clendon J. R. Correspondence 1830-1836; J. R. Clendon to Sarah Ann Clendon, Clendon Family Papers, NZMS 819 James Reddy Clendon Papers, APL.

<sup>28</sup> 'Conveyance 26 July 1844, James Reddy Clendon to Mr. Edward Waters, 180 acres', Correspondence re sale of Manukau Estate, Series 6/2 NZMS 478 James Reddy Clendon Papers; J. C. Clendon to J. R. Clendon, 21 January 1860, NZMS 7-5 Box 1 Bundle 5/19, James Reddy Clendon Papers, APL.

<sup>29</sup> J. C. Clendon to J. R. Clendon, 20 January 1860, NZMS 7-5 Box 1, Bundle 5/19, APL.

<sup>30</sup> John C. Clendon [London] to George Howard [New Zealand] 21 November 1861, NZMS 849, James Reddy Clendon Papers, APL.

<sup>31</sup> 'Conveyance James Reddy Clendon to John Chitty Clendon and anor', 16 May 1860, NZMS 849, James Reddy Clendon Papers, APL; J. C. Clendon to J. R. Clendon, 16 March 1868, NZMS 478 4/3, No.21; J. C. Clendon to George Howard [New Zealand], 21 November 1861, NZMS 849, James Reddy Clendon Papers, APL.

### Clendon and the government.

James Clendon's earlier petition to the Colonial Office for work under a British regime had been unsuccessful. However, after 1840, as an educated and influential settler who was on excellent terms with many local Maori, James Clendon became useful to the British government. As in India and in other colonies of the British Empire, established settlers with local knowledge and experience were used as government officials, especially during times of conflict. Ian Copland in *The British Raj and the Indian Princes; Paramountcy in Western India, 1857-1930*, writes of the importance of these agents or 'men on the spot' to the smooth running of government in the British empire, and in particular, of their importance as mediums for conveying information between the government and indigenous chiefs, or those chiefs and the government:

Being 'on the spot', the political agent was expected to observe and report regularly on all major events occurring in the states within his jurisdiction and to recommend appropriate action where necessary. Whether his advice was finally acted upon was, of course, a matter for the judgment of the political secretary and his superiors; but one may be sure that it was never ignored....Even more crucial, perhaps, was the resident's role as an instrument of imperial policy. Political crises in the states had a habit of flaring up unexpectedly, and it was not always possible, especially in the pre-telegraph era, for a political agent to seek the advice of the secretariat before taking remedial action. Not wishing to be caught napping, the government always encouraged its men on the spot to use their initiative.<sup>32</sup>

Clendon, disappointed with the way he had been treated by the British government, but lacking other options, took his official positions seriously. He was a trustworthy, competent and conscientious employee and already experienced in dealing with official administration. As outlined earlier, soon after Hobson arrived at the Bay of Islands, in 1840 Clendon was appointed a non-stipendiary British Magistrate of the Territory, a position he required in order to return American deserters to their ships.<sup>33</sup> His dual status as a representative of both the United States and the British government following this appointment was indicative of the shortage of suitably qualified people available for official positions. Furthermore, following his resignation as United States

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<sup>32</sup> Ian Copland, *The British Raj and the Indian Princes; Paramountcy in Western India, 1857-1930*, New Delhi: Orient Longman, 1982, pp.55-56, 71.

<sup>33</sup> Lee, *Bay of Islands*, p.241; A1267-19, Clendon, James Reddie, Dispatch from Governor of New South Wales – Enclosures 1839-1840 p.2452, Mitchell Library, Sydney.

Consul in April 1841, he continued to act unofficial as an agent of the United States government until early in 1842.

In 1841, Clendon and two other Justices of the Peace, W.F. Porter and G.B. Earp were appointed to Governor Hobson's first Legislative Council.<sup>34</sup> Clendon travelled to Auckland to attend sittings. During his time in the Council, Clendon, Porter and Earp, all settlers, were opposed to Hobson's first Land Claims Ordinance passed in August 1840, which declared all land in New Zealand the property of the Crown. Hobson's envisaged division of land threatened speculators and settlers alike; he intended laying out new towns in Auckland, the Bay of Islands and Hokianga, from which settlers who had already purchased land could make a claim. Settlers like Clendon, who had built homes and developed their existing land stood to lose the assets they had built up in New Zealand.<sup>35</sup> Hobson's first Ordinance was replaced on 25 February 1842 with a new Land Claims Ordinance that gave the Crown sole right to purchase further Maori land, and granted 4 acres for every £1 expended by settlers (up to a maximum of 2560 acres) to each land owner, which could be claimed from their *existing* lands.<sup>36</sup> Clendon's support of the latter regulation was roundly criticised in the *Bay of Islands Observer*. Settler disapproval centred on the fact that Clendon had already received a Crown Grant for 10,000 acres of land at Papakura and was therefore less affected by the Ordinance than other

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<sup>34</sup>There were three officials, the Colonial Secretary, the Colonial Treasurer and the Attorney-General, and three non-elected Justices of the Peace. It was a Council similar to those first set up in Australia during the 1820s, as I have outlined in an earlier chapter. Michael King, *The Penguin History of New Zealand*, Auckland: Penguin Group/Viking, 2004, p.166; A.D.W. Best, *Journal of Ensign Best*, Nancy M. Taylor (ed.), Wellington: Government Print, 1966, p.419; Moon, *Hobson*, p.150.

<sup>35</sup> This Ordinance followed from an earlier Bill based on the premise that land claims were so numerous and extensive that they could lead to small disbursed settlements and thereby prevent successful colonization. All land sold by Maori was therefore declared vested in the Crown. As the New Zealand Company had purchased so much of this land it was proposed that it receive 4 acres for every £1 sterling spent and it was proposed that this rule be extended to all British subjects. Lands already cultivated or built on before 5 January 1840 could be retained by their purchasers. All other land claims were to be selected from within the Tamaki-Manukau district, the Bay of Islands and Hokianga, where towns were to be laid out, surrounded by suburban sections of 5 – 20 acres, adjoined by 80-acre country sections. Each claimant could choose one suburban and one rural section out of his recognised claims, the rest of his claim coming from country sections. One-tenth of the suburban allotments was to be reserved for Maori. While the object of this was to produce orderly close settlement near Auckland, it was clearly unworkable. Hobson withdrew it and shortly afterwards produced another bill that repeated the award of 4 acres per £1 and allowing claimants to select land out of blocks already claimed by them, to a maximum of 2,560 acres per claimant. However the size and shape of the blocks was restricted. The Council passed this bill on 25 February 1842, but Lord Stanley at the Colonial Office later disallowed it. Best, *Journal*, pp.417-419.

<sup>36</sup> Paul Moon, *Hobson*, pp.252-254. (My italics). By this time some blocks of land had already been adjudicated upon and gazetted, as Clendon's letter to John of 24 August 1844, above, attests.



landholders.<sup>37</sup> It is unlikely that many knew of his actual financial situation and that his support for second Ordinance was a pragmatic one. He later received a Crown Grant for the Manawaora land as well the land previously granted at Papakura, freeing him to dispose of both to off-set his debt to the bank.

Clendon resigned from the Legislative Council in 1844. Once again, he was driven by practical considerations. He wrote to his family in England that the expense of travelling to Auckland for meetings was too great, particularly as at that time he was in such straitened circumstances.<sup>38</sup> In addition, until January 1842 he had continued to conduct business on behalf of the newly appointed United States Consul, William Mayhew, travelling from Manawaora to Mayhew's home at Te Wahapu several times a week. Possibly this was because his resignation had not yet been formally recognised or that, as Harron suggests, Mayhew was not as diligent in his consular duties as he might have been.<sup>39</sup> Clendon's last unofficial despatch forwarded accounts on behalf of Mayhew to the U.S. government on 1 January 1842.<sup>40</sup>

Another reason for Clendon's resignation from the Council was that Sarah Clendon had been extremely ill and Clendon was reluctant to spend so much time away from home.<sup>41</sup> New Zealand remained a difficult place in which to live after British annexation. As noted, many settlers from the Bay of Islands began to move away. Families who stayed were correspondingly more vulnerable to adversity caused by isolation, illness and the Maori practice of *utu*. The isolation of the family at Manawaora, the uncertainty surrounding Clendon's financial affairs, his absences for Council sittings and United States consular duties, must have been very difficult for his

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<sup>37</sup> *Bay of Islands Gazette*, 14 April 1842.

<sup>38</sup> During Hobson's tenure as governor the Council sat twice, the first session from 24 May 1841 to 9 June 1841, the second from December 1841 to February 1842. Sittings were held on alternate days to allow the printing of each day's proceedings. See G. Harron, 'New Zealand's First American Consulate', Appendix A, *History of New Zealand Thesis*, Auckland University, 1970, p.8. (Appendix B). After Hobson's death in 1842 until 1844, New Zealand was effectively without a functioning government. Willoughby Shortland, acting in Hobson's place was ill-equipped to manage the colony and the Council did not sit. During Fitzroy's tenure from 1843-1845 he reconvened the Legislative Council on 9 July 1844, by which time Clendon had resigned. See Paul Moon, *Fitzroy, Governor in Crisis, 1843-1845*, Auckland: David Ling Publishing, pp.108-111,

<sup>39</sup> Harron, p.8. (Appendix B)

<sup>40</sup> J. R. Clendon to U. S. Secretary of State, 1 July 1841; 1 January 1842, in R. McNabb (ed.), 'United States Consular Records', *Historical Records of New Zealand*, vol. 2 Wellington: Government Printer, p.620.

<sup>41</sup> J. R. Clendon to Sarah Ann Clendon, NZMS 819, Clendon J. R. Correspondence 1830-1846, APL.

wife and family, particularly when he was eventually forced to try and sell the Manawaora property in 1844, now their only home. They were no doubt relieved when his efforts and those of his brother John, proved unsuccessful and they could stay at Manawaora.

Clendon managed to survive the years between 1840 and 1845, living with his family at the Manawaora farm and carrying out some small scale trading activity at Kororareka. The advent of war saw Clendon again leaving his family through a government appointment to an assignment in 1845 that carried a considerable element of danger. His family at Manawaora and all other settlers at the Bay of Islands were placed in jeopardy when a clash between Bay of Islands Chief Hone Heke and the government hurled the district into New Zealand's first civil war.

#### Clendon's role in Hone Heke's war with the New Zealand government 1845-1846.

Clendon played a vital role in the three-cornered contest between Hone Heke, Tamati Waka Nene and the Crown. Heke's opposition to government policies since he had signed the Treaty of Waitangi led to his cutting down the British flag at Kororareka twice. As news of his rebellion spread he was joined by Kawiti and other supporters, who began plundering the wider district, burning houses and stealing horses.<sup>42</sup> The government warship HMS *Hazard* was sent to the Bay to protect the settlers at Kororareka and on Heke's third attempt to take the flag, the ship bombarded the town. What was not destroyed in Kororareka by the *Hazard's* guns was plundered and burnt by Heke's men. During the fighting, a recently built blockhouse and stockade, guarded by about 30 soldiers, blew up when a nearby magazine of powder exploded and its contents were destroyed.<sup>43</sup> The blockhouse had contained many of the settlers' possessions.

On board the *Hazard* watching the carnage was Clendon's brother-in-law Joseph Dixon, who had managed to salvage 'three small trunks' of clothes from the ruins of the stockade. Dixon's family, Sarah Clendon and her children, and other settlers in the

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<sup>42</sup> J. Dixon to J. C. Clendon, 20 September 1845, NZMS 819, Clendon J. R. Correspondence 1830-1846, APL. West coast chief Tamati Waka Nene, in opposition to Heke, supported the Crown..

<sup>43</sup> R. Burrows, *Extracts from a Diary kept by the Rev. R. Burrows During Heke's War in the North in 1845*, Auckland: Upton, 1886, pp.11-13.

district were taken to Auckland for safety.<sup>44</sup> The Clendon family and many others who fled from the Bay of Islands lost most of their possessions. Clendon's account of that day, written over a year later, described the chaos the fighting caused. It verified his standing with 'rebel'<sup>45</sup> Maori at the Bay of Islands, who, astonishingly, turned to him for advice, his bravery in returning to Kororareka to salvage property and his philosophical attitude towards his family's losses. The few goods he managed to salvage were later stolen by the *Hazard's* crew or others who had taken refuge on the ship:

A day or two before the attack upon Kororareka I removed all our nursery apparel bedding etc/everything excepting the little furniture we had to a store in Kororarika – we had part of a house/two rooms at Paihia—I had then only 6/- and knew not when to get more – The attack upon Kororareka commenced at daylight – and as soon as I saw the town given up – and the firing from our side had ceased I went there with James [Clendon's son] and a young lad – it must have been about 3 o'clock in the afternoon – I removed part of our things (until dark) to a ship – at daylight on the following morning – I went over again and found the town full of Natives – every house – more or less – plundered – all the remainder of our things had disappeared excepting a box of candles and a saddle [sic] – the latter I found a native bringing out of the Store – and I took it from him – in a scuffle – half fun and half earnest however I succeeded in getting it – Then met several of the most active of the rebels who asked why the town had been deserted and begged of me to go to the ship and bring them back. The *Hazard* at this moment commenced firing upon the town and I was obliged to go in my boat [sic] and went home to breakfast [probably to the Paihia mission house] – I returned again and remained there all day –attempting/attesting/abetting in saving the property of everyone who had the courage to come for it – and remained there until the last moment and the Natives had set fire to the Town—The next morning the ships were ordered off to Auckland and the things I had saved at the risk of my life I have not since heard of – they were all stolen by the crew and the people who had taken refuge on board – I wrote to a friend in Auckland to look out for them and have them stored – but not a package ever came to hand – most of the poor people fled as they stood upright and no doubt helped themselves to whatever came before them ---by the first vessel from Sydney we received from Sarah, a friend, a large case of cloathing [sic] and twelvemonths provisions of Tea Sugar Flour—Corned Beef and Tongues – or we should have been in a wretched state – Shortly after the Govt gave me a temporary [temporary] appointment at 5/- a day as an agent to give information of the movements of the Natives there [sic] It was afterwards increased to £200 a year – but the great part - I may say more than ¾ of it has gone to pay our debts – and we are hardly clear yet. It will take another quarter to do it.<sup>46</sup>

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<sup>44</sup> J. Dixon to J. C. Clendon, 20 September 1845, NZMS 819, Clendon J. R. Correspondence 1830-1846, APL.

<sup>45</sup> Supporters of Hone Heke. In contrast, West Coast Chief Tamati Waka Nene and his supporters, including Chief Pomare II, were viewed as 'loyal' to the Crown as they supported government initiatives against Heke. Belich, p.206.

<sup>46</sup> J. R. Clendon to Sarah Ann Clendon, 21 November 1846, Clendon Family Papers, NZMS 849 James Reddy Clendon Papers, APL. Words in square brackets are mine.

