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**JOHN BRYCE, 1834-1913:
The White Charger.**

A Thesis presented in partial fulfilment of the
requirements for the degree of
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ABSTRACT

In this thesis I have examined the life of Hon. John Bryce, Native and Defence Minister in the Hall Ministry of 1879-82, and Native Minister from 1882 to 1885. Bryce is an important, but substantially unstudied, figure in New Zealand history, who briefly rides his white charger into other people's stories and then, just as briefly, out again. Accordingly, there are few secondary sources on him, apart from those that cover the two White Charger episodes in his life, the attack at Handley's Woolshed and the invasion of Parihaka.

Of necessity primary sources have played a major part in the research, reports of New Zealand Parliamentary Debates, Appendices to the Journal of the House of Representatives, reports from contemporary newspapers through Papers Past, Waitangi Tribunal Reports, the diary Bryce kept in London in 1886, William Rolleston's diary and correspondence accessed through the Alexander Turnbull Library helped to present a fuller picture of the subject, along with the few available secondary sources.

Bryce was a controversial, though respected, figure in his own time, and as mores and attitudes have changed in the century since his death, particularly with reference to race relations, he has been increasingly 'traduced' (a word Bryce used, meaning misrepresented), and condemned. To understand Bryce's perceived ambivalence or hostility towards Maori, this thesis looks at his early life as an immigrant and settler in Wanganui, where events transpired that created lasting impressions and influenced his later responses.

The thesis was written chronologically from the time of Bryce's arrival in New Zealand in 1840, and covers his service with the Kai Iwi Cavalry during Titokowaru's War, his role as a Wanganui and national politician, his time as Native Minister and a Member of the House of Representatives, until his retirement from politics in 1891. This shows that though Parihaka was an important part of his political life, it did not define or limit his contribution to 19th century politics in New Zealand.

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PREFACE

This has been a major undertaking for me, as a very mature student I have probably needed more than my fair share of support and encouragement to see it through to its conclusions, and this has been unstintingly given, for which I am most grateful.

The Bryce journey has been one of constant discovery and I have been excited at the richness of resources available to researchers of New Zealand history. I was fortunate to be able to make contact with the family of the late Jock McEwen, who had a distinguished public service career in Maori and Pacific Island Affairs, and was Bryce's great-grandson. They were able to fill in a few personal details and told me that Jock considered history had been hard on his great-grandfather. My thanks go to Mary and David for their interest.

I would like to record my appreciation of the very helpful and knowledgeable librarians at the Alexander Turnbull Library where I spent a week absorbing history, the thrill of holding a leather bound diary written over 130 years is still with me. No request was too difficult and their professionalism, interest and assistance are very much appreciated.

My thanks are also due to Associate Professor Peter Lineham and Dr Geoff Watson who have been very supportive and interested in my progress, and I am especially indebted to my Supervisor, Professor Michael Belgrave for his patience, knowledge and encouragement on every step of the Bryce journey.

To my family and friends who have wondered if this journey was ever to end, we are nearly there and I thank you for your forbearance and support.

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ABBREVIATIONS

AJHR	Appendices to the Journal of the House of Representatives
ATL	Alexander Turnbull Library
NA	National Archives
NZPD	New Zealand Parliamentary Debates

INTRODUCTION

John Bryce and Parihaka are inextricably linked in New Zealand's historical consciousness. The stern, bearded figure astride a white charger is the image that was portrayed in all the contemporary newspaper accounts of that day in November 1881, and is still the way Bryce is commonly thought of today. It is significant that the majority of the obituaries published after Bryce's death in 1913 dwelt almost exclusively on his involvement with Parihaka and the incident at Handley's woolshed in 1869, again riding a white charger.

Today Parihaka is an emotive, often one dimensional topic, which usually attracts sympathy for the plight of Maori and contempt for the part Bryce played in it, but as will be shown it is a much more complex issue. Bryce today is also almost universally portrayed one-dimensionally, his legacy being seen as the hero, or more commonly villain, of Parihaka, and the other achievements of his almost thirty years in politics largely ignored.

He has been characterised and caricatured as the man who rode his white horse ahead of 1500 armed Constabulary into the pacifist village of Parihaka, to be greeted by singing women and dancing children, to arrest Te Whiti and Tohu, but Bryce was much more than this one narrowly focused, parodied individual. He spent nearly 30 years in politics, often involved in controversy and used as the 'hard man' of the Hall ministry to implement unpopular policies and introduce contentious legislation, a task from which he did not shy away. He was hard working, travelled extensively, and very single minded, with a finely honed sensitivity as he either threatened to resign, or did resign, from political life four times over incidents which he felt impugned his integrity.