As the war in the north escalated and Maori from both coasts of Northland gathered either in support of Heke or the government's troops,<sup>47</sup> Clendon was appointed as a temporary Police Magistrate. He was instructed to gather intelligence on Heke's war activities and report his findings to the governor at Auckland.<sup>48</sup> In short, in 1845 Clendon spied for the government. For this potentially dangerous position he was paid 5/- per day. No longer in his former position of business and social importance, he wrote to his sister, 'I am not now my own master and must go when I am requested to do so'.<sup>49</sup>

Clendon was a valuable agent for the Crown. His years at the Bay of Islands had given him a thorough geographical and tactical knowledge of the area and a good understanding of Maori. He diligently reported Heke's actions, sent in lists of British soldiers and Maori killed or injured in battles, and reported the recovery of plundered European goods. He organised transport, local guides, food and other needs for the troops, and sometimes plotted a course of action for military leaders and offered tactical advice. Unfortunately, as Copland points out, the advice of the government's 'men on the spot' was not always acted upon. In one instance Clendon wrote to Governor FitzRoy in May 1845 expressing concern that his instructions to Major Cyprian Bridge for an expedition to attack Waikare *pa* were ignored, and as a result 'it proved a most disgraceful failure'.<sup>50</sup> Clendon with Williams and the Reverend R. Burrows were also at Ohaeawai, where government troops with their Maori allies took a week to breach Heke's *pa* and were subsequently defeated by Kawiti and his warriors. Sarah Clendon received a comprehensive account of events written by Clendon on 2 July, the day after fighting ceased, allaying any fears she might have had that her husband had been injured during the affray.<sup>51</sup>

Clendon was also a skilled mediator between Maori and the Crown. He corresponded with Maori chiefs allied to the British troops and passed on any information to or from them that was of importance. He wrote, for instance, in May 1845 to Tamati

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<sup>47</sup> Chief Kawiti supported Hone Heke.

<sup>48</sup> Governor Robert Fitzroy to J. C. Clendon, 10 April 1845, Micro MS 54, Letters 4 & 5, J. R. Clendon 1801-1872 Papers 1837-76, WTU.

<sup>49</sup> J. R. Clendon to Sarah Ann Clendon, 21 November 1845, Clendon Family Papers, NZMS 849, James Reddy Clendon Papers, APL.

<sup>50</sup> J. R. Clendon to W. Fitzroy, 19 May 1845, Journal of J. R. Clendon 1839-1872, 'Manawaora', NZMS 476, APL.

<sup>51</sup> J. R. Clendon to Sarah Clendon, 2 July 1845, Clendon House, Rawene. (Appendix 1.3) Clendon's account is verified by the Rev. J. Burrows' account of this action in *Extracts from a Diary kept by the Rev. J. Burrows during Heke's War in the North, in 1845*, pp. 38-40.

Waka Nene, who supported government troops, advising him that the rumour he had heard that the governor had proposed terms for peace was untrue.<sup>52</sup> When George Grey replaced FitzRoy as governor in December 1845, Clendon wrote to Chief Pomare who supported Nene, suggesting he attend Grey's meeting with Nga Puhi at Kororareka:

Sir, Pomare, I have heard that the New Governor has arrived today at Kororareka and that the Nga Puhis assembled today to see him and hear his speech. Perhaps you had better come. From me this letter, signed J. Clendon.<sup>53</sup>

Clendon was commended for his service to the government during Heke's war. Colonel H. Despard wrote to Fitzroy in July 1845:

Mr. Clendon the Police Magistrate at Paihia has been of infinite use in getting up our supplies of every sort from first to last. He has spared neither toil or trouble in doing so; and I think, if it had not been for him, we should have been very much worse of [sic] than we are now. I feel under great obligation to him, and he certainly deserves to be most favourably mentioned to your Excellency.<sup>54</sup>

Sarah Clendon and the children remained in Auckland, and the farm at Manawaora was for some time abandoned. Clendon returned to Paihia, reporting Heke's movements between Hikuranga and Ruapekapeka to Governor Grey at the end of December 1845. Heke was at that time preparing a new *pa* at Ruapekapeka where the final battle of the war was fought. The British troops were no match for Heke and Kawiti's war tactics – when they breached the Pa it was deserted.<sup>55</sup>

Before leaving Auckland, Clendon wrote to his sister Sarah Ann in England that he had received a pay rise:

The Government have done all they could for me – after the fall and desertion of Kororareka I had not one sixpence of income – and no employment. I offered [sic] my services upon all occasions both to the Military and navy whenever a local knowledge of the country was required – and to the Governor [FitzRoy] to give him all the information that could be retained [in] relation to the movements of the natives. At the end of three months I received a most flattering letter from the Governor thanking me for the information I have given and stating that the assistance I had rendered had called forth in the strongest terms the thanks of both

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<sup>52</sup>Translated and included in despatch from Clendon to W. Fitzroy, 25 May 1845, NZMS 476, Journal of J. R. Clendon 1839-1872, 'Manawaora', APL.

<sup>53</sup>'Translated' and included in a letter from Clendon to George Grey 5 December 1845, NZMS 476, Journal of J. R. Clendon 1839-1872, 'Manawaora', APL.

<sup>54</sup> A1267-22, Dispatch from Governor New South Wales, Enclosures 1845, Letter from Colonel Despard to J. Busby, p.3281, PRO 1003-04, Mitchell Library, Sydney.

<sup>55</sup> James Clendon to Governor George Grey, 29 December 1845, GL:NZC22, Grey Papers: Grey New Zealand Letters vol.17, p.68, APL. Also see Kene Hine Te Uira Martin, 'Kawiti, Te Ruki', W.H. Oliver (ed.), *Dictionary of New Zealand Biography*, vol. 1, Wellington: Allen and Unwin/Department of Internal Affairs, 1990, pp.219-221



the Naval and military officers – and – fixing a salary of £200 a year. Whether the new Gov'r [Grey] will continue it or not I do not know – I have some reason to hope he will.<sup>56</sup>

Unfortunately, Clendon's position as Police Magistrate at Paihia was short-lived. In December 1846 he received notice that his position would cease from the following May. A military officer was instead appointed as Magistrate at the Bay of Islands, a position that combined 'the Chief Military and Civil Authority in the same hands'.<sup>57</sup> By mid 1847, Clendon was unemployed. In 1848 the Clendons were living at Kororareka, renting a cottage on land belonging to one of the Williams children, and 'doing business in a petty retail way'. Without the help of Sarah's mother in Sydney, who sent clothes, tea, sugar and other foodstuffs, they could not have survived. His three daughters Eliza, Fanny and Kate were with them, while his son James raised cattle at Manawaora to supply the troops still stationed in the Bay of Islands.<sup>58</sup> Clendon wrote a sad letter to his mother that year, one in which he saw that his dreams of life as a man of substance and landed property in New Zealand had collapsed:

My Dear Mother,

Many months have elapsed since I wrote to any part of the family....The truth is I have no good tidings to communicate and I do not like to trouble you with my difficulties – all our losses [and] removings etc I have at different times written about. Now we are living at Kororareka – upon a piece of land belonging to one of the young Williams at a nominal rent....I see no other prospect than to work hard to the end of my days. I cannot say the government have done much for me beyond ruining me. I have written to both George & John to ask them to take my land near Auckland in liquidation of my debt to you.<sup>59</sup>

Writing so soon after his experiences on the battlefield where he had observed the successful strategies of warrior chiefs Kawiti and Heke, Clendon also made an astute observation in this letter about Maori, whose tactical and fighting skills he considered superior to those of the British military forces. He correctly predicted that they would fiercely defend any attempts to take land they were not prepared to sell, as the wars in Taranaki and the Waikato were later to demonstrate:

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<sup>56</sup> J. R. Clendon to Sarah Ann Clendon, 21 November 1845, Clendon Family Papers, NZMS 849, James Reddy Clendon Papers, APL.

<sup>57</sup> Colonial Secretary to J. R. Clendon, 17 December 1846, Micro MS.54, J. R. Clendon 1801-72 Papers 1837-76, WTU.

<sup>58</sup> J. R. Clendon to Mrs. Elizabeth Clendon, 21 March 1848, Clendon Family Private Papers. Also see Ross Clendon, 'On the Trail of James Reddy Clendon' in Ryland Clendon, *The Clendons: Five Hundred Years of the Clendon Family. An Illustrated History*, Malvern Wells: Harold Martin & Redman Ltd., pp. 189-190.

<sup>59</sup> R. Clendon to Mrs. Elizabeth Clendon, 21 March 1848, Clendon Family Private Papers. Also see Ross Clendon, in Ryland Clendon, pp. 189-190.

Yet all depends upon the British Government – if they attempt to carry out Earl Grey's instructions i.e. to take all the land not cultivated by the Natives – there will be a rebellion throughout the Island – and certainly an extermination but not of the Natives – the Whites will suffer. It will require half the British Army to conquer New Zealand – judging from what has already taken place – in every case the Natives have been victorious.<sup>60</sup>

### Aftermath

Clendon's misgivings about his future in New Zealand proved correct. He continued working as a government official for many years. His various offices included: sub-treasurer, registrar, police inspector and customs collector at the Bay of Islands and at Rawene, where he lived after 1861. While still in office at Korarareka, Clendon conducted New Zealand's first official census of the European population of the north in 1846.<sup>61</sup> It is not known at exactly what point he disposed of the Manawaora farm, which his son James ran for several years after the war, raising beef cattle. Clendon's chiefly protector, Pomare, whose people had participated in the looting of Korarareka after it was destroyed, was arrested and taken to Auckland in 1845; his great *pa* at Otuihu was bombarded by British gunboats and razed to the ground. He was later released.<sup>62</sup> Clendon's redoubtable wife Sarah died suddenly in 1855 aged 49 years, leaving Clendon a widower with a 16 year old daughter, Kate and his son James. His older daughters Fanny<sup>63</sup> and Eliza were married. Mary Clendon had died in Sydney in 1848 aged 14.

In January 1856 Clendon married Jane Cochrane, who was little older than his daughter Kate. Jane, educated at a mission school, was the only daughter of Hokianga settler Dennis Cochrane and his late wife, Takatowai Te Whata. Jane and James Clendon had eight children. After a brief residence at Kerikeri, the Clendons moved to Rawene, Hokianga in 1862. By that time the farm at Manawaora appears to have been sold. As magistrate at Hokianga, under the Native Circuit Courts Act, Clendon with James as clerk, 'dispensed justice in informal surroundings and in conformity with Maori conceptions.' His reputation there was already established, as while resident magistrate

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<sup>60</sup> J. R. Clendon to Mrs. Elizabeth Clendon, 21 March 1848, Clendon Family Private Papers.

<sup>61</sup> J. Rutherford, 'Clendon, James Reddy', A. H. McLintock (ed.), *An Encyclopedia of New Zealand*, vol.1, Wellington: Government Printer, 1966, pp.357-358; Jack Lee, 'Clendon, James Reddy', *Dictionary of New Zealand Biography*, vol.1, pp.84-85.

<sup>62</sup> Angela Ballara, 'Pomare II', *Dictionary of New Zealand Biography*, vol.1, pp.347.

<sup>63</sup> My great-great-grandmother.

at Russell in 1858 he had visited Hokianga and successfully settled 67 European-Maori disputes.<sup>64</sup>

When the Native Circuit Courts Act was repealed in 1867, Clendon retired from public duty in 1867 on a small government pension. From 1868 he increased his commercial activities, taking up licences to sell beer, wine and spirits at Rawene in 1869. Clendon continued in small-scale trade in Rawene, purchasing a flax mill and sending dressed flax, and gum from local diggers to agents in Auckland; he also invested in a gold mine at Thames.<sup>65</sup> Clendon seems never to have recovered from his earlier losses at the Bay of Islands. This may have been as much to do with the New Zealand's and particularly the North's precarious economic circumstances in the three decades following annexation as with Clendon's unfortunate investments. However, he was not alone in his misfortunes. His two brothers-in-law, George Howard in Auckland<sup>66</sup> and Joseph Dixon in Australia both fell prey to their creditors during the 1860s. When Clendon died in 1872 he was still heavily in debt. His wife Jane, then 34, spent her remaining years paying off his debts while raising the last of their eight children, the youngest of whom was seventeen months old when Clendon died.<sup>67</sup> She was able to retain the Rawene house because it was mortgaged to her father (to whom James owed three years' rent at the time of his death).<sup>68</sup>

In 1832 Clendon's father George Clendon invested heavily in New Zealand and lost. At his death his estate was diminished by those financial reverses in New Zealand. His widow and remaining children suffered as a result. He was one of many English parents, who from the end of the eighteenth century encouraged his children to seek new lives abroad, in Canada, the United States, Australia or New Zealand. James and Sarah Clendon and their family were part of a wider movement of the British empire from its

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<sup>64</sup> Lee, 'Clendon, James Reddy', *Dictionary of New Zealand Biography*, vol 1 p.85.

<sup>65</sup> 'Application for Protection of Claim, 16 November 1869', Miscellaneous Documents, NZMS 578 Series 2/2 Clendon Papers; 'Receipt for payment on Flax Mill, 12 November 1870', Business Letters and Accounts, NZMS 478 Clendon Papers Series 2/13; Sargood & Son, Auckland to James Clendon, Hokianga, 27 May 1872, Business Letters and Accounts, NZMS 478 Series 1/3 No.25 Clendon Papers, APL.

<sup>66</sup> J. R. Clendon to J. C. Clendon, 19 May 1867, 'Material relating to land owned by Clendon', NZMS 849 James Reddy Clendon Papers, APL.

<sup>67</sup> Clendon, R. Papers, 1838-1876, APL; Lee, 'Clendon, James Reddy', *of New Zealand Biography*, vol. 1, pp.84-85; Ross Clendon, in Ryland Clendon, p.195.

<sup>68</sup> Ryland Clendon, p.196. Jane Clendon was a remarkable woman in her own right and was held in very high regard by the people of Rawene. Her reputation is upheld there even today. 'Clendon House' at Rawene now belongs to the New Zealand Historic Places Trust and can be viewed during the summer months. Jane's biography has yet to be written.

European centre to a global periphery. Economic, social and later humanitarian forces drove this expansion. Financially, Captain James Clendon and his family also lost, but they were hardy and survived. Clendon's influential status prevailed as his many official positions within New Zealand's government testified. The Clendons were among the handful of genuine British settlers who came to New Zealand prior to 1840. Their actions and those of other genuine settlers paved the way for formal British annexation and the ensuing British colonization of New Zealand.

## CONCLUSION

This study of James Reddy Clendon a seafaring merchant and entrepreneur has acted as a lens through which a number of wider issues in New Zealand history have been examined. Initial enquiry revolved around why James Reddy Clendon, a British merchant came into the Pacific to trade, why he chose to settle in New Zealand and how he survived in the years prior to and immediately after British annexation. I found that few studies in New Zealand's history explored closely the period of European settlement in Northland between the 1820s and 1840s and that few had taken a global approach as to how this settlement came about. I felt, therefore, that an exploration of some of the background factors to the gradual expansion of British commercial interests into the Asia-Pacific region, Australia and New Zealand prior to 1840 was important. Set against this background, my study of Clendon's early life and merchant activities in New Zealand has been used to explore the role of the entrepreneur in European settlement; the close economic relationship between the Australian colonies and New Zealand; the interaction of Maori and Europeans in trade; issues of class and status among New Zealand's earliest settlers, the role of entrepreneurs in the declaration of formal British authority in New Zealand; and the effect of British annexation on European settlers in northern New Zealand.

Chapter One demonstrated that Clendon's voyages took place at a time of great opportunity for entrepreneurs as Britain's trading interests had swung towards the Asia-Pacific region. He was encouraged to try his luck overseas and proved an adept trader and salesman. Yet, he had support from his family at the Centre to explore the periphery. The chapter also demonstrated that trans-Tasman trade was well established prior to the British annexation of New Zealand; and, that due to the difficulties of land acquisition and the absence of a middle class in Australia, Clendon chose to live in New Zealand.

Chapter Two demonstrated that Clendon's first trading experiences and the profitability of his endeavours in New Zealand were shaped by a number of factors: The geo-physical hazards of shipping in New Zealand with its uncharted harbours and dangerous tides and winds; the need for a variety of credit sources and suitable goods for barter; and Maori agency in trade - European traders needed a knowledge of Maori custom, linguistic skills or someone to provide them, and the patronage of local chiefs.



The chapter also demonstrated the role of contingency in early New Zealand settlement through an exploration of Clendon's first land purchases from Chief Pomare II and other Bay of Islands chiefs in 1830.

Chapter Three discussed the contrasting fortunes of Clendon's British and New Zealand built ships to demonstrate the global nature of European trade. Clendon and other trader's activities formed part of a wider global economy that stretched from a European centre to a New Zealand periphery. Furthermore, Clendon's trading and shipping activities between New Zealand and Australia between 1832 and 1840 demonstrated that a lively commercial interaction existed between these two countries well before the British annexation of New Zealand. They illustrated also that trade was a risky business, particularly in the areas of charters, insurance, and Maori cultural practices. The chapter clearly demonstrates the entrepreneurial nature of Clendon and of Maori with whom he and other Europeans did business. Clendon's actions show that mutual reciprocity between settlers, Maori and British officials at the Bay smoothed their social and commercial interactions during the period, and were important elements in their mutual success. Lastly, an exploration of the Clendon family's social position at the Bay of Islands demonstrated that a clear social hierarchy existed at the time, one in which the middle class Clendons played an important role.

Chapter Four examined Clendon's landholdings in New Zealand and demonstrated that landbanking by permanent settlers in a new frontier was seen as an insurance for future generations. It also identified Clendon's adroitness at positioning himself successfully between a number of different groups in order to protect or further his personal or business interests. One of the ways in which he did this was to support local and quasi-official moves to decrease lawlessness in New Zealand; another was to accept the position of acting American Consul at the Bay of Islands; a third was to offer his services and his Okiato holdings to the British government, in the event of New Zealand's annexation. Furthermore, Clendon's increasing influence at the Bay was demonstrated by his involvement in the drafting of the Treaty of Waitangi and his persuasion of Chief Pomare II and other Maori chiefs to sign it.

Chapter five showed that Clendon's involvement in the setting up of New Zealand's first bank; the British government's refusal to sanction the sale of Okiato; Clendon's unsuccessful attempts to sell some of his property; and his resignation from the Legislative Council in Auckland were all part of the same problem, his need to survive in Northland in a post-annexation environment. Clendon's acceptance of a police magistracy during Hone Heke's war during 1845-1846 was clear evidence of his need for financial stability once he had quit his Okiato business. His new employment as a government official demonstrated the way in which the British government made use of his education, influence and experience with Europeans and Maori.

### Conclusions

This exploration of Clendon's experiences in Australia and New Zealand prior to 1840 has raised some interesting issues about the way the history of New Zealand's earliest European colonization has been written. It suggests that historians may not have yet probed deeply enough into some areas of our past to uncover some of the pillars on which it rested.

The writing of New Zealand's history can benefit from a wider approach. As Bayly argues, taking a global approach to history, 'probes the assumptions that lie behind the narratives which regional historians construct'.<sup>1</sup> His 'decentred' view is echoed by New Zealand historians Peter Gibbons and Caroline Daley. Only by setting New Zealand's colonial history within a wider context, or taking a 'global approach to historical change' do we see its place in a world that, in the early nineteenth century, was dominated by the political and economic hegemonies of Europe.<sup>2</sup> The New Zealand frontier was part of a global empire that stretched from Europe to the southernmost Pacific region. British naval requirements, trade and Britain's penal colonies in Australia were the initial impetus to New Zealand's colonization. As McAloon suggests, New Zealand, with its supply of timber, flax, seals, whales and fresh produce was part of a global economy that stretched between Europe, Asia, Australasia, and North America in

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<sup>1</sup> C.A. Bayly, *The Birth of the Modern World 1780-1914: Global Connections and Comparisons*, Oxford: Blackwell Publishing, 2004, p.469.

<sup>2</sup> *Ibid.*, p.468.

the period 1770 to 1840.<sup>3</sup> It was the growing trade between Britain, the Australian colonies and New Zealand that provided opportunities for men like Clendon, for whom the New Zealand frontier was attractive.

Furthermore, little attention has been paid to the trans-Tasman opportunities for entrepreneurs generated by Australia and in New Zealand's unregulated environment. Australia's colonial infrastructures in the early nineteenth century had characteristics that help explain the attraction of New Zealand for Clendon, and later of settlers from Australia. Indeed the close economic links between Australia and New Zealand and the easy acquisition of land were primary reasons for New Zealand's earliest colonization. The majority of New Zealand's immigrants in the North came from the Australian colonies.

However, this attractiveness was not without its costs. Texts that label Clendon a merchant chief or as commercially pre-eminent at the Bay of Islands<sup>4</sup> have not explored the insecurities that may lie beneath such status. By exploring one individual's shipping activities in New Zealand, this thesis has, for instance, been able to survey the dangers of the New Zealand environment to European traders. There is little information available about the hazards of trading in New Zealand, but Clendon's experiences show that geographically and physically New Zealand in the early nineteenth century was a hazardous place for traders. They often took great risks for profit and these did not always pay.

Another area not addressed in other texts is finance. The New Zealand system was different from that of Australia, where British banking systems were established by the 1830s. Traders in New Zealand needed venture capital or credit from abroad. In New Zealand there were no financial infrastructures to support the day-to-day operations of traders and without credit from a variety of sources, trade and traders could not flourish.

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<sup>3</sup> Jim McAloon, 'Resource Frontiers, Environment, and Settler Capitalism 1769-1860' in Eric Pawson and Tom Brooking, eds., *Environmental Histories of New Zealand*, Melbourne: Oxford University Press, 2002, pp.54-57.

<sup>4</sup> James Belich, *Making Peoples: A History of the New Zealanders From Polynesian Settlement to the End of the Nineteenth Century*, Auckland: Penguin Books (NZ), p. 133; Jack Lee, 'Clendon, James Reddy', *Dictionary of New Zealand Biography*, 1769-1869, W.H. Oliver (ed.), vol.1, Wellington: Allen & Unwin/Department of Internal Affairs, 1990, p.84

Furthermore, ship's cargoes were underwritten by British insurers who could not claim losses if the ships transporting them were not registered in Britain. Clendon's experience of losing his ship's register during its plunder by Maori at Hokianga, and the later piracy of the same ship demonstrated just how financially precarious merchant activity could be at the time.

Maori agency in trade increased New Zealand's attractiveness to outsiders and it is an area of our history that requires further exploration. Research for this thesis suggests that Maori welcomed European merchants and traders into their environment and used these people's skills, knowledge and goods for their own purposes; Maori activities too were entrepreneurial. At least until 1840 European and Maori interactions over trade were based on symbiotic arrangements that were of mutual benefit to both parties. The success of these arrangements gave European traders commercial profit and Maori social capital. But successful European traders had to become skilled at interacting with Maori. Clendon's influence with Bay of Islands Maori during the signing of the Treaty of Waitangi, during inter-hapu wars and during Hone Heke's war with the government clearly demonstrated that he soon acquired these skills.

Existing texts on New Zealand's history have not examined personality as a contributing factor of people's success. James Clendon, his wife Sarah and other settlers brought some social distinctions with them, but these were enhanced and affirmed by their personalities. Some social stratification clearly existed, in the Bay of Islands anyway, from the time of New Zealand's earliest European settlement. Clendon, his wife Sarah, and other middle-class merchants and missionaries were the social elites of the colony, based not so much on their wealth, business acumen or assets, as on their education, hospitality, manners, skills and personalities. These made them useful to Europeans and Maori alike. Belich's suggestion that a 'loose' class system existed in New Zealand is correct to an extent if compared to the 'tight' class divisions in Britain. However, the New Zealand frontier evolved from the start a class system of its own, one based on personality and usefulness. In addition to this, Oliver's suggestion that common experiences in isolated communities caused localized class integration can not be applied to the society in the Bay of Islands. Neither can Fairburn's suggestion that transiency in early settlements prevented any real social cohesion. As Clendon's shipping activities,

and other shipping movements recorded in newspapers at the time suggest, the whole population of the Bay of Islands, including the missionaries was transient to some extent. People constantly moved around New Zealand's coastlines and between Australia and New Zealand, yet the social divisions between the inhabitants of Kororareka and the merchants and missionaries around the Bay remained distinct. New Zealand's distance from the European centre and its uniqueness as a trade frontier of Australia, gave settlers with suitable talents and personalities an opportunity to achieve greater respect, influence and status than they might have had within the tight class stratification 'at home' in Britain, or in Australia.

Another factor that has emerged from this research is that British annexation, supposed to create order in New Zealand, actually created disorder for settlers in the North. Clendon and other settlers favoured annexation, but then found that their existing land purchases from Maori would be investigated by the British government and some of their purchases disallowed. Under such a threat it is not surprising that Clendon, Mair and Busby offered their land and premises to the government to pre-empt the possibility of future loss. Furthermore, within twelve months of signing the Treaty of Waitangi, Maori and Europeans in Northland found their livelihoods threatened when the government removed to the new town and port of Auckland, taking with it most of the commerce at the Bay. Settlement moved south, and land prices, which had risen in anticipation of annexation, fell as Clendon's attempts to sell the Manawaora property demonstrated. Businesses failed and so did New Zealand's first bank at Kororareka; bankruptcies were common.

However, the qualities that made Clendon useful to settlers and Maori, and which enhanced his status in a small community, made him also useful to the newly established British government. Clendon and others appointed to official positions were fortunate they had sufficient skills, local knowledge and experience to survive after annexation, however poorly paid, intermittent or unpleasant some of their tasks may have been.

The construction of biographical accounts of early settlers, therefore, can help uncover evidence that general or regional histories of New Zealand do not address. As noted earlier, James Clendon was one of New Zealand's earliest colonists, an obscure



middle-class Englishman and sailor from Deal, Kent, England. Clendon's life and activities in New Zealand have identified the period between 1820 and 1840 as one of vigorous interaction between Europeans and Maori in trade and have emphasized its importance as a trade frontier of the Australian colonies. Furthermore, this biographical account suggests that without the trade links generated by the establishment of penal colonies in Australia, New Zealand's economic and settlement possibilities may not have come to the attention of British merchants like Clendon and later emigration specialists like E. G. Wakefield and others. The importance of credit from a European centre, without which Clendon's and other merchant's trade could not have flourished, has also been identified. In addition, Clendon's activities have identified a definite class structure in early New Zealand settlement that has hitherto gone unnoticed. They also clearly reveal the geo-physical hazards of trading in New Zealand.

Finally, Clendon typified the entrepreneurial spirit that has been recognised as an important factor in the European settlement of New Zealand. He engaged fully with the chaos and complexity of the early European colonisation of New Zealand in which traders, the British government, private financiers, missionaries and Maori all played integral roles. Most importantly, his activities as a land-based merchant and settler in New Zealand demonstrated the qualities settlers needed to survive in New Zealand during this period, optimism, pragmatism, adaptability and personality.

APPENDIX A.1

J. R. Clendon to G. Clendon 3 September 1830

Ship Letter to Mr. George Clendon, Deal.

Bay of Islands,  
New Zealand  
3<sup>rd</sup> Septr. 1830.

My dear Father & Mother

It is now some months since I last wrote to you, opportunities seldom offering in this place. Our detention here has been grievously vexatious the natives sometimes being at war or at feasts but principally from competition – or rather opposition.

When last I wrote about five months ago I told you that we should get away in a month, as we had at that time more than two thirds of our cargo alongside but since that time I have had every difficulty that could possibly be put in my way – it would probably have been better if I had sailed at that time with what I had and endeavored to fill up at Rio – but I could not bear the idea of sailing with only part of a cargo and was determined if possible to procure a full one. The minds of the Natives had been so much poisoned against me that I had no alternative but to take my crew into the woods and with the assistance of a few natives that were inclined to work drag the spars out.

I was nearly two months there in the winter season, almost a continual rain with only a native hut made of rushes to live under. Although the weather was extremely bad we dragged out some excellent spars, and should have completed our cargo but the natives were prevailed [sic] on to turn us out (so great is the competition in this distant land) - I was then of course obliged to give it up - we are not full by fifteen (15) Spars - we are ready for sea only waiting for a fair wind to go out. I intend going down the west coast; through Cooks Straits and up the east side and to heave too off every port, to purchase Flax and if we are fortunate enough to fill up with it we shall make a fair voyage notwithstanding our detention. I see it is quoted in the London paper from £30 to £35 per ton – the cost of it here is a mere nothing – we can store if only luck enough to meet with it about 40 tons.

When we left Sydney we expected that by this time we should have been in England not thinking of being three or four months loading – our provisions were [so]nearly expended that we should have been in a bad state had it not been for a bountiful supply of tea, sugar and flour and a case of clothing for the children from Sarah's friends, a Brig came from Sydney last week and brought them down with all the letters you had sent to Sydney for us – we were still very short of Biscuit and flour for the crew and learning of the ship India (a whaler) being here I came over yesterday to see if they would spare any biscuit – they cannot. I have ½ ton of flour and a few other little necessities amounting to (£25 10/-) Twenty five pounds ten shillings, for which I have given a bill upon you at Thirty (30) days sight in favour of Captn. Saml. Swain which I hope you will honour – I can assure you my dear Father, it was with real pain that I did it, but I could not do without the stores – I did not like to draw upon Mr. Hare as he might not have honored it and would probably have been displeased I had done so, as I have not made him any returns, - but I hope he has recovered on the Insurance, had it not been for that unfortunate accident I might have been home and out again as at that time the natives expected the ship back and were mad to load her, which I think they would have done in 6 weeks or two months - When I think of it I am miserable – I may with truth say that I

either trouble or anxiety until the last eighteen months – on my first arrival in Sydney freights were low, and but accounts from the Isle of France, C[ape]G[ood] Hope, Batavia and in India in general things were much worse and have continued to get worse. Every month several vessels of 200 to 300 tons have been from seven to nine months waiting (/) in Sydney – from 30/- to £3 & then have been chartered for a lump sum from £600 to £900 – that I think I cannot be blamed for doing as I have done in getting a cargo of spars – for they will realize £2500 – and if I am so fortunate as to get 30 or 40 tons of flax I may do better than most of my neighbours have done—If I can but pay off Mr. Fenton's mortgage I shall be happy.

I promised to send a Bill of Lading consigning the cargo to you – but if I do so probably Mr. Hare will be offended and I may require his assistance if I should make bad voyage – I think it will be best to send Mr. Hare a bill of lading and consign the contents to order. I shall touch at Rio & if possible will sell the whole or any part of the spars (& take in freight for London). It will be best to do so even at London price – on account of the freight home.

It is a good two days journey in fine weather from Hokianga to this place – when I left Sarah and our dear children were quite well – our little New Zealander grows finely and is exceedingly good tempered. She has been baptized Eliza Chitty – Jonny grows very tall but is thin he now begins to be very entertaining and can say the alphabet, the Lords Prayer etc. I was very happy to hear that all the family were quite well and I hope you continue to enjoy that blessing – I am glad to hear that Rebecca is settled so near to you. I hope she is happy. I have no knowledge of Mr. Howard, is he of Deal – make our kindest love to them – we have had long letters from Charles and Eliza. I hope he is doing well. It is extremely fortunate that he gave up the idea of coming out to N.S. Wales, the colony is in a sad state, particularly the settlers – Beef is now selling at 1/2d (halfpenny) per lb. General Darling is not at all liked as Governor – although the colony is so distressed he is continually raising the duties and levying taxes – he has even carried it so far as to tax dogs. The Swan River bubble (it deserves no better name) is nearly given up, hundreds of families have left it, and gone to Hobart Town – the papers are filled with distressing accounts of it.