Bryce grew up in straightened circumstances though with close family bonds, and his personality was such that he made few, but fast, friends and bitter enemies, he was fiercely independent, determined and industrious; symptomatic of the type of settler who made the North Island what it is today. In a great part of the North Island, and especially in the Taranaki and Wanganui districts, for many years life was a battle, first with the bush, and then to

establish safe settlement, particularly during the 1860s. It was through these qualities of determination and hard work that Bryce was able to forge for himself a successful farming enterprise and later on, as forecast by his friend James Hewett, he 'made his mark' on New Zealand politics.

Apart from accounts of Parihaka, notably *Days of Darkness* by Hazel Riseborough, and the story of Titokowaru's War where Bryce featured in the incident at Handley's woolshed related in James Belich's *I Shall Not Die*, historiographical resources on Bryce are limited. He is usually found as a participant in other people's stories, located in the Index at the back of a book, rather than the subject of a chapter of his own and this thesis will present a fuller picture of John Bryce, and recognise his contribution to colonial history. Parihaka was the fulcrum of his political life, his experiences in the years leading up to it informed his reaction to the events in Taranaki as they unfolded, and, in the following years he saw Parihaka as having invested him with authority when it came to negotiating with Maori.

Nine chapters catalogue Bryce's development, achievements and failures and portray a man with the courage of his convictions, willing to stand against the tide of public and political opinion in the defense of what he believed in – a trait for which he was frequently known as 'Honest John'.

The first chapter covers his early life and includes a pen portrait of the man and some of his idiosyncrasies as portrayed in the newspapers of the day. As a resident of Wanganui who had experienced the Taranaki Wars at close hand, Bryce joined the Kai Iwi Cavalry in the war against Titokowaru in 1868, and Chapter 2 details the action in this short but violent confrontation, an experience which had ongoing consequences and left a lasting impression on him. After the war Bryce returned to political life in Wanganui, and became an active and committed representative for the province, as recorded in Chapter 3. By 1876 he was attracting wider recognition and was appointed to chair the influential Native Affairs Committee and also to head a Royal Commission into electoral irregularities in the Bay of Islands, and this and the lead up to the 1879 election make up Chapter 4.

Chapter 5 chronicles Bryce's first 14 months as Native Minister in the Hall ministry, dealing with the lead up to Parihaka, and his efforts to reform the Native Affairs Department, until his resignation in January 1881. Because Riseborough has written so authoritatively on Parihaka, Chapter 6 focuses not so much on the events in Taranaki but on the government responses to them, which led to the invasion and its aftermath, and uses secondary and primary material.

A year to the day after Parihaka, Bryce was negotiating with Tawhiao, the Maori King, and Chapter 7 details the extensive negotiations Bryce carried out in the King Country, with varying degrees of success. Chapter 8 moves the action to London and is a resumé of the libel action Bryce took against George Rusden. An important primary source is the diary kept by Bryce over this six-month period, which personalises and gives a human perspective of the man.

Chapter 9 deals with the last few years of Bryce's political life before his final resignation in 1891, and draws together the threads of the life of this controversial and often traduced public figure in New Zealand history.

John Bryce is an important though neglected figure in New Zealand colonial history and this thesis details his contribution and credits him for what he accomplished in almost 30 years as a politician, while acknowledging his limitations and shortcomings.

Chapter 1

THE WHITE CHARGER: Introducing John Bryce

A man slightly under the middle height with a well-knit frame, but a weak chest, and a tendency to pulmonary complaints. A well-shaped symmetrical head; a sallow face, sicklied o'er with the pale cast of deep thought; large, brown, serious, deep-set eyes, under thick brows; firmly compressed lips, and a countenance in which the superficial physiognomist [sic] would read indecision, irresoluteness, and weakness of character, but the closer observer, patience, imperturbability, determination, great powers of mental application, and the traces of physical pain. And withal a taciturn man, with modest, unassuming, demeanour, almost approaching to shyness; ...but a deep, serious, dry, conscientious man, a patient listener who keeps his own counsel, who gives everyone man his ear but few his voice, takes each man's censure but reserves his judgment, and is above all true to himself. ... Not easily imposed upon; not to be influenced by flattery; not to be threatened or cajoled; not to be driven from a course which he has once decided upon as right ... A cold, studious, almost unlovable man, with no ambition to shine as an orator, or to court popularity ... A careful, saving man, who has seen poverty and bitter days, and won a competency by temperance, economy, self-denial, industry, and integrity.¹

This pen picture of Bryce shows a somewhat cold, intense figure, controlled, self-disciplined and not given to showing emotion. Some of these personality traits reflect his Scottish heritage, the loss of his mother at a very early age, and the childhood experiences of growing up as an immigrant in an early settler culture where independence and resourcefulness were encouraged, and were evident in the way he conducted his political life.