Sarah and the children are quite well and unite with me in sending love to you and to brothers & sisters believe me my dear Father & Mother

To remain

Your affectionate Son,

James R. Clendon.

The Barque Elizabeth (a whaler) has just arrived and will sail for England in a few days – I write by her – I am now going on board of her. I hope she will be able to spare me some Biscuit.  
J.R.C.

## APPENDIX A.2

J. R. Clendon to George Clendon, 14 June 1829.

Sent per Captain Duff, *Roslyn Castle*.

Bay of Islands,

14 June 1829.

My dear Father,

I wrote to you from Hokianga by the same ship saying we should be ready for sea in a few days, we sailed from thence on the 5<sup>th</sup> Inst. And was going out with a fair wind blowing fresh – when between the Heads we were taken flat aback by the baffling winds. I endeavored to get her round to run in again, but the wind was too light and variable – the ebb tide making out, set us upon the rocks, and we lost the rudder. We continued bracing about as the wind varied – and in half an hour she worked herself off the rocks and sailed out. While upon the rocks a whale boat came to us belonging to some Europeans and considering the ship completely lost, I sent Sarah and the dear boy onshore – but so strong was the tide that they were four hours in reaching the shore – not a quarter of a mile distant another boat was filled three times. Sarah reached Mr. Hobb's – about 25 miles from where she landed on the following day. I have heard from her and am glad to say she is quite well. Mr. Stack – a missionary that was going to Sydney with us – was kind enough to go for her as soon as we anchored. I expect them back the day after tomorrow. The Roslyn Castle being a little ahead of us got out safe, and hove two, but being hazy we could not see her. On the following day/Saturday, we began to make a rudder and finished it on Sunday afternoon – having a very heavy swell we had great difficulty in getting it up the rudder trunk – and it was dark before we had it shipped – every care was taken to secure it for the night – but the heavy swell increasing we lost it during the night. We continued to steer as well as we could – with the sails – and on Monday we were between the Three Kings and the North Cape – at 1 o'clock the Roslyn Castle came in sight and took us in tow – and brought us in safe yesterday. From the time we were upon the Rocks I should think the bottom must be injured, although we only make 1 inch of water in three hours. In my letter to Mr. Hare dated 12<sup>th</sup> March I said if you think it advisable – insure the ship – but as I shall take a Pilot from Sydney I can hardly think it necessary. In my letter to him per Roslyn Castle I wished him to insure, but as the accident will be known as soon as Mr. H. gets the letter, I fear it will be too late (if she has not been previously insured), but should the circumstance not be known – and insurance effected after the arrival of the Roslyn Castle I believe it would be illegal. I am at a loss whether to write him or not, perhaps you had better send this to Charles and get him to show it to Mr. Hare. I hope the ship is insured. We shall have some difficulty in getting a rudder here – but reasonable – the greatest expense is the detention. Should we make a rudder [sic] to act well, & I have no doubt but we shall – and not make more water than we do at present – I shall leave[for] Sydney as soon as possible – if we make more water – it will be necessary to leave her down, - but I hope not. This accident – independent of the fatigue and anxiety for Sarah and my dear boy – has greatly damped my spirits for fear I should be obliged to repair the ship at Sydney – and the ship not insured. Upon a moderate calculation I should on my return be able to off Mr. Fenton's mortgage – as well as the amount advanced by Mr. Hare. Capt'n. Duff has behaved with the kindness of a brother on this occasion, should it be in your power to show him any attention I hope you will do so. He has promised if possible, to call and see you, as he will remain in the Downes for orders – should he pass through. Address to him at Mr. John Scott's, Phoenix

Place, Ratcliff Crescent [sic]. Do not make yourself uneasy, it might have [been] worse, but thank God we are all safe. My kindest love to my dear Mother, brothers & sisters. Trusting this will find you all well, believe me my dear Father to remain,  
Your affectionate son,  
James R. Clendon.

You will understand the reason I have not written to Mr. Hare, but you must lose no time in making him acquainted with it. I see no reason for your going to London, as Charles can call. Perhaps the ship is insured, if so, it will be fortunate. Again, Adieu.



### APPENDIX A.3

J. R. Clendon to Sarah Clendon, 2 July .1845.

Waimate Wednesday morning, July 2<sup>nd</sup> [1845?]

My dear Sarah

I intended to have gone home yesterday morning but before I could get a horse it was too late for the tide & then we went to the Camp with Mr. Williams and Mr. Burrows – we arrived there about 11 o'clock just at that time a smart firing commenced upon a hill to the right of the camp occupied by Waka and some of his men – a six pounder and 5 or 6 volunteers. Waka's flag was hoisted there – the firing was from a party of Heke's who had gone round in the bush and surprised them not one of them being seen until after several shots were fired and some wounded and one killed – Henry Clark was upon the hill with the Colonel and the first person wounded. [It] is slightly a flesh wound through the thigh – he thought it was a gun from our own party went off by accident. The surprise was sudden that the few person there ran down the hill and left it in possession of Heke's party – a few soldiers were immediately marched up and drove them off – but the [sic] carried away Waka's flag (an English Ensign) his blankets – double barrelled guns - &c &c. The flag in five minutes was hoisted in the Pah Under Hekes - The soldiers remained upon the hill after it was retaken and Waka followed them into the bush – and killed – (it is said) four – the 32lb was kept in use all day and the shot went through the Pah every time – but did not make a breach as it would have done in a Stone or Brick fortification – the Colonel saw no allowance but to storm which was commenced at half past 3 o'clock – the Troop marched up to the Pah – as bravely as possible although the firing at them was terrific, they succeeded in pulling down the outer fence but could not manage the inner one – and were obliged I regret to say to retreat with a very heavy loss – the number of killed and wounded was not ascertained when James [sic] and I left at half past six in the evening – among those killed are Philpotts and Capt Grant & the wounded Major Macpherson, Lieut Beattie and two others – and from what I saw 40 or 50 wounded many of the killed were left at the Pah between the two fences just before sunset [sic] I suggested o the Colonel that if he wished to get the wounded and dead away that probably the natives would attend to a Flag of truce – he consented to it and Mr. Williams took it close to the Pah but they would not attend to it and called out go quickly back it is night. Soon after two natives came out and were firing – those that were near said they were shooting the wounded – we sent in one dray at daylight to remove the wounded to Waimate and then will follow as soon as they can be got near. James is seeing about.....As soon as they are all in I shall return perhaps before if they get on well – I do not know the Colonel's intentions – but believe he will return to Waimate for a time he hinted as much to me last evening – Don't be uneasy about us.

Ever affectionately  
James R Clendon.

# APPENDIX B

George Harron, 'New Zealand's First American Consulate', History of New Zealand Thesis, Auckland University, 1970, Appendix A.

NEW ZEALAND'S FIRST AMERICAN CONSULATE. History of New Zealand Thesis  
George Harron, 1970, (Appendix A)  
Tutor: Dr. Bassett  
[NB: bibliography not xeroxed]

American interests in the waters off the New Zealand coast really began in the early 1820's when a few sporadic visits by American vessels in the hunt for skins of the fur-seal met with marked success. The first catch of 13,000 skins by Captain Johnson of the schooner Jerry — "as good fur-seal skins as ever were brought to the New York Market" — rejuvenated the interest of the seal merchants and those of the whaling trade in Sydney, but the fears expressed by letters in the Sydney Gazette at the time concerning the effects of increased hunting were soon borne out. The indiscriminate slaughter of bulls, cows and pups saw the back of the sealing trade broken in 1826; by 1829 sealing had died away to very small proportions.<sup>3</sup>

Small-scale pelagic whaling operations had been carried on in these southern waters since 1800. (Pelagic whaling involved fishing off-shore in the open ocean for right whales; bay-whalers also fished for right whales — black oil — but did it from shore bases; sperm whaling was pursued on the high seas.) With the decline of sealing, bay whaling was commenced by the open-sea whaling merchants of Sydney and Hobart Town.<sup>4</sup> After 1835 American vessels came to dominate the right-whaling scene, while British and colonial sperm-whaling vessels increased steadily.

The year 1839 saw the whaling industry in New Zealand waters at its peak; it had dropped sharply by 1842. In 1839, sixty-two American ships (including a few repeat visits) were recorded visiting the Bay of Islands, and it is probable that of the estimated two hundred vessels whaling off New Zealand, about one hundred and fifty were American.<sup>5</sup> Clearly by this date, American interests in the area had become substantial.

American entry into the bay whaling industry was heralded in 1834 by the Erie of Rhode Island.<sup>6</sup> By 1837 American whalers had asserted their dominance over British and colonial competition despite their singular difficulties such as the greater distance from their home ports, their necessarily greater reliance on native labour,<sup>7</sup> and the imposition by the British government of heavier 'protective' tariffs against American-caught oil.<sup>8</sup> Problems such as crew shortages, either through desertion<sup>9</sup> or "enticement",<sup>10</sup> they shared in common with their rivals.

<sup>1</sup> R. McNab, Purihiku. 1907, p.253. <sup>2</sup> ibid. p.256.

<sup>3</sup> R. McNab, The Old Whaling Days. 1913, p.iii.

<sup>4</sup> ibid. p.iii.

<sup>5</sup> An Encyclopaedia of New Zealand, 1906  
Volume III, p.639b.

<sup>6</sup> R. McNab, The Old Whaling Days, p.187.

<sup>7</sup> ibid., p.194. Dependence on native labour for provisions and crew

replacement was due to their distance from home, but the task of finding reliable interpreters was a separate problem.

<sup>8</sup> ibid., p.261. 'British-caught' paid 1/- per tun; 'Foreign-caught', 532/-.  
Such vicious distinction invited evasion, and in fact the law was liberally interpreted. ibid., passim.

<sup>9</sup> For example, Captain A.F. Rhodes, in his Whaling Journal (ed. C.R. Stronach, 1954) complains on May 2nd, 1837, "... as fast as I got two or three men others deserted, and I could never muster more than 29 in all, including a large proportion of boys and New Zealanders."

<sup>10</sup> "... lawless fellows ... get a livelihood by decoying seamen from their ship — and shipping them at an enormous advance — on board of any other vessel that may have been in like manner distressed." — Clendon to Secretary of State, UNITED STATES CONSULAR RECORDS, Microfilm 11, Auckland Public Library.

McKee's figures for the numbers of American whalers around New Zealand demonstrate the rate of increase. He records one, two, twenty, thirteen, twenty-four, and thirty-seven whalers for the years 1834 to 1839 respectively.<sup>1</sup> The value of black oil alone, quite apart from lesser, though quite considerable amounts of sperm oil and whalebone, carried by ships returning in 1837 was \$134,932;<sup>2</sup> in 1839, Clendon estimated that the cargoes of American ships calling at the Bay of Islands was worth \$1,636,335.<sup>3</sup> It is obvious that from 1834 there was a marked increase in the size and importance of American operations on the New Zealand coast, and with this growth the importance of the Bay of Islands to the Americans as their primary port of call became apparent.

The Bay was already by this time established as the most important trading and re-fitting base for shipping around New Zealand. But for the Americans it was of particular importance because it was for them the only practical base for replenishing essential stores or equipment during whaling operations, and was often on return voyages the last call before Brazil or perhaps New England.<sup>4</sup> Moreover, mail from America was invariably 'advertised' for the Bay of Islands, 'the general calling place of the American vessels, but all the vessels by which mails were advertised to go were bound for the black whaling bays of the South Island.'<sup>5</sup> The increasing importance of the Bay in American operations engendered a move to ensure that American interests in the area were upheld.

The Bay of Islands, outside the pale of civil law, had been regarded by Europeans as a place where piracy, theft, assault and murder could go unchecked; for the native population, their old customs of ready warfare and *utu* continued. In January 1827, the brig *Hellington* was captured by its convict passengers en route to Norfolk Island from Port Jackson, and sailed to Kororaraka. Although they were recaptured,<sup>6</sup> many others suspected of being convicts settled in Kororaraka. In the same year Augustus Earle witnessed a cannibal feast being prepared, and the effects of a tribal war.<sup>7</sup> Other tribal wars seriously disturbed the Bay in 1830 and 1837. To the south, the intervention of the infamous Captain Stewart in another tribal war was the precipitating factor in the appointment by a shocked British government of Mr. James Busby as British Resident at the Bay of Islands. Unfortunately Busby was expected to produce, solely by moral influence, a quiet community in which Europeans and Maoris alike were law-abiding. The lack of any means of law-enforcement, the lack of co-operation from New South Wales, and Busby's own stiff reserve made his task impossible, and his ineffectiveness was all too soon recognised by Maoris, settlers, traders and missionaries alike. Busby tried to create a 'law' by sponsoring a confederation of chiefs — a group he used with the Declaration of Independence as a counter-move against de Thierry — but the chiefs themselves, as well as everybody else, recognised that such a confederation would not work.<sup>8</sup>

Europeans in the Bay, anxious for the sort of law and order that would protect their property, successively combined to form a Temperance Society, to petition the King for protection, and to initiate the rough and ready law-enforcement of the Kororaraka Association. The missionaries had considerable influence over the Maoris, but little over the

<sup>1</sup> *The Old Whaling Days*, p.308.

<sup>2</sup> *ibid.*, p.192.

<sup>3</sup> Clendon to Secretary of State, 30 July, 1839; 10 January, 1840, *loc. cit.*

<sup>4</sup> McKee, *The Old Whaling Days*, p.200. <sup>5</sup> *ibid.*, p.168.

<sup>6</sup> *The Early Journals of Henry Williams*, ed. Rogers, pp. 34-41, *passim*.

<sup>7</sup> *Narrative of a Residence in New Zealand*, ed. McCormick, p.113; p. 166.

<sup>8</sup> McKee, *Historical Records of New Zealand*, Vol.I, Marsden to Jowett, p.723

white population for whom they did not feel responsible. Although British intervention was by the late 1830's probably inevitable, the care of property and individual rights still devolved upon the efforts of the stronger personalities among the European residents.

In this situation the desire of American whalers for support and representation is understandable. In May, 1836, ten American Ship-masters<sup>1</sup> appealed to their government for consular representation<sup>2</sup>, recommending for the appointment Captain James R. Clendon, a British merchant and ship-owner who was resident at the Bay of Islands and who had a large establishment in an area with a completely sheltered deep-water anchorage. Acceding to their request, the American government, on 12 October, 1836, appointed J. R. Clendon United States Consul at the Bay of Islands.<sup>3</sup>

James Reddy Clendon was born in 1800 at Deal in Kent, the third child of ten and second son of George Clendon, Pilot of the Cinque Ports, who seems to have been living in reasonably comfortable circumstances.<sup>4</sup> Little is known of his early years, but by the middle of 1828 he was master of the ship City of Edinburgh when it transported eighty female convicts from Cork to New South Wales.<sup>5</sup> From Sydney he went to New Zealand, spending several months around the coast, his wife and child travelling with him.<sup>6</sup> John Hobbs, in his Journal, says<sup>7</sup> that he arrived from Port Jackson early in April 1830, [not having had time to return to England in the interval<sup>8</sup>]. He was still at Hokianga in September<sup>9</sup>, and in November of the same year he arrived in the Bay of Islands "from the River Thames".<sup>10</sup> On the 7th December he bought land at Okiato and Manawaora,<sup>11</sup> and on the 10th December he sailed for England.<sup>12</sup>

At the end of August 1832, he returned to the Bay of Islands in his own schooner, the Fortitude,<sup>13</sup> and took up residence at Okiato, having borrowed money (probably about £5,000) from his father. From the first he must have prospered: before the end of November 1834,<sup>14</sup> he had donated \$10.10.0 to the Pororarela Church building fund, the largest individual contribution given in the seven years the subscription list was open.<sup>15</sup> By the end of 1837 his mercantile establishment had prospered so well that his indebtedness to his father was only \$3,126.19.6, and by the end of 1838 he had repaid another \$1,270.17.10<sup>15</sup>,

1 L. Wasserman, "The United States and New Zealand", quoted in Ian Vards, The Shadow of the Land, p.15.

2 Wasserman, op.cit., quoted in A. H. McIntock, Crown Colony Government in New Zealand, p.41. 3 ibid., p.41.

4 Erik Chitty assisted by Douglas R. T. Clendon, A Genealogical Record of the Families of Chitty of Deal, Kent and Clendon with their known Descendants. 1954, cyclostyled.

5 Charles Bateson, The Convict Ships. Glasgow, 2nd ed., 1969, pp.348-9, 386-7.

6 Mrs Henry Williams, Journal, 12 June, 1829; John Hobbs, Diary, 4 April 1829

7 loc.cit., 11 April, 1830. 8 ibid., 2 September, 1830

9 Early in June, 1829, the City of Edinburgh had struck a rock on leaving the Hokianga, and, having lost its rudder, was brought with difficulty round to the Bay of Islands by the Roslyn Castle. —Mrs Williams, ibid.; Charles Baker, Journal, June 12, 1829. Repairs would take some time.

10, 12 Henry Williams, Journal, pp.163, 164. 13 ibid., p.257

11 Old Land Claims 66/114, 66B/116, National Archives.

14 Marie Ping, Christ Church Pororarela Russell. 1967. The notebook in which subscriptions were entered shows that the list was started in April-May 1834 (personal communication, Marie Ping), and Clendon's name is before that of Captain Dennis, who, on his last visit to the Bay before the Beagle arrived in 1835, left the Bay in November 1834. (McLab, The Old Whaling Days, p.187.) The Beagle contribution is before that of Captain Dennis's.

15 Clendon MSS, Package 3, L.A. 488 478, Auckland Public Library.



no mean sum at that time. [Rutherford, in An Encyclopedia of New Zealand, states, I:357b, that he was a merchant and ship-owner in association with his brother John Chitty Clendon before 1826. This is hardly likely to be correct since John Chitty Clendon was then at most eighteen years old, and later was a well-known dental surgeon attached to Westminster Hospital. There is no reference in family letters or papers to suggest merchant activity.<sup>17</sup>

The Clendon family at Okiato seemed to be on friendly terms with the missionaries, particularly with Henry Williams and his family<sup>2</sup> and although there are records of disturbances with other settlers — John Wright in 1834<sup>3</sup> and Robertson in 1838<sup>3</sup>, for example — he seems to have been generally liked, his hospitality being often mentioned<sup>4</sup>, and certainly he was well liked by Pomare,<sup>5</sup> the most powerful chief in his part of the Bay.

His establishment at Okiato developed from a raupo house in 1833<sup>6</sup> to, in 1840, an establishment which included a well-finished and -furnished ten-roomed house, with outhouses, surrounded by lawn and garden; a large store of three floors and a smaller store of two floors; two timber cottages, and a blacksmith's shop; together with a wharf and jetty 180 feet long in a bay with deep water and complete shelter.<sup>7</sup> In April 1840, this establishment was sold to the new Government as a Government establishment for the Bay of Islands. Although the agreed price was £15,000, Clendon actually received £1,000 at the time, and, early in 1842, £1,250 and a grant of 10,000 acres south of Rapaetoe.<sup>8</sup> As he was unable to realise profitably on this land, he was a heavy loser.<sup>9</sup>

Although Clendon's appointment dates from 12 October 1838, he himself was unaware of it until months later. An entry in the Sydney Herald, 15 April 1839, stated that the Brilliant, an American trading ship, Captain Sandford, arrived at the Bay of Islands on 5 March 1839 from America with despatches appointing Clendon Consul... The report is at fault on several points. The Brilliant certainly arrived on 5 March,<sup>10</sup> but its master was named Smith, and it seems improbable that it carried Clendon's appointment, since Clendon himself did not acknowledge it until 27 May<sup>11</sup>, and the Sydney Herald of 17 June 1839 carries a letter dated 27 May which says that the American Consul was saluted by one gun at four and a half minute intervals by each of eight American ships, before the captains went ashore to a sumptuous dinner at the Consul's house. According to Clendon's shipping returns,<sup>12</sup> the eight ships in port on May 27th were the Brilliant (Smith), the Atlas (Russell), the Glendid (Luce), the Ninus (Lullow), the Adeline (Brown), the Averick (Henricksen), the Luminary (Mr. Fayhew), and the Rambler (McCleave). None of these has Sandford as master, yet Clendon's acknowledgement

1 Genealogy, p.100; Clendon MSS, papers in N.Z.N.S 476.

2 The Early Journals of Henry Williams, passim.

3 Busby papers, Vol.1, p.95ff., National Archives; Eric Ramsden, Busby of Waitangi, 1942, p.189.

4 W.L. Marshall, Personal Narrative of two Visits to New Zealand .... 1836, pp. 20, 117; Sarah Fathew, Diary, MS, Auckland Public Library, 18 March, 19 March /1840/; Charles Eaker, Journal, many references from 14 June 1840 to April 1841.

5 The Journal of Unsign Best, ed. Percy W. Taylor, 1966. p.220.

6 Statement by J. S. Polack in Old Land Claim 282a/638; information from Mrs R.E. Rose.

7 W. Shortland and Wm. Mason to Hobson, 23 April 1840, in O.L.C.66/114, K.A.

8 O.L.C 66, 66a/114,115.

9 R.E. Rose, New Zealand's First Capital. Wellington, 1946, p.66 and n.

10 United States Consular Records, Shipping Return, encl. 30 July, 1839.

11 loc.cit., 27 May, 1839

12 loc.cit., 30 July, 1839

11a Information from Mr Waldo Henpe.



states that Mr F. C. Sandford had brought the Consular documents.<sup>1</sup> From Sandford's letter to the Secretary of State 24 September 1839<sup>2</sup>, it appears that he may have been a shipowner of Lantau et, in which case he was probably travelling as supercargo on the Rebelle, the only one of the eight ships "belonging" to that port.

Clendon informed the Secretary of State that, while certain formalities (probably concerning the presentation of his credentials) could not be observed, he would act to the best of his ability according to the General Instructions which had been sent to him. He applied for "Seal Flag and Archives there being no Minister or Charge d'Affaires to grant them".<sup>3</sup> From this date he sent regular reports to the Secretary of State dealing with shipping movements, cargoes, and incidents involving American citizens or property. He also gave advance notice of English Government intentions and acted in conjunction with the British Resident when a conflict of British and American interests was involved.<sup>4</sup>

It is worth noting that communications of a routine nature were written at times near the six-month intervals when an American ship was about to leave port. When anything unusual occurred, however, he seems to have written his letter immediately, even though there may not have been an immediate means of dispatching it.

At the end of July 1839, Clendon informed the Secretary of State<sup>5</sup> that the British Resident had communicated to him the intention of the English Government to "remove the office of Resident to that of a Consul." On 20 February 1840 Clendon, reminding the Secretary of State of his previous communication, told him of the arrival of Captain Hobson as Lieutenant Governor and Consul, accompanied by a staff of Police Magistrate, Collector of Customs, and Surveyor-General. He enclosed the two proclamations relating to Hobson's appointment and the validity of land titles, and also forwarded a copy of the Treaty of Waitangi together with an unofficial translation of it. Wilkes<sup>6</sup> must therefore have misunderstood the situation when he said that the arrival of Hobson came as a surprise to most of the inhabitants.

In the same letter (20 February 1840), Clendon informed the Secretary of State that although the headquarters to the Government had not been fixed upon, the Government intended to form four settlements immediately on various parts of the Island. The prospect of British authority in New Zealand had resulted in a rush for New Zealand land by Sydney speculators, and in the Bay of Islands particularly the white population<sup>7</sup> had been greatly increased by the addition of "land sharks" ignorant of local conditions and of the difficulties of dealing with the Maoris. Tensions grew as the older settlers became outnumbered. It is probable that they were regarded with suspicion by the new influx, which would have seen them as having appropriated all the best sites in the Bay. The old settlers themselves, while for the most part welcoming British sovereignty and what they anticipated would be British stability and law-enforcement, were no doubt shaken by the proclamation which stated that the land they had bought (land often paid for several times), cultivated, improved, and lived on for years, was not legally regarded as their own and would have to be given to them by Crown Grant if they

1 U.S. Consular Records, 27 May 1839      2 loc.cit.

3 loc.cit., 27 May 1839

4 loc.cit., 30 July 1839 and 26 Oct. 1839.

5 loc.cit., 30 July, 1839

6 Charles Wilkes, Narrative of the United States Exploring Expedition, during the years 1838, 1839, 1840, 1841, 1842. London, 1845. (Condensed and Abridged edition), p.162.

7 McIntook, op.cit., p.55; Charles Baker, op.cit., 7 February, 1840; Marie M. King, Port in the North, Russell, n.d. p.39.

could satisfy the necessary conditions. Tensions were intensified by the officiousness of such men as Shortland,<sup>1</sup> and Johnson<sup>2</sup> who, however competent for their positions, knew nothing of local conditions or the native temperament.

In addition to the difficulties common to all old settlers, Clendon's situation was complicated by his official position. Representing a foreign state, while at the same time remaining loyally British, presented no conflict until the arrival of Hobson. If Hobson's arrival was a threat to American interests, it was hardly likely that this would have been immediately apparent, especially as Clendon would have welcomed the establishment of law and order not only on his own and other settlers' account, but also as an advantage for the visiting Americans. Even Wilkes, accusing Clendon of self-interest in promoting British sovereignty, appears to have been activated more by a nationalist resentment than by any fear of damage to American commercial interests.<sup>3</sup>

Wilkes criticised the Treaty on the grounds that the natives did not understand the implications of what they were signing,<sup>4</sup> and this criticism was just.<sup>5</sup> His criticism of Clendon was on the grounds that Clendon used his position as American Consul, from which alone came the degree of influence over the Maoris attributed to him by Wilkes. He says, "The natives placed much confidence in him, believing him to be disinterested. He became a witness to the document, and informed me, when speaking of the transaction, that it was entirely through his influence that the treaty was signed."<sup>6</sup> This statement is fairly obviously the result of a misunderstanding. Clendon did in fact witness the document, but he was a witness only to the signature of Pomare, whose opinion of Clendon was very high,<sup>6</sup> and (who refused to sign the Treaty unless Clendon witnessed his signature.) Wilkes' animus towards the Bay of Islands and Clendon may have stemmed from the contrast between the raw, ranchlike town of Kororarua with its motley population preoccupied with the excitement and difficulties of the new British rule, and the adulation and lavish entertainment they had just left in the more sophisticated Sydney.<sup>6</sup>

- This is  
had  
found  
See p 220  
Bent.

Wilkes's Narrative appeared in 1845, and purports to have been written as an account of what he did and saw when he was in the places he describes. He returned to the United States in 1842; presumably the writing in the intervening years from notes recorded when he was on the spot. In contrast to his comments about the American Consul at Sydney<sup>9</sup> (and others), he makes no kindly reference to Clendon as a person, and his antipathy seems not to have been softened by time. Some of his material reads in fact like a direct quotation from Mayhew's effusion of 21 February 1842 (see below), and provokes the suspicion that it was written by someone who was either closely acquainted with Mayhew or had access to State Department documents. Mayhew is not mentioned in the Narrative, and in fact was not in the Bay when the first ship of the Expedition arrived. He was master of the Atine<sup>10</sup> which had come into the Bay on February 2nd, and had left<sup>10</sup>

1 Wilkes, op.cit., p.162

2 John Johnson, Colonial Surgeon: Occasional Diary on New Zealand.  
N.Z. LBS 27, Auckland Public Library. 20 April, 1840.

3 Wilkes, op.cit., pp. 162-3. 4 ibid., p.163. 5a ibid., p.163.

5 William Colenso, The Authentic and Genuine History of the Signing of the Treaty of Waitangi, New Zealand, February 5 and 6, 1840.  
Wellington, 1890. p.33.

6 The Journal of Emu Bay Post, p.220 7 Wilkes, op.cit., p. 162.

8 ibid., p.117-8, 121, 159. 9 ibid., p.117, 121

10 U.S. Consular Records, Shipping List sent 5 July 1840.

port on the 11th. The Flying-Fish, the first of the American flotilla to arrive, entered the Bay of Islands on 9th March<sup>1</sup> while the Vincennes, Wilkes' personal command, did not reach the Bay until late at night on 30th March.<sup>2</sup> All the ships of the Expedition left the Bay a week later on 6 April.<sup>3</sup>

Clendon held the position of Consul from 12 October 1836, but acted as such from 27 May 1839, by which time he had received notice of his appointment.<sup>4</sup> The date at which his tenure of office ceased is less easy to determine. He himself may have considered that from the date of his resignation he was no longer responsible for the Consulate, but since he continued to send dispatches signing them U.S. Consul,<sup>5</sup> it is more likely that he considered<sup>6</sup> in some way committed until he received acknowledgement of the resignation. A note on his letter shows that it was received on 29 September 1841. Acknowledgement, then, can hardly have arrived before mid-January, 1842. At this time the Legislative Council was sitting, and was still in session on 25 February.<sup>6</sup> Clendon had sent a letter dated from the Bay of Islands on 1 January 1842 — possibly during a recess of the Council — but he was certainly in Auckland during February.<sup>7</sup> Mayhew, perhaps taking advantage of Clendon's continued absence, wrote as Vice-Consul his letter of 27 February 1842, in which he mentioned that the Consul was away and that the transmission of accounts was therefore delayed. Clendon did in fact send a letter with the accounts, dated 1 July 1842, but, whether deliberately or not, he signed his name without the designation 'U.S. Consul'.<sup>8</sup> Some earlier letters, however, had also omitted the designation.<sup>9</sup> By this time, J. R. Williams had been appointed to the post (10 March 1842),<sup>9</sup> and it is probable that Clendon had by the beginning of July received word of this.