John Bryce was born in Glasgow on 11 August 1833, the youngest child of John Bryce, who was a builder, and his wife Grace, nee McAdam. Following the death of his mother from tuberculosis in 1839, John travelled with his father, older brother, Thomas, aged twelve, and his nine year old sister, Jeanette, to New Zealand on the *Bengal Merchant*, the first New Zealand Company ship to sail from Scotland. The ship sailed on 30 October 1839 and carried 146 passengers, 109 of whom, including the Bryce family, were steerage passengers.

¹ Pen and Ink Portrait of the White Charger, John Bryce in the *Observer*, Volume 1, Issue 19, 22 January 1881, p. 184.

Cabin passengers Mr and Mrs Robert Strang and their daughter, Susan, became prominent members of the burgeoning settler society, and in 1851 Susan married Donald McLean. She died a year later; McLean never remarried. During the voyage Robert Strang drilled the passengers in martial exercises in case of attack by 'New Zealanders'.²

Apart from a storm in the Bay of Biscay, the voyage proceeded smoothly, with few of the altercations experienced on some other ships, though three personal events were recorded at sea, a birth, a death and a marriage. Alexander Marjoribanks described the shipboard funeral: 'A funeral at sea is a very striking event. To consign a body to corruption, without pomp or ceremony, amidst the roaring of the waves, with nothing but the ocean for a grave, and nothing but a sheet for a coffin, is well calculated to excite a deep and solemn emotion.'³

This dignified ceremony contrasted with the captain of the *Bengal Merchant's* account of a Maori burial he attended some two weeks after the ship arrived in New Zealand and illustrated the cultural differences between the restrained, dour Scots emigrants and the more emotional, demonstrative Maori they had come to live among:

I witnessed a curious scene in a native village the other day, it was a kind of wake for the Chief who was killed, the whole tribe was collected making the most dreadful noise I ever heard, such as making the most horrid faces, sticking their tongues out of their mouths and barking and growling like wolves. The most awful performances were the women who kept cutting their faces and bodies with shrieks. Some of them were one mass of blood all over the body, and I don't think there were four inches of them without a deep gash which they had inflicted with a sharp part of a shell. The sight was most dreadful.⁴

The pioneers did not know much about the colony they were coming to; neither would it appear did those sending them off. To some emigrants it was an act of faith, to others it was a gamble, or an adventure with the potential of a better

² James G. Wilson, *Early Rangitikei*, Christchurch, Cadsonbury Publications, 2012, p.15.

³ Archibald Marjoribanks, *Travels In New Zealand*, Reprint, Christchurch: Capper Press: 1973, p. 16.

⁴ Journal of John Henery reproduced in Ian McIlroy, *The Voyage of the Emigrant ship Bengal Merchant from Scotland to New Zealand, October 1839 to February 1840*, Christchurch: 2002, pp. 40-41.

life. They were told that they were emigrating to a cannibal country, and knew of the massacres of the crews of the *Boyd* and the American brig the *Agnes*, and, to accentuate the dangers, at the farewell ceremony in Glasgow one of the speakers recited a poem by the Poet Laureate, Robert Southey.

On Zealand's hills, where tigers steal along,
And the dread Indian chants a dismal song;
Where human fiends on midnight errands walk,
And bathe in brains the murderous tomahawk.⁵

Bryce's first sight of Maori is likely to have been when a canoe paddled by natives approached the *Bengal Merchant* off D'Urville Island. Three or four men and two women came on board bringing potatoes, a pig, and some fish for sale. While bargains were being struck, the steerage passengers dressed up the two native women who then appeared on deck in gowns and the big white caps, called 'mutches' in Scotland, which caused much amusement!⁶

By May 1840 the New Zealand Company was reporting to its shareholders that it had purchased in excess of a million acres of land for prospective settlers, however as much of it had been carelessly and hurriedly acquired from its Maori owners, many of these purchases were subsequently disallowed⁷ by the Land Claims Commission set up under William Spain. However, the Company believed it owned the land between the south coast and the Tararua Range, including inland Porirua and all the islands in the harbour⁸, a claim the settlers had no reason to dispute, despite the criticism leveled on the Company by humanitarians in England. A local chief, Puakawa, who had visited Sydney and seen British settlement there, opposed the sale of Poneke (Port Nicholson), saying 'What will you say when many white men come here and drive you all away into the mountains?'⁹ However later, with other chiefs of the district, he signed the deed of purchase on 27 September 1839 and offered the colonists his

⁵ John Dickson, *History of the Presbyterian Church of New Zealand*, J. Wilkie & Co., Dunedin: 1899, pp. 18-22, www.archives.com.

⁶ *Auckland Star*, Volume LVIII, Issue 36, 12 February 1927, p. 27.

⁷ Tony Simpson, *The Immigrants: The Great Migration from Britain to New Zealand, 1830-1890*, Auckland: Godwit Publishing, 1997, p. 66

⁸ 'The Port Nicholson Purchase',

URL: <http://www.nzhistory.net/war/wellington-war/port-nicholson-purchase>

⁹ Philip Temple, *A Sort of Conscience: The Wakefields*, Auckland: Auckland University Press, 2002, p. 248.

protection. Te Rauparaha of Kapiti and Rangihaeata of Mana had been making sporadic raids on the land around Poneke and he hoped that the protection offered by the white settlers would induce other Maori to sell their land.¹⁰

The land the Company 'bought' at Pito-one (Petone) on which to house the increasing number of emigrants arriving was the low lying plain at the mouth of the Hutt River, and it was here that the human cargo of the *Bengal Merchant*, with the help of local Maori, began to build shelters for their families. There were about three hundred armed Maori in a nearby pa and many of the settlers, though reliant on them for labour and a certain amount of food, lived in a state of apprehension.¹¹ A Colonial Lady describing her experiences wrote 'There were a good many Natives about, and they were of course utterly uncivilised, much shocking the newcomers, who were frightened with their wild dances in honor of the arrival of the Pakehas'.¹²

In the unseasonably wet weather that summer the Hutt River overflowed its banks, flooding the settlers houses, and it became clear that Pito-one was unsuitable for settlement so the emigrants had to move and erect new homes on the upper reaches of the harbour.¹³ A passenger on the *Bengal Merchant*, J Murray, wrote to his mother on 17 May 1840 with his early impressions. He noted that the steerage passengers were living 'up the river Hutt' where an infant school and seminary were established, so young Bryce would have had access to early education.¹⁴

Young John Bryce's first experience of Maori violence came early. Three weeks after arrival, while the immigrants were still disembarking and settling in, they were alarmed one evening by the sound of gunfire. On going to establish the cause, Colonel William Wakefield found that the firing came from 'our own natives' searching for their chief Puakawa. Wakefield returned to the settlement, issued arms to the immigrants on the beach and arranged a rendez-

¹⁰ Lower Hutt Borough Council, *Lower Hutt Past and Present: A Centennial and Jubilee Publication*, Lower Hutt: 1941, p. 11.

¹¹ Dickson, pp. 18-22.

¹² *Akaroa Mail and Banks Peninsula Advertiser*, Volume VI, Issue 591, 14 March 1882, p. 2.

¹³ *Ellesmere Guardian*, Volume LXI, Issue 21, 15 March 1940, p. 4.

¹⁴ Letter from Mr J. Murray, *The New Zealand Journal*, Saturday, December 19 (1840), p. 302.

vous in case of any further trouble. At daylight he and a party of Maori renewed the search and found Puakawa's headless body. The chiefs believed that Puakawa had been murdered by Maori 'from the neighbourhood of Kapiti'¹⁵, as they had feared.

Bryce's father initially worked as a carpenter and builder in the rapidly developing new settlement of Wellington before moving his family to a bush farm in the Hutt Valley.¹⁶ When the Hutt War, began, on 3 March 1846,¹⁷ the family once again found themselves in a precarious position and Wakefield was again forced to arm volunteers to protect the settlers and their families.

Due to the reckless land purchasing practices of the New Zealand Company in the Hutt Valley, there was considerable uncertainty among both settlers and Maori as to the exact location of what land had been designated as Maori reserves and this was the cause of friction between them.¹⁸ A number of redoubts, stockades and strongholds from which the military operated were built around the Hutt Valley to provide safety for the settlers. One of these was on the farm of a pioneer settler, J.E. Boulcott, where fifty men of the 58th Regiment were stationed.

Early on the morning of 16 May 1846 a large group of Maori, on Rangihaeatia's orders, led by Topine te Mamaku of Ngati Huau, attacked the outpost at Boulcott's Farm. It was well signalled that an attack was imminent, Te Puni and even the redoubtable Te Rauparaha himself had cautioned the authorities to be prepared, but offers of help from friendly Maori were rejected and no extra precautions were taken. Therefore when the attack occurred the sleeping soldiers were taken unaware, the lone sentry, after firing a warning shot, was killed and a young soldier, the bugler to his company, emerged as the hero of the day. William Allen was a tall young private who, when he heard the first shot, grabbed his bugle to blow the alarm. In the act of sounding the

¹⁵ Louis E. Ward, *Early Wellington*, Auckland: Whitcombe & Tombs Ltd., 1928, p. 28.