It seems probable that Clendon's reason for resigning was the difficulty a conflict of loyalties between British and American interests would bring. He had, some time between 20 February and 3 July, 1840, been made a Justice of the Peace,<sup>10</sup> which fact he somewhat apologetically mentioned in his letter of the latter date. His resignation, dated 20 April 1841, almost certainly proceeds from his appointment to the Legislative Council, notice of which he probably<sup>11</sup> after 17 April. (His letter concerns only the facts of his resignation and his appointment of Mayhew as Vice-Consul to cope with the duties of the Consulate. In other letters mentioning events of an unusual nature, he seems to have written immediately and despatched by the next available opportunity. One may assume the same happened here.<sup>11</sup> The Good Return sailed on 17 April, and the next American ship to leave the Bay was the Emily Morgan on 17 May.<sup>12</sup>)

A Justice of the Peace appointed to the Legislative Council was

- 1 Wilkes, op.cit., p.157      2 ibid., p.160      3 ibid., p.176
- 4 U.S. Consular Records, 27 May 1839.      5 loc.cit., 1 July 1841, 1 Jan. 1842.
- 6 McIntock, op.cit., pp.132-3, 135.
- 7 New Zealand Herald and Auckland Gazette, 16 February 1842 et seq.
- 8 U.S. Consular Records, 20 January 1840, 3 July 1840, 1 October 1840, 11 January 1841.
- 9 loc.cit., 10 March 1842.
- 10 I have been unable to find the date of his appointment; the New Zealand Herald and Auckland Gazette, 24 July 1841, announcing new appointments of Police Magistrates, lists him among the existing ones.
- 11 supra, p.5.
- 12 U.S. Consular Records, shipping list with 21 February 1842.

not constitutionally enabled "to hold any office or emolument under the Crown".<sup>1</sup> Clendon's being a member of the Legislative Council while at the same time acting on behalf of a foreign power may have led to adverse comment even if he himself felt he could do justice to both positions. Besides, the duration and location of Council sessions would have necessitated Clendon's handing his Consular duties over to someone else. During Hobson's Governorship the Council sat twice.<sup>2</sup> The first session started on 24 May 1841 and was still going on 9 June 1841; the second started in December 1841, continuing through 25 February 1842.<sup>3</sup> (Not only were the sittings held in Auckland, about 120 miles away, but they were held on alternate days, to permit the printing of each day's proceedings.) Lastly, there was the reason stated by Clendon in his letter. After the sale of Okiato to the Government on 25 April 1840,<sup>4</sup> Clendon had shifted to his farm at Manawaora Bay.<sup>5</sup> Lady Franklin, who met him in March 1841, said that as American Consul he was holding his office at Mr Kayhew's, at Tahapu [Te Ahapu].<sup>6</sup> Conducting the Consulate from Manawaora would have meant travelling, probably two or three times a week; a long pull of about ten miles by boat, or a slightly shorter distance on horseback over very rugged country.

During Clendon's long absence Kayhew fairly obviously took the opportunity to write complaining bitterly about injustice to Americans<sup>7</sup> and about what he considered to be lack of 'duty' to the United States on Clendon's part. The letter smacks of personal bitterness, and at the same time seems to be making as strong a case as possible to arouse nationalist resentment. Unfortunately, his statements appear to have been accepted without question (see comment on Milke, below), but they were largely exaggerated and by no means founded on fact.

1. He mentions laws and imposts "peculiarly harassing to our Citizens" while offering "marked protection to their own commerce", saying that duties imposed vary "from Ten to Five Hundred per Cent ad valorem, which our citizens have been and still are compelled to pay even on stocks imported and in hand previous to January 1840." He states that the Consul has only cursorily referred to the British Government, and its establishment.

Clendon had in fact at the first possible opportunity sent copies of Hobson's Proclamations and of the Treaty of Waitangi to the Secretary of State and had in fact, some eight months previously, warned him that such a move was imminent.<sup>8</sup> As far as unjust duties are concerned, a table of duties and customs published as Appendix C to Charles Heaphy's Narrative of a Residence in Various Parts of New Zealand<sup>9</sup> states that the duties would be "Payable on Goods, Wares, and Merchandise, which shall be imported into any Port or Place in the Colony of New Zealand and its Dependencies, on or after the 1st of July, 1841." This table makes the duty for spirits from the United Kingdom, British America, and the Australian colonies, 4/- a gallon, but 5/- for all other spirits. Tobacco was charged from 9d. to 2/- a pound, and wine at 15/- . Tea, sugar, flour, meal, wheat, rice, and other grains and pulse, were charged at 0.25/- . All foreign goods were charged 10/- , while British produce and manufactures, except spirits, were admitted free. The Sydney News, quoted in the New Zealand Advertiser & Bay of Islands Gazette, 24 September 1840, under the headline "Import Duties in N.Z." says, "The

1 Molintock, op.cit., p.101. 2 ibid., p.103. 3 ibid., pp.132, 135.

4 R.L. Ross, op.cit., p.44

5 Charles Foker, Journal. 14 June 1840.

6 Lady Franklin, Journal. Scott Polar Research Institute, Cambridge, England; ms 248/30. Photocopy in Auckland Public Library. Vol.I, p.92.

7 N.Z. Consular Records 21 February 1842. & loc.cit., 20 Feb. 1840; 31 Jul 1839.

9 London, 1842. Hocken Library Facsimile, Dunedin, 1968. p.142.



Governor introduced the Bill of which he had spoken on a previous day, relative to the extension of the increase of Duties to N.Zd., and the suspending of the same until August, 1841, in order to preclude the possibility of coming into collision with any foreign power on the subject. After providing that no duties be levied until August, 1841, the Bill further exempts manufactured tobacco from duty until 1843, ..."

2. Mayhew complains of restrictions on the purchase of land and the difficulty of obtaining title, implying that this affects American citizens only, whereas in fact all purchasers of land were in exactly the same position.

The Proclamation concerning land purchase and titles had been forwarded by Clendon two years before.

- 3 Mayhew wrote resentfully concerning a falling off in business.

The peak of the Right Whale Fishery had been passed. McKab says<sup>1</sup> "So bad had the whaling season proved that, up to this date, [June, 1840] not a single whale had been secured by the gangs at Otago, ... Indifferent success was the experience of the other stations as well. The explanation given of this failure was the great number of vessels on the coast and the growing enterprise of officers and crews in following the fish to their resorts in the bays and inlets." In addition to the falling off of the whaling industry, the removal of the seat of Government to Auckland has resulted in a loss of commercial activity at the Bay of Islands.

Many writers, in assessing Clendon's activities, have quoted the Narrative,<sup>2</sup> ostensibly written by Wilkes from notes made when he was in the Bay of Islands. Many of his statements, however, are incorrect, and could not possibly have been based on information obtained while he was in the Bay. For example, he wrote that New Zealand "continued under the authority of New South Wales until September, 1840, when it became a separate colony."<sup>3</sup> In reality, the Act erecting New Zealand into a separate colony was passed by the Imperial Parliament 16 November 1840,<sup>4</sup> and six months later, the time it would have taken despatches to reach New Zealand, Hobson was sworn in as Governor.<sup>5</sup> Wilkes also wrote, in words very similar to Mayhew's (already quoted and discussed above), "Laws have likewise been promulgated and imposts levied, harassing to foreigners, (Americans and others,) and most destructive to their commercial pursuits, while they offer the most marked protection to those of British subjects!" Many of his mis-statements other than this one bear a marked similarity to those in Mayhew's letter of 23 February 1842. One canard which seems to be entirely his own is that "he [Clendon] buys large tracts of land, for a few trifles, and expects to have his titles confirmed as consul of the United States. This is not surprising, and any foreigner would undoubtedly have pursued the same course; for his personal interest was very great in having the British authority established, while the influence he had over the chiefs was too great not to attract the attention of the governor, and make it an object to secure his good-will and services."<sup>6</sup> This insult is based on false premises. First, Clendon's major land purchases were completed long before the growth of American whaling around New Zealand coasts,<sup>7</sup> and certainly never depended on his position as United States Consul. So far from the purchases having been made for a few trifles, Richmond

1 Old Whaling Days, p.288.

2 R. M. Ross, op.cit., p.37, n.87; McLintock, op.cit., p.58; Robert W. Fenny, ed. The New Zealand Journal 1842-1844 of John B. Williams of Salem Massachusetts, Frown University, 1956. pp.6-7.

3 Wilkes, op.cit., p.163.

4 McLintock, op.cit., p.99.

5 An Encyclopaedia of New Zealand, Vol.II, p.91a.

6 Wilkes, op.cit., p.164. 7 Old Land Claims 66 & 66a/114 & 115; 66b/116.



and Godfrey, Land Commissioners, in their first report on Clendon's Land Claims, said, "... however we reduced it, Mr. Clendon has given so much, that one fifth would entitle him, agreeably to the Schedule, to more acres than in this demand."<sup>1</sup> Finally, while Clendon's influence over Iemare was certainly known, there has never been any suggestion that he carried much influence or indeed had much intercourse with any other chiefs.

Whether or not Clendon was an efficient representative of the United States could perhaps be judged only by the Secretary of State, and the visiting whalers, of the time, but there seems to be little doubt that he took his duties seriously, and at least until the time of his resignation, fulfilled them conscientiously. It seems hard that Clendon's reputation should rest on the rancour of a business rival and the opinion of a tourist who spent no more than a week in the area where Clendon lived and worked.

Certainly J. B. Williams does not seem to have matched him in conscientiousness, with his long absences during which he was pursuing his private trading,<sup>2</sup> but Williams also joined in Mayhew's clamour of denunciation. He complained that the papers and books of the Consulate were much confused, blaming this on his predecessor, "who was at the same time he was consul of the U S a member of the Legislative Council And a Justice of the Peace for this Colony, which I deem it my duty to make known the fact."<sup>3</sup> Williams' failure to suggest that Mayhew may have been responsible for the confusion no doubt stems from the fact that Mayhew had been away to the southward during 1842. While there he sent a distressed American seaman to the Bay of Islands, a responsibility for Williams, who was left to notify the United States. Clendon's absence was reprehensible; neither Williams' nor Mayhew's absences apparently merited censure.

The superseded Mayhew was not as respectable as Clendon had supposed. In addition to the misinformation he sent to the Secretary of State, he left the colony in 1844 with debts and bad feeling behind him.<sup>4</sup> Williams seems to have been no more fortunate in his next Vice-Consul. Henry Green Smith, wrote Polack, who was in his turn serving a term as Vice-Consul, "misconducted himself so grossly, by not only aiding the insurgent natives openly in arms against the British Government with ammunition and powder, but actually quitted the country for the United States in the whale ship Edward Carey with a portion of the plunder stolen by the said natives from the hapless settlers of Russell."<sup>5</sup> The removal of the Consulate from the Bay of Islands to Auckland was approved by John C. Calhoun on 27 August 1844,<sup>6</sup> but there seem to have been consular agents at the Bay of Islands for some time after this.<sup>7</sup> In spite of Williams' requests, no exequatur was issued until 1858, when G. R. Best was appointed. Kenny states that Williams died in office in Fiji, of dysentery, in 1860.<sup>8</sup>

Clendon outlived his successor. By 1844, however, his influence and fortunes had begun to decline. He was removed from the Legislative Council by FitzRoy<sup>9</sup> and retired to Manawaora where he remained until the fall of Kororaraka. Immediately after the sacking he was appointed a

1 Commissioners Godfrey/Richmond to Colonial Secretary, 13 Dec. 1841, in Old Land Claim file 66 & 66a/114 & 115.

2 Kenny, op.cit., pp.6-8, 10.

3 United States Consular Records, 3 January 1843.

4 Carleton, The Life of Henry Williams. Auckland, 1874. Vol.II, Appendix p.xv.

5 Quoted in Kenny, op.cit., p.10. 6 ibid., p.25, n.8.

7 Marie King, op.cit., pp.163, 186. 8 Kenny, op.cit., ~~pp.186-187~~

9 Clendon MSS.

Police Magistrate,<sup>1</sup> and except for the years 1847-49, he continued in Government Service until he was retired in 1866, having in the meantime remarried after the death of his first wife. He had had six children by the first marriage, and of the second had eight children born during the last sixteen years of his life.<sup>2</sup> Not surprisingly there are many descendants, but none of the land in his original claims is now in Clendon hands. Three of the four houses he is known to have lived in, however, are still in use today.<sup>3</sup> Harried by financial difficulties, he spent his last few years in small trading at Hokianga, where he had moved with his young family in the early sixties.<sup>1</sup> He died at Rawene at the end of 1872.<sup>2</sup>

1 Clendon MSS.

2 Genealogy.

3 The house at Okiato -- the first Government House -- was destroyed by fire in May, 1842. (Bay of Islands Observer, 5 May 1842.) The house at Manawaora has passed through several hands since 1860, as has his house at the south end of Kororareka. Manawaora has been bought by an artist who lives in it; the Russell house is now known as Compallier Lodge, and is a motel. Only the house in Rawene is still occupied by a descendant.

## APPENDIX C

Captain W. B. Rhodes' Account with J. R. Clendon Mar/April/1837

### *14. Bay of Islands account for Stores, etc.*

Dr. BARK CAPT. RHODES & OWNERS

Pr. J. R. CLENDON

1837

March 25th. To Receiving Rent for *Australian's*

Stores P. Currency Lass 5 : 0 : 0

Boat Hire 1 : 12 : 0

April 12th. 1 Ton 2 cwt Potatoes 60/- 66/-

Tinder Box 2/6 3 : 8 : 6

1½ lb Lamp Cotton 6/6. 2 Padlocks 5/-

3 day Boat Hire 1 : 4 : 0

651 lb Pork 2½d. 6 : 15 : 7 14 lb

nails 11/8 3lb do. 4/6 7 : 11 : 9

1. To Pr. Order to Turner £4 : 6 : 0

2. : Captn. Coffin 3 : 0 : 0

3. : Bliss 1 : 17 : 0

4. : Mair's A/c- 16 : 2 : 7

5. : on Bread 4 : 3 : 0

6. : Blacksmiths A/c- 2 : 1 : 2

- : Wright (Water) 12 : 0 : 0

7. : Doctor Assolam 3 : 0 : 0

8. : J. Jones 1 : 7 : 0

9. : Seamen's Advance 20 : 7 : 0

56 : 15 : 9

5 Pr. Cn. on £56.15.9 2 : 16 : 9

Brought Forward 79 : 0 : 3

Cr/By Rice &c. Sold *Caroline* 4 : 13 : 6

13 cwt Iron Hoop 8 : 9 : 0

Bills on Messrs Cooper & Holt } 33 : 11 : 6

at 30 days

Do. 30 days 32 : 6 : 3

£79 : 0 : 3

James R. Clendon

## APPENDIX D

### SAMPLE OF CARGOES FROM VESSELS ENGAGED IN THE TIMBER AND FLAX TRADE, 1829-1939.

#### GLOSSARY

Because some of the quantities in these data are now obsolete, or at least unfamiliar, the following list will assist in forming some appreciation of the volume of exports to New Zealand:

Bag	: 4 cwt currants, 182/240 lb wool, 140-280 lb wheat, 3 bushels, 364 avoirdupois lb.
Bale	: 10 short reams paper, 2½ cwt wool, 3-4 cwt yarn, 500 lb, also a non-standard measure.
Barrel	: 36 gallons ale or beer, 230 lb butter, 100 lb gunpowder, 26.2 imperial gallons, 31½ gallons wine.
Bolt	: roll of cloth, the size depending on the nature of the cloth (e.g. 40 yards cotton, 70 yards wool).
Bundle	: 120-480 hoops, 2 reams paper, otherwise a non-standard measure.
Bushel	: 56/63 avoirdupois lb, 64 pints (dry).
Case	: 196 lb, 25 muskets, occasionally a superficial measure.
Cask	: 72-84 lb butter, 2 cwt wheat flour, 672 lb weight, 110 gallons cider, 300 lb spices, 224 lb tobacco, 8-11 cwt sugar.
Hogshead (hhd)	: 48 ale gallons, 54 beer gallons, 63 wine gallons, 100 gallons molasses, 1200 lb, 52.4 imperial gallons (2 barrels), British hogshead - 65 gallons ale or beer, 76 gallons wine.
Hundredweight (cwt)	: 100, 108, 112, 120 lb. Usually 112 lb in imperial measure.
Jar	: 12-26 gallons oil, 52 lb wheat, 100 lb ginger.
Keg	: 10 gallons (sometimes less), 1 cwt nails.
Pack	: 10 measures cloth, 240 lb flax or wool, 4 cwt yarn, 280 lb meal.
Pig	: 301 lb (usually a measure of ballast).
Pipe	: 12 bushels, peas, 16 bushels, salt, 108 imperial gallons beer or ale, 120 imperial gallons cider, 126 imperial gallons oil or wine. A pipe is sometimes called a butt and in wine measure equals a ½ tun. A half-pipe of wine is a hogshead.
Pound (lb)	: 16 ounces
Puncheon	: 72 gallons beer, 84 gallons wine, sometimes also soap.
Roll	: 60 skins of parchment. Sometimes means a <u>piece</u> , 30 square feet, in cloth measurement.
Skin	: 3 cwt cinnamon.
Tierce	: 42 gallons oil or wine, 320 lb dry measure.
Ton	: 20 cwt.
Tub	: 84 avoirdupois lb.
Tun	: 252 imperial gallons wine or oil, 259 gallons ale or beer, occasionally 208, 240, 250, 303 gallons.