¹⁶ Hazel Riseborough, 'Bryce, John', *Dictionary of New Zealand Biography*, Wellington: Bridget Williams Books Limited and the Department of Internal Affairs, Reprinted 1993, p. 61.

¹⁷ Ward, p. 134.

¹⁸ James Cowan, *New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period: Volume I: 1845-1864*, Wellington: R. E. Owen, 1955, p. 88.

call he was struck on the right shoulder, a blow that almost severed his arm. Undaunted he transferred the bugle to his left hand and again attempted to sound the alarm but a second blow to his head killed him.¹⁹

The story of Bugler Allen's heroics became a part of the colony's folklore, his exploits being lauded in prose, paintings and verse, with a poem by Alexander Bathgate beginning:

Come, all ye bright New Zealand lads, And listen to me;
I'll tell you of a gallant boy, From land beyond the sea.

As an impressionable teenager, Bryce grew up with this story of heroism, and probably identified with the 'bright New Zealand lads', absorbing the patriotism and the images portrayed of the 'hostile Maoris waged full war, a bold and warlike crew'. Several decades later the episode was still fresh in his memory as he related the story of the heroics of the boy bugler to Sir James G. Wilson, who included the tale in his book *Early Rangitikei* attributing it to Bryce.²⁰

Bryce's early life is not well documented, for instance, there is no record of where he was educated. Riseborough in the *Te Ara Dictionary of New Zealand* tells that he had 'little opportunity for formal schooling and was largely self-educated'²¹, the *Observer* called him 'a self-taught man with the world and men for his books',²² and the *New Zealand Herald* said he 'by constant application and study is now exceedingly well informed, and his reading has been most extensive'²³, and later in life he showed a wide love and knowledge of literature.

In 1851 Bryce and his brother Thomas followed the gold rush to Victoria where they must have struck a good lode, as both boys returned to Rangitikei two years later and bought land on which they developed farms. Bryce lived on and farmed his property, at Brunswick, near Wanganui, for fifty years. In 1854 he built a small cottage to which he brought his new bride, Elizabeth Ann

¹⁹ Cowan, p. 106.

²⁰ Wilson, p. 14.

²¹ Hazel Riseborough, 'Bryce, John', *Dictionary of New Zealand Biography*, Volume Two, Wellington: Bridget Williams Books Limited and the Department of Internal Affairs, Reprinted 1993, p. 61.

²² *Observer*, Volume 1, Issue 19, 22 January 1881, p. 184.

²³ *New Zealand Herald*, Volume XVIII, Issue 6237, 12 November 1881, p. 6.

Campbell, the daughter of an early Taranaki settler. His family grew, they had eight daughters and six sons and after the cottage burned down he built the big house 'Waipuna' across the road. Bryce personally chose all the timber for the house, using rimu and totara. The floor area of the house was 3,200 square feet with a 12 foot stud on both floors, and the dining room had a table which could seat twenty people.²⁴

Though his political career took him away from his home on extended trips, Bryce was always engaged with his family and the Brunswick community. The children went to school locally, two sons later to Wanganui Collegiate, the girls were married from the family home and his sister Jeanette lived with him for the last ten years of her life. When circumstances dictated that it was time to move in to Wanganui the *Wanganui Chronicle* echoed the local sentiment saying: 'Brunswick without a Bryce will scarcely seem Brunswick. The Hon. John Bryce practically had his home at Brunswick since he was nineteen years of age. With characteristic modesty he and his good lady left very quietly. Their future home is to be Wanganui'.²⁵

Bryce was asthmatic and suffered with his health. In 1867 he was forced to resign from the provincial and central governments because of ill health, and was almost prevented from accepting the position of Native Minister in 1879 for the same reason.²⁶ The *Colonist* referred to his 'delicacy of health' remarking that 'all seems yellow to the jaundiced eye...' and continuing: 'If Mr Bryce's health were better, he would look more cheerfully on the past, present, and future, and would be a much more useful man than his dyspeptic pessimism now permits him to be'.²⁷

He was determined, obstinate, petulant and quick to take offence when he considered his integrity had been impugned, and resigning, or threatening to do so, was one of the weapons he used in an attempt to get his own way. The

²⁴ 'Waipuna,' *Journal of Whanganui Historical Society*, Volume 5, n.1, May 1974, pp. 18-19.

²⁵ *Wanganui Chronicle*, Volume XXXVII, Issue 11727, 4 September 1902, p. 2.

²⁶ *New Zealand Herald*, Volume XVIII, Issue 6237, 12 November 1881, p. 6.

²⁷ *Colonist*, Volume XXX, Issue 4872, 28 July 1887, p. 3.

Taranaki Herald pointed out the consequences of this practice: ‘This sort of thing must at last become a terrible nuisance, and we expect it will be done once too often ...’²⁸, which was prophetic as his political career ended in 1891 by him resigning in pique, as he was not prepared to apologise and withdraw.

Throughout his long political career, Bryce’s somewhat abrasive personality played a prominent role as he became a soldier, a local and national politician, and finally Native Minister.

²⁸ *Taranaki Herald*, Volume XXX, Issue 4138, 15 September 1882, p. 2.

Chapter 2

SEND IN THE CAVALRY: Lieutenant Bryce

Like many settlers of his generation who had lived through the Taranaki and Waikato Wars, the killings committed in the name of Pai Marire and the threats posed by Titokowaru and Te Kooti, and influenced by his early experiences as a child in the Hutt Valley, Bryce was understandably anxious about the future of settlement. This was brought home to him with the killing of his friend, Capt. James Hewett in February 1865. Both men were elected as wardens of the New Brunswick Roads Board in 1862 and Hewett's widow, Ellen Anne, in her book *Looking Back, or Personal Reminiscences*, tells of Bryce and her husband meeting at each other's houses for conversations, chiefly political. When she complained to her husband about the mud on the floor and chairs he reproved her by saying 'That man will make his mark, not only on your furniture, but on New Zealand'.²⁹

The month following Hewett's death Bryce was directly affected when his house burnt down, though there was some confusion as to how the fire started. It is possible that the fire was accidental, as the Bryce family who were taking refuge in an adjoining redoubt had left some embers raked to the back of the fireplace, though there were suspicious circumstances. Bryce himself referred to the fire when interviewed by J. G. Wilson for his book *Early Rangitikei*, saying: '... all records of mine, and a good many of my brother's, too, were destroyed when my house was burnt in the Maori War'³⁰ but attributed no blame.

The Kai Iwi Cavalry was formed in 1868 as Wanganui's contribution to the fight against Titokowaru, who was threatening the settlers of the district. Having to equip and provide their own horses meant the cavalry was necessarily made up of middle and upper class young men, for most of whom the war was a great

²⁹ Ellen Anne Hewett, *Looking Back, or Personal Reminiscences*: 4th Edition, Rice Print, Hamilton: 1978, p. 92.

³⁰ Wilson, p. 102.

adventure. Bryce who had served previously in volunteer cavalry, and been described by his commander as 'the dirtiest and most negligent trooper we ever had',³¹ was chosen to command the unit and given the rank of Lieutenant, while a younger man, George Maxwell became his second-in-command. Col. Whitmore considered the men were 'raw but good' and wrote that they 'seem quite willing to do their share, but I'd be glad if they'd drink and boast less'. He feared they 'were almost too eager'.³²



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The Kai Iwi Cavalry were involved in action within days of being formed and in those early days showed themselves to be an ill-disciplined group of young men. An interesting picture of the troop was painted in a letter written by Whitmore on 2 November 1868. In it he said:

I would take notice of the Kai Iwi Cavalry Volunteers – a motley group of horsemen from fourteen to sixty years of age, in all manner of habiliments, a perfect pack of devils and most uncontrollable. If they smell the natives, they

³¹ James Belich, *I Shall Not die: Titokowaru's War, 1868-1869*, Bridget Williams Books, Wellington: 2010, p. 197.

³² Belich, p. 197.

³³ Full length portrait of John Bryce in uniform, holding a sword. Photograph taken by William James Harding in 1868. ATL 1/4-004946-G.

follow Bryce like a pack of hounds, and cut, slay and destroy the poor natives before you have time to look around you.³⁴

Imposing discipline continued to be a problem for Bryce as, in common with many other volunteers, his men often acted on their own initiative instead of automatically following orders. On 2 February 1869 the *Wanganui Herald* reported that a member of the Kai Iwi Cavalry was marched into town as a prisoner for refusing to deliver up his arms and accoutrements when ordered to do so by Lieutenant Bryce.³⁵

The Kai Iwi Cavalry, which included Bryce's brothers-in-law George and Alan Campbell, set out on their first major mission on 25 November, accompanying some of the mounted constabulary under Sub Inspector W. Newland. The mission was accomplished without incident but on the return journey they encountered a party of Maori near George Handley's woolshed. From a distance they could not make out much detail, but as the group seemed small, Newland decided to attack them. As they deployed to fire, it became obvious that the group were young boys without weapons. Ignoring this, the cavalry rode after the boys, and were in their turn pursued by their officers, who were struggling to get control of the men. At the time of the first killing, Bryce was in hot pursuit. He gave orders that the men were to return as quickly as possible and when Maxwell and certain troopers refused to retire, Bryce was forced to draw his sword for the first time that day, telling his men 'the first man who passes me I will cut him down.'³⁶

Newland in a letter to his commanding officer, Col Whitmore, boasted that eight rebels were killed in the action, with nothing to indicate that the 'marauding party of rebels' were unarmed children. The letter commended the 'extreme gallantry of Sergt. G. Maxwell of the Kai Iwi Cavalry, who himself sabred two and shot one of the enemy, and was conspicuous throughout the affair,' and ended with an acknowledgement for 'the assistance rendered to me by Captain O'Halloran of the Patea Yeomanry Cavalry, and Lieutenant Bryce commanding

³⁴ *Wanganui Herald*, Volume II, Issue 474, 8 December 1868, p. 2.