(Sources: W.D. Johnstone, For Good Measure: A Complete Compendium of International Weights and Measures, New York, 1975; R.E. Zupko, A Dictionary of English Weights and Measures From Anglo-Saxon Times to the Nineteenth Century, Wisconsin, 1968.)

## APPENDIX E

### The Convict Trade to Australia

#### Convict Ships

The vessels that carried convicts to the Australian colonies were ordinary British merchant ships. None were especially designed and built as convict ships, and none remained exclusively in convict service. A ship might carry prisoners one year, and the next year arrive in Australian waters with other cargo, passengers or as a freighter.<sup>1</sup> Some ships combined both and not all voyages were as speedy as Clendons. Some early voyages lasted five to six months. CMS missionary Henry Williams, his wife Marianne and their three children travelled to Australia aboard the convict ship *Lord Sidmouth* in 1822. The ship's cargo, similar to Clendon's eight years later, comprised 97 convict women and their twenty-two children and nineteen free women with their forty-four children, who were travelling out to meet their husbands in Australia. Unlike the *City of Edinburgh*, the vessel stopped at Rio de Janeiro for ten days, but did not stop again until it reached Hobart, Van Diemen's Land, a journey of almost five months from England.<sup>2</sup> The majority of vessels chartered for convict service were square-rigged ships or barques, mostly of tonnage between 200 to 400 registered tons. It was the government's practice to charter vessels at the lowest rate per ton, provided they were certified as seaworthy. It is notable that for a long time shipowners were reluctant to tender large vessels as the journey to Australia involved many navigational hazards, took many months, and for a long time return cargoes were unobtainable in the colonies. Convict ships were chartered by tender, and vessels were inspected by the naval authorities to be certified as seaworthy and well provisioned prior to sailing.<sup>3</sup>

Charter rates varied considerably as tenders were competitive. Bateson notes that the highest rate paid in 1828 for charter of a ship to New South Wales was £5. 4s. 9d for a vessel of 554 tons and the lowest £4 6s. 4d for smaller vessels. *The City of Edinburgh*, a 366 ton vessel, may have attracted a rate somewhere in between, but certainly if chartered at the rate of approximately £4.10s per ton, would have earned its owners over £1600 for the voyage.<sup>4</sup>

On the whole these private contracts worked well, especially following the introduction in 1815 of placing a naval surgeon, in each convict ship as surgeon-superintendent, answerable for any neglect of duty by ship's officers to serve adequate rations, observe hygiene and sanitation regulations or act according to the terms of the charter-party agreements. Instances of neglect and ill-treatment of convicts, while not unknown, were rare.<sup>5</sup> In the early 1820s more explicit and comprehensive instructions

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<sup>1</sup> Charles Bateson, *The Convict Ships*, p.68.

<sup>2</sup> Caroline Fitzgerald (ed.), *Letters from the Bay of Islands: The Story of Marianne Williams*, Auckland: Penguin Books (NZ), 2004, p.27; Sybil Woods, *Marianne Williams: A Study of Life in the Bay of Islands, 1823-1879*, Christchurch: PPP Printers, 1977, 3<sup>rd</sup> edition 1994, p.23.

<sup>3</sup> Charles Bateson, *The Convict Ships*, pp.68-69.

<sup>4</sup> *Ibid*, pp.69-70.

<sup>5</sup> *Ibid*, pp.18, 21-22, 41.



were issued to the surgeon-superintendent and other officers, and detailed regulations for the management of prisoners on convict ships were drawn up.<sup>6</sup>

Merchant ships up to the mid-nineteenth century tended to sacrifice speed to carrying capacity and were generally slow moving, narrow, deep, flat-bottomed and flat-sided. As convict ships they often required, after loading, a quantity of ballast to prevent them from capsizing. This requirement for ballast was met by *The City of Edinburgh*, when transporting its female cargo from Cork. Permission was obtained from the Navy Commissioners to ship 100 tons of iron in lieu of an equal quantity of shingle ballast.<sup>7</sup> The preference for iron, rather than shingle as ballast, may have indicated a demand for iron in Australia. No doubt it offered a further financial reward for Clendon who probably discharged it either Sydney or, later, when he transported male convicts to the Moreton Bay penal colony.

Clendon was fortunate that his first and only transport of convicts passed with a minimum of disruption or bad behaviour among his human cargo. During the years 1821 to 1840 few convict ships reached their destination without having to report a suspected mutiny among the prisoners aboard their ship during the passage.<sup>8</sup> Among female convicts, a major problem was prostitution. Local authorities at Sydney and Hobart (Van Diemen's Land) repeatedly reported that masters and surgeon-superintendents had not taken sufficient steps to prevent this practice. Ship's officers often found themselves powerless in the face of the unruly behaviour of women prisoners.<sup>9</sup> On one occasion a surgeon-superintendent was attacked by women prisoners when his officious and meddlesome manner quickly earned him the enmity of all the convicts on board the *Brothers*, bound for Hobart in 1824. Another was accused of cohabitating with female prisoners with the consent of the ship's captain, aboard the female transport *Providence*, which arrived in Hobart in 1826. Occasionally, the convicts were starved, as happened in the *Adamant* bound for Port Jackson from England in 1821.<sup>10</sup> The health of convicts could be undermined by scurvy but in the majority of convict ships' provisions of antiscorbutics such as fresh vegetables or lemons (or in Clendon's ship, lime juice) and wine were adequate to prevent outbreaks of this unfortunate disease and there were few deaths.<sup>11</sup> Dysentery took a more consistent number of lives during the period, and other serious diseases which were a hazard to transportation were cholera and smallpox.<sup>12</sup>

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<sup>6</sup> Ibid, p.49.

<sup>7</sup> Ibid, pp.70-71.

<sup>8</sup> Charles Bateson, *The Convict Ships*, p.198.

<sup>9</sup> Ibid, p.205.

<sup>10</sup> Ibid, p.26-207, 209.

<sup>11</sup> Charles Bateson, *The Convict Ships*, pp.245-247.

<sup>12</sup> Ibid, p.251.

## APPENDIX F

### Table of ships wrecked in northern New Zealand 1809-1840.

The following table illustrates the number of recorded vessels wrecked around the northern coasts of Northland, and one at Mahia on the east coast, between 1809 and 1840. Thirteen ships are recorded and of these the crews and passengers of two were well-treated by Maori, but seven vessels were plundered. The *Boyd* and the *Parramatta* show evidence of prior mistreatment of Maori by Europeans. This may be only a small portion of the shipwrecks recorded around the New Zealand coasts. Clendon's ship *Hokianga* may have been one vessel whose fate went unrecorded.

<i>Place</i>	<i>Year</i>	<i>Vessel</i>	<i>Details</i>
Bay of Islands	1823	<i>Brampton</i>	Rev. Samuel Marsden of CMS Sydney on board. Goods salvaged. Passengers well treated by Maori
	1840	<i>Harriet</i>	A whaler wrecked on rocks outside harbour during a gale.
Hokianga	1823	<i>Cossack</i>	American schooner. Wind dropped while ship sailing over Hokianga bar. Ship marooned. Crew well-treated by Maori.
	1828	<i>Enterprise</i> <i>Herald</i>	<i>Enterprise</i> built at Te Horeke, Hokianga. Returning to NZ from Sydney. Survivors killed by Maori; <i>Herald's</i> crew stripped by Maori and ship plundered due to an alleged grievance. <i>Herald</i> was a small schooner built at CMS mission station Paihia, 1824-26.
	1832	<i>Meredith</i>	From Liverpool, sailing from the Sandwich Islands. Wrecked while crossing the Hokianga bar to obtain a cargo of timber. Maori plundered ship.
	1833	<i>Fortitude</i> *	Clendon/Stephenson ship. Grounded on mud bank at Motukauri in the Hokianga harbour. Ship Plundered and papers stolen. Chief Moetara, of Hokianga's Ngati Korokoro tribe, avenged this plundering by attacking the plunderers and retrieving most of the stolen goods.
	1836	<i>Industry</i>	Plundered by Maori, papers stolen. Retrieved by a missionary and returned to ship.
Whangaroa	1809	<i>Boyd</i>	A Maori crew member mistreated. Crew Killed by Maori, ship plundered and burnt.
	1825	<i>Mercury</i>	Whaler. Left harbour to escape suspected Maori attack. Blown on to rocks, damaged, plundered by Maori. Missionaries assisted three crew members to sail the ship to the Bay of Islands but it was abandoned en route due to rough seas.
East Coast	1808	<i>Parramatta</i>	Schooner. Maori contracted to load spars then thrown overboard and fired at when they asked for payment. Vessel driven ashore near Cape Brett. This was the first vessel wrecked on the New Zealand coast.
	1836	<i>New Zealander</i>	Built at Te Horeke, Hokianga 1828. Wrecked near Mahia Peninsular. Crew safe but stripped by Maori.
East Cape	1836	<i>Fanny</i> *	Clendon & Stephenson's 47 foot Carvel built at Hokianga. Lost off East Cape July 1836.

\* Clendon's ships.

C.W.N.Ingram, *New Zealand Shipwrecks*, pp5-20, 478-482; Chas. W.N. Ingram & P. Owen Wheatley, *Shipwrecks. New Zealand Disasters*, Wellington: A.H. & A.W. Reed, 1936, 2<sup>nd</sup> edition 1951, p.19.; Fitzgerald (ed.), *Letters*, p.88, Sybil Woods, *Marianne Williams. A Study of Life in the Bay of Islands New Zealand 1823-1879*, Christchurch: PPP Printers, 1977, 4<sup>th</sup> edition 1994, p.52; C.O. Davis, *The Life and Times of Patuone, The Celebrated Ngapuhi Chief*, Auckland: Steam Printing, 1876, pp.66-67.

## APPENDIX G

### Banking systems in Australia and Britain.

#### Australian Financial systems to the 1830s.

Currency had not been thought necessary for penal colonies. The colonial government paid for imported supplies through bills drawn on the British Treasury. Army officers and colonial traders who had bankers or agents in India or Britain could offer bills against the credit in their accounts. Neither the Treasury nor the private bills could be used as internal currency so a system of promissory notes and barter arose that was to become familiar in New Zealand prior to and for some time after, 1840. New South Wales farmers were encouraged to sell their meat and grain to the Commissariat Store in return for a store receipt. This indicated the sterling worth of the goods sold and could be drawn for that sum on the Treasury in London. However, farmers tended to accumulate these receipts as a credit reserve against which they offered their own promissory notes. Most wages paid by employers were in the form of barter. The currency problem in New South Wales was not solved until the mid-1820s when that government endorsed the Spanish dollar as the basic coin of the colony.<sup>1</sup>

In the 1790s a lack of currency in the colonies advantaged the officers of the New South Wales Corps, who used Paymaster's Bills drawn on the Corps' banker-agents in London as a source of foreign exchange. The other source of sterling, and much larger, was Treasury bills drawn by the Governor to pay for goods and services, and particularly grain and meat supplied to the Commissariat Store. The Paymaster's Bills were controlled by the senior officers of the corps, and this source of readily available sterling bills was the basis of their commercial activity. Goods purchased with Paymaster's Bills could be sold to settlers, or dealers of various sorts, for grain. The grain was placed in the Store in exchange for receipts which the Governor later consolidated into Treasury Bills, which could then be used to purchase further goods. Within the colony, transactions were made using Store Receipts, grain, spirits or notes-of-hand (I.O.U'S) which circulated the colony as its equivalent for small change. Copper was also used in small amounts, and Governor Macquarie imported Spanish dollars, but these measures were inadequate to provide a working currency within the colony. Promissory notes were the most common form of currency, and these were discounted against pounds sterling at the rate of 25 to 40 percent. Convicts could use this means of currency as well, a risky business for traders, as convicts had no currency to support their notes.<sup>2</sup> Promissory notes could be for as little as 1s in New South Wales, or as low as 3d in Van Diemen's Land. Forgery of and trafficking in currency notes was a problem in all sections of society. Wages were most often made up of a mix of promissory notes, rum and tobacco.<sup>3</sup>

Governor Lachlan Macquarie identified the need for some type of banking institution in the colony to regularise currency and financial transactions, but his request to secure approval from the British government to establish a bank was refused in 1812. However, in the same year Macquarie managed to receive coin in the form of 40,000 silver dollars. In an arrangement quite usual for the time these dollars were adjusted before circulation to

<sup>1</sup> Wigglesworth, pp.8-11.

<sup>2</sup> Hainsworth, pp.25, 58-59.

<sup>3</sup> R.M. Crawford, *Australia*, London: Hutchinson University Library, 1952, pp.66-67.

ensure that the intrinsic value of the coin matched or was close to its nominal value, resulting in the coins being clipped. Macquarie directed that the dollars he received should have their centres removed and be circulated in two parts. The ring, or 'Holey' dollar was valued at 5s and the centre piece, the 'Dump' at 1s. 3d. Although accounts were kept in £ s d, between 1822 and 1826 it appeared as if a limited dollar-based currency was well established.<sup>4</sup>

The growing need for some type of local banking facility led eventually to a number of New South Wales store owners, publicans and others, including free settlers and freed convicts (emancipists) forming a Commercial Society in 1813 and issued their own promissory notes of declared values, 'payable on Demand in Currency, or in Sterling at 25 per cent discount. Governor Lachlan Macquarie declared the circulation of these notes illegal, but the Society's initiative led to the formation in 1817, by private subscription, of the colony's first bank, the Bank of New South Wales. The bank issued notes, ranging from a value of 2s. 6d to £5. It made loans at a charge of 10 percent interest, about 2 per cent higher than the prevailing private rate, permitted overdrafts and discounted Bills of Exchange, promissory notes and other securities.<sup>5</sup> The bank received a considerable share of government business. The bank also accepted Store receipts as deposits. These were consolidated into Treasury bills, which in turn were sold to colonists wanting Bills payable in London.<sup>6</sup> This was a complex system, but it worked well for colonial entrepreneurs, and perhaps its biggest advantage was that it provided a local exchange and clearing house for colonial mercantile activity. The Bank provided no savings facility. A State Savings Bank of New South Wales was established in 1819, or 'Campbell's Bank' as it was then known, a boon for small savers and convicts.<sup>7</sup>

The 1820s saw the increasing development of New South Wales, and to a lesser extent Van Diemen's Land away from a convict economy towards a free economy. This development required more money in circulation and more capital for the loan market. Every year considerable funds were imported from England for the support of the administrative system and every year imports exceeded exports as the colonies maintained their growing populations. At least six new banks were founded between 1824 and 1829, the majority in Van Diemen's Land (Tasmania). The Bank of Australia was established in Sydney in July 1826, the bank of Van Diemen's Land was established in 1824, the Tasmanian Bank in Hobart existed from 1826 to 1829, the Derwent Bank opened in 1828, the Cornwall Bank and the Commercial Bank in 1829.<sup>8</sup>

### British Banking and Foreign trade.

The term 'foreign trade' was applied by British banks to trade that their customers had outside the zone where they could settle transactions by cheque. Other facilities, were used by customers to settle accounts with their creditors.<sup>9</sup> The three that concerned

<sup>4</sup> J.J. Auchmuty, '1810-1830' in F.J. Crowley, (ed.), *A New History of Australia*, Melbourne: William Heinemann, 1974, pp.66-68.