³⁵ *Wanganui Herald*, Volume III, Issue 521, 2 February 1869, p. 2.

³⁶ Belich, pp. 207, 208.

Kai Iwi and Wanganui Cavalry. These gentlemen were prominent in this affair, and set their men a gallant example'.³⁷ The Maori version of the affair given by Uru Te Angina, a Nga Raura chief in 1883, was more accurate and related that 'Two were killed on the spot, and several were more or less wounded; ... One lad, about ten years old, was killed by a stroke from a sword that cut his head in two halves ... Another lad, about twelve years old, was killed by many strokes of a sword, and was much cut about, and shot with carbines. Neither of these lads had arrived at the age of puberty'.³⁸

This action came to be called the Handley's Woolshed incident, and achieved notoriety many years later when Bryce sued an Australian historian, G. W. Rusden, for libel as he considered his involvement in the incident had been misrepresented in Rusden's *History of New Zealand*. Rusden in his history related: 'Some women and young children emerged from a pah to hunt pigs. Lieut. Bryce and Sergt. Maxwell dashed upon them and cut them down gleefully and with ease'. As there were no women present and Bryce personally had not cut anyone down, though he was aware that his men had attacked unarmed young boys and he had taken no disciplinary action against them,³⁹ he later sued successfully for defamation. The trial is covered in Chapter 8. The incident showed the ill-discipline and independence of the Cavalry, traits which were exposed at least twice more in the following month.

On Sunday 29 November Whitmore instructed Bryce to proceed with his men on an expedition to Nukumarū, site of Titokowaru's fortified pa, Tauranga-Ika. However, with settlers houses burning around them the men refused, insisting instead that they remain and protect the few homes still left standing. The *Wanganui Times* of 1 December reported that 'the men of this troop are nearly all settlers on either the Waitotara or Kai Iwi whose houses having been either burnt down, or, obliged to be abandoned, are being daily burned. ... They are not

³⁷ 'Papers Relative to Military Operations against the Rebel Natives', *AJHR*, 1869 Session I, A-03, p. 12, accessed 26 February 2014 from <http://tojs.natlib.govt.nz/cgi-bin/atojs?a=search&d=AJHR1869-1,2,1,2,4&srpos=2&e=>.

³⁸ G. W. Rusden, *Aureretanga: Groans of the Maoris*, Christchurch: Capper Press, Reprinted 1995, p. 51.

³⁹ Belich, p. 209.

men that will fritter their time away and knock up their horses in a wild-goose chase over the country at the bidding of any man, neither will they be held back when the work is to be done'.⁴⁰ Subsequently Whitmore in a dispatch to the Defence Minister justified this insubordination by praising the Kai Iwi Cavalry and Bryce, 'a most intelligent officer (who always seems to be right in his reading of Maori designs)' for preventing the burning of Dr Philip Mussen's house, and he wrote 'This reconciled me to relinquish the hope of the assistance of the Kai Iwi Cavalry, valuable to me because so many of its members, besides being reliable men, are so intimately acquainted with the country'.⁴¹

Later that night about a hundred men of the Wanganui and Kai Iwi Cavalries led by Captain Finnimore and Lieut Bryce set off for Nukumarū, arriving at Titokowaru's newly fortified pa at about 2.30 a.m. Some of the men under Bryce were sent in pursuit of a group of Maori but failed to engage them, returning to their position some 500 yards from the pa from where they opened fire. Finnimore with his troop and the remainder of the Kai Iwi troop opened fire at 200 yards range of the pa, from where they were partially protected by a slight hill. As there had only been a 'slow and desultory fire'⁴² from the enemy, it was thought that there were only a few fighters in the pa, so he encouraged about 12 men to charge, reaching the trench around the pallisading. Immediately rapid fire was directed at them, resulting in the death of Sergeant Maxwell. After further fighting, the retreat was sounded 'and was conducted at a walk in as perfect order as if the men had been on parade'.⁴³

The *Taranaki Herald* of 9 January commented 'Captain Finnimore and Lieut. Bryce cordially co-operated in every movement, and showed that their respective corps were able to preserve in the field the most perfect discipline, and were capable of anything possible for cavalry ... The men are in high spirits, and eager for another expedition'.⁴⁴

⁴⁰ *Hawkes Bay Herald*, Issue 1003, 8 December, 1868, p. 3.