<sup>5</sup> Hainsworth, p.62.

<sup>6</sup> Hainsworth, pp.60-62.

<sup>7</sup> Auchmuty, pp.69-70.

<sup>8</sup> Auchmuty, pp.70-71.

<sup>9</sup> B.A. Moore & J.S. Barton, *Banking in New Zealand*, Wellington: New Zealand Bank Officers' Build, Inc., 1935, p.230.



Clendon and other traders in New Zealand were bank drafts (or remittance warrants – a form of promissory note in place of cash) letters of credit and bills of exchange.<sup>10</sup>

Bills of Exchange: Early bills of exchange within Britain and her colonies were complex arrangements. They involved drawing a bill of exchange on a debtor in one place, in order to pay a creditor in another. A difficulty with this type of transaction is that the first debtor had to find a creditor who owed him the exact amount he owed his creditor.<sup>11</sup> One example of this is Clendon's letter of 7 June 1836 to Whaling Captain Brind's wife in England, forwarding Bills that could be met by some of his debtors in England, possibly other whaling captains.<sup>12</sup> Banks later devised a system of Bank Drafts whereby bills could, say, be drawn in New Zealand or any other colony, that were payable in London. A bank draft was similar to a bill of exchange in that it was drawn by one bank on another bank.<sup>13</sup> The most common form of a bill of exchange was the cheque. Other forms were the Acceptance Bill and the Promissory Note, the latter widely used in the Australian colonies prior to official banking systems. They were also used in New Zealand.

Letters of Credit: These were written requests or direction addressed by one banker to another banker or person, requesting the addressee to give credit to the person named in the Letter of Credit. A Letter of Credit could be used by intending travellers who hoped/intended to present it, and drafts drawn under it, to various agents of his banker on the route of his travels. The money was payable in its foreign equivalent.<sup>14</sup> This only functioned in countries where agencies of British banks were established.

A 'documentary letter of credit' required a bank to honour the draft if it were 'accompanied by invoices, bills of lading, shipping documents and other mercantile titles to goods to an amount covering the amount of the required draft. It was the most commonly required form of letter of credit used by the mercantile community.'<sup>15</sup>

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<sup>10</sup> Moore & Barton, pp.230-231.

<sup>11</sup> Moore and Barton explain this as follows: A man who lived in Edinburgh owed £100 to a person who lived in London. The Edinburgh man knew that another trader (a third party) who lived in London, owed him £100. Therefore, he drew a bill of exchange on this trader in favour of his creditor in London. On receipt of the bill, the creditor presented it to the third party for acceptance and subsequent payment. Once accepted and paid, the bill settled both debts. The difficulties attending this type of transaction were that the Edinburgh man had to find a debtor who owed him the exact amount that the Edinburgh man owed his creditor. Moore & Barton, pp.233-236.

<sup>12</sup> J.R. Clendon to Mrs. Brind, 6 June 1836, MS-papers-0550: Clendon, James Reddy, 1801-1871, Letters 1836-1838, WTU.

<sup>13</sup> Moore & Barton, pp.233-236.

<sup>14</sup> Ibid., p.240.

<sup>15</sup> Ibid., pp.241-242.



APPENDIX H

Fortitude Accounts – on Account of G. Clendon and S. Stephenson, 1832.

*The Accounts of the Schooner  
Fortitude.*

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*Ledger ----- Fol - 1*  
*Cash account of Mr G. Clendon ----- 24*  
*Cash account of Mr Stephenson ----- 30*

Feb 24

1832

Mr Geo Clendon Sen & Co

To two thirds of the sum of

\$2304.25 being the amount

expended in the purchase of the

Schooner Fortitude, repairs,

Stores, Cargo &c to December 31. 1832 1536 1 8

Feb 30

1832

Mr J. Stephenson Do

To one third of the sum of

\$2304.25 being the sum

expended on the cost of the

Schooner Fortitude, repairs,

Stores, Cargo &c to Decem 31. 1832 768 10

to June 29

One third of 2304.25

Per your Memo of 100

1832

Recd

Received of Mr Stephenson

847 8 11

# Per Contra Co

By two thirds of 268.16.00 freight

for the Dispensary Society

By two thirds of 60.00 of 40.00 money

for Miss Caldwell

By two thirds of 21.00.00 freight for

Mr Symmes

By Cash advance for the purchase

of Schenck, Cayo-He the items in

Vol 14.5 & larger to December 31. 1832 / 343.12.00

165 17 1/2

40 - "

14 5 1/4

# Per Contra Co

By one third of 268.16.00 freight

for the Dispensary Society

By one third of 60.00 of 20.00 money

for Miss Caldwell

By Cash to Mr Chitty 20.00.00

Dr Mr. M. Parn 32.00.00

By Cash - 361.10.00

By Dr Mr. Jones 190.00.00

Dr - 10.00.00

Dr - 2.00.00

Dr - 12.00.00

Dr - 2.00.00

By one third of 21.00.00 freight for

Mr Symmes

By one third of 200.00.00

By one third of 100.00.00

By cash charged to Mr. H. Chittenden

847 8 0

1112

March 22

23

April 6

7

14

17

18

1833

June 28

July 26

Feb 17

82 18 8

20 - "

7 2 8

69 12 1/2

33 6 8

147 1/2

Feb 1	The Schooner Fortitude D.	
Feb 29	Cash sales on deposit	\$100.00
March	" " Balance	\$50.00
13	Books	2.00.0
	Supplies	12.50
16	Bleaching house & dry 4-	13.00
19	Carriage Supplies 146	15.00
22	Leather tacking in boots	5.00
23	Policy of W. H. King for 1000	34.60
	Tyngson's hire of Sale	3.00.0
	Carpenter	2.10.0
	Log & Cargo bonds 1/3 Botany 46-10.9	6.09
April 6	Brook for hauling	
	Shipping to 136.00	
	by Dr. 36.00	100.00
7	Paint and oil	7.50
11	Warren & Davis Cash 9.16.00	
	Wright (Ryder)	10.00.00
	Carried on	\$1145.90

## APPENDIX H.1

Dr: Owners of *Fortitude* in Account with J. R. Clendon.

Dr. Owners of the Fortitude		in acct. with L. B. Clendon	
July 23 <sup>rd</sup> To amt. paid deposit for	100	July 23 <sup>rd</sup> By Cash for L. B. Clendon	100
to L. B. Clendon	850	Aug 2 <sup>nd</sup> By Cash for L. B. Clendon	850
Nov. 13 <sup>th</sup> To L. B. Clendon	2 12 6	Aug 22 <sup>nd</sup> By Cash for L. B. Clendon	8 20
18 <sup>th</sup> To L. B. Clendon	5	Aug 26 <sup>th</sup> By Cash for L. B. Clendon	3 32
19 <sup>th</sup> To L. B. Clendon	5	April 6 <sup>th</sup> By Cash for L. B. Clendon	19 0
22 <sup>nd</sup> To L. B. Clendon	3 4 6	14 <sup>th</sup> By Cash for L. B. Clendon	2 0
23 <sup>rd</sup> To L. B. Clendon	3	17 <sup>th</sup> By Cash for L. B. Clendon	12 6
24 <sup>th</sup> To L. B. Clendon	11 14 6	By Cash for L. B. Clendon	63
25 <sup>th</sup> To L. B. Clendon	2 10	18 <sup>th</sup> By Cash for L. B. Clendon	50
26 <sup>th</sup> To L. B. Clendon	11 9	19 <sup>th</sup> By Cash for L. B. Clendon	21 8
April 6 <sup>th</sup> To amt. paid for L. B. Clendon	100	By Cash for L. B. Clendon	2 4
for L. B. Clendon	850	By Cash for L. B. Clendon	17 16 8
7 <sup>th</sup> To painted oil	7 6	By Cash for L. B. Clendon	7 16 10
11 <sup>th</sup> To L. B. Clendon	17 8	By Cash for L. B. Clendon	17 16 8
12 <sup>th</sup> To L. B. Clendon	17 14 12 3	By Cash for L. B. Clendon	17 16 8
13 <sup>th</sup> To L. B. Clendon	9 16	By Cash for L. B. Clendon	17 16 8
14 <sup>th</sup> To L. B. Clendon	10	By Cash for L. B. Clendon	17 16 8
15 <sup>th</sup> To L. B. Clendon	5 13	By Cash for L. B. Clendon	17 16 8
16 <sup>th</sup> To L. B. Clendon	15	By Cash for L. B. Clendon	17 16 8
17 <sup>th</sup> To L. B. Clendon	15 6	By Cash for L. B. Clendon	17 16 8
18 <sup>th</sup> To L. B. Clendon	4 6	By Cash for L. B. Clendon	17 16 8
19 <sup>th</sup> To L. B. Clendon	10	By Cash for L. B. Clendon	17 16 8
20 <sup>th</sup> To L. B. Clendon	5	By Cash for L. B. Clendon	17 16 8
21 <sup>st</sup> To L. B. Clendon	2 7 6	By Cash for L. B. Clendon	17 16 8
22 <sup>nd</sup> To L. B. Clendon	20 12 6	By Cash for L. B. Clendon	17 16 8
23 <sup>rd</sup> To L. B. Clendon	1 7 6	By Cash for L. B. Clendon	17 16 8
24 <sup>th</sup> To L. B. Clendon	6	By Cash for L. B. Clendon	17 16 8
25 <sup>th</sup> To L. B. Clendon	5	By Cash for L. B. Clendon	17 16 8
26 <sup>th</sup> To L. B. Clendon	1 5	By Cash for L. B. Clendon	17 16 8
27 <sup>th</sup> To L. B. Clendon	18	By Cash for L. B. Clendon	17 16 8
28 <sup>th</sup> To L. B. Clendon	16	By Cash for L. B. Clendon	17 16 8
29 <sup>th</sup> To L. B. Clendon	50	By Cash for L. B. Clendon	17 16 8
30 <sup>th</sup> To L. B. Clendon	28 8	By Cash for L. B. Clendon	17 16 8
31 <sup>st</sup> To L. B. Clendon	7 16	By Cash for L. B. Clendon	17 16 8
32 <sup>nd</sup> To L. B. Clendon	21 2	By Cash for L. B. Clendon	17 16 8
33 <sup>rd</sup> To L. B. Clendon	16 12	By Cash for L. B. Clendon	17 16 8
34 <sup>th</sup> To L. B. Clendon	4 0	By Cash for L. B. Clendon	17 16 8
35 <sup>th</sup> To L. B. Clendon	12	By Cash for L. B. Clendon	17 16 8
36 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
37 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
38 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
39 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
40 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
41 <sup>st</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
42 <sup>nd</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
43 <sup>rd</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
44 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
45 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
46 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
47 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
48 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
49 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
50 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
51 <sup>st</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
52 <sup>nd</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
53 <sup>rd</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
54 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
55 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
56 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
57 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
58 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
59 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
60 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
61 <sup>st</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
62 <sup>nd</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
63 <sup>rd</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
64 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
65 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
66 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
67 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
68 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
69 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
70 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
71 <sup>st</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
72 <sup>nd</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
73 <sup>rd</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
74 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
75 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
76 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
77 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
78 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
79 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
80 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
81 <sup>st</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
82 <sup>nd</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
83 <sup>rd</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
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86 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
87 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
88 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
89 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
90 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
91 <sup>st</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
92 <sup>nd</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
93 <sup>rd</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
94 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
95 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
96 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
97 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
98 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8
99 <sup>th</sup> To L. B. Clendon	752 18	By Cash for L. B. Clendon	17 16 8
100 <sup>th</sup> To L. B. Clendon	1508 8	By Cash for L. B. Clendon	17 16 8



## APPENDIX I

### Resolutions passed at a public meeting at Mangungu, 21 September 1835 for the purpose of prohibiting the importation and sale of ardent spirits on the river Hokianga.

1. That the British residents and natives do from this day (21/9/1835) agree that the importation and sale of ardent spirits be abolished.
2. That Captain Young and Mr. Oakes, with Moetara, a native chief, be appointed to board and examine all vessels entering the Hokianga River, and to make their commanders acquainted with the native law against the importation of ardent spirits, which will be subject to seizure if attempted to be landed, as also the boat in which such ardent spirits shall be found.
3. That the creditable determination of Mr. Maning and Captain Clendon to follow the example set by Captain McDonnell, the additional British Resident, in starting all the spirits of his establishment previously to this meeting, [to] be publicly recorded.
4. That Thomas Mitchell, George Stephenson, John Jackson, and Robert Hunt be appointed a committee to decide on all measures connected with this meeting.
5. That in order to the more effectual crushing this infamous traffic, it is also agreed that if it can be satisfactorily proved that any person imports or sells ardent spirits after this date, a fine of fifty pounds shall be levied on the vendor or purchaser, namely, twenty-five pounds each. The amount of the said fine to be put to such purposes as the committee shall direct in defraying any expenses which may be incurred to support the object of this meeting. It is not intended that any spirits now held as the property of others shall be destroyed, but shall be shipped from this river at the earliest opportunity, of which the committee shall give due notice to the agents, in order that no excuse may be pleaded.
6. That a fair copy of these resolutions be sent for publication in the *Sydney Herald* and in the *Hobart Town Courier*.
7. That the thanks of this meeting be given to Captain McDonnell, the additional British Resident, for the very warm manner in which he has advocated a cause so replete with benefit to all, and for his impartial conduct in the chair.

## APPENDIX J

### Agreement for the sale of Okiato to H.M. Government 22 March 1840.

H.M. Government agrees to purchase from Captain Clendon his property at Okiato in the Bay of Islands, said to contain by measurement Two hundred and thirty acres, together with all buildings and improvements thereon and also another portion of Land supposed to contain 80 Acres, immediately adjoining the said property of Okiato, for the sum of Fifteen Thousand Pounds, payable as follows, viz: One Thousand Pounds to be paid in Cash on taking possession, One Thousand Pounds on the 1<sup>st</sup> October proximo, and the remainder to bear Interest at 10 per Cent. Per Annum, H.M. Government having the option of paying off the whole of any portion of the Principal on giving 3 months' notice in writing to that effect. The first half year's Interest to be payable on the 1<sup>st</sup> of April, 1841. Possession of the whole to be given by the 1<sup>st</sup> of May proximo.

Bay of Islands, 22<sup>nd</sup> March, 1840.

Signed. Felton Mathew, S.Gl .

This agreement was subsequently endorsed:-

"Approved subject to the decision of the Commissioners as to the title to the Land. The Buildings are valued at Thirteen Thousand Pounds Sterling, and the Land at Two Thousand Pounds. Bay of Islands, 23<sup>rd</sup> April, 1840. Signed. W. Hobson, Lt. Governor".

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