⁴¹ *AJHR*, A-03, p. 13.

⁴² *Colonist*, Issue 1177, 5 January 1869. p. 5.

⁴³ *Colonist*, Issue 1177, 5 January 1869. p. 5.

⁴⁴ *Taranaki Herald*, Issue 859, 9 January 1869, p. 3.

The most serious show of independence, or insubordination, occurred on Christmas Eve and resulted in the arrest of Bryce and Finnimore and had their men struck off pay. While on a tour of the Patea district the two volunteer corps were joined by a group of thirty to forty mounted kupapa under Lt. Colonel Lyon and Colonel McDonnell, with the Wanganui Cavalry in the advance, the Kai Iwi next and the kupapa bringing up the rear. After some distance had been covered, McDonnell rode along the ranks and, without communicating with the officers, ordered the divisions to 'close up' and 'halt'. In a few moments, the kupapa, behind McDonnell, were marching along the right flank to the front, to form the advance guard to occupy the post of honour, which caused consternation in the ranks.

Officers, non-commissioned officers and men refused to cross the Waitotara unless the Maori troops were again placed in the rear. Representations were made by Finnimore and Bryce but to no effect. Lyon refused to be 'dictated' to by anyone, and dismissed the two cavalry corps. Before leaving, the troops were addressed by Finnimore and Bryce, whose decision was endorsed by every man in the force. 'The men said they had only got one object – to defeat and crush the enemy' but, while fighting for their hearths and homes, they would lead the way, and 'not be led by as great traitors as Titoko Waru [sic] himself'.⁴⁵ Finnimore and Bryce were tried by general Court Martial, reprimanded and released, and the men's pay re-instated. The *Evening Post* of 2 January commented:

... that a little courtesy on the part of Colonel Lyons might have prevented the refusal of the cavalry to accompany him. Had he told Capt. Finnimore and Lieut. Bryce the real object of the expedition, they would, we believe, have gone forward, but in any case it is to be regretted that they did not do so. There being faults, or at least a misunderstanding, on both sides, we trust that matters will be amicably arranged, and the cavalry, under their old commanders, once more take the field.⁴⁶

In another action in the middle of January 1869 when passing the rebel stronghold at Nukumaru, the Cavalry saw a Maori on a white horse disappearing into the bush. A few minutes later he re-appeared at the head of

⁴⁵ *New Zealand Herald*, Issue 2596, 6 January 1869, p. 4.

⁴⁶ *Evening Post*, Volume IV, Issue 275, 2 January 1869, p. 2.

about twenty-five mounted rebels, galloping towards the old redoubt. At the same time three columns of rebel infantry, numbering about three hundred were seen drawn up in double ranks in front of their pa, drilling. Lyon gave orders not to charge, although Finnimore and Bryce repeatedly asked permission. Bryce was so eager that he drew up his troop, and charged for 400 yards, causing the Maori to make a precipitous retreat.⁴⁷

The *Wanganui Times* says 'The Kai Iwi Cavalry yesterday requested to be put off duty in consequence of Col. Whitmore's conduct towards them. Many of the forces declare that they will not go into action with him'.⁴⁸ These differences were reconciled as later it was reported that 'For the patrolling of the Wanganui frontier line Whitmore placed his chief reliance on the two local Cavalry Volunteer corps, one troop under Captain Finnimore and the other (the Kai-iwi Cavalry) under Lieutenant (afterwards Captain) John Bryce. These mounted corps, largely composed of farmers and their sons, proved highly competent. Of Bryce's troop Whitmore wrote that it was "for all the duties of frontier mounted infantry absolutely perfect."⁴⁹

On Saturday 23 January, rebel sentries were seen on the sand-hills and later the enemy cavalry made their appearance, supported by upwards of a hundred infantry. Bryce moved his troop forward and opened fire. Whitmore brought forward a division of Armed Constabulary and a skirmish developed. After three hours' fighting the Maori retreated. During this incident, Bryce had a narrow escape. While he and two or three others went down to the Okehu river-bed to retrieve some cattle, some horsemen rode to within a hundred and fifty yards of the men, and fired at them. At this time Bryce's horse stuck fast in a bog. 'The enemy, seeing this, poured in a volley and the bullets whistled round the Lieutenant's head like hail'. Fortunately for Bryce all missed. The horse was freed from his position, and the high ground recovered.⁵⁰

Early on the morning of 2 February the Wanganui and Kai Iwi Volunteer Cavalry

⁴⁷ *Evening Post*, Volume IV, 20 January 1869, p. 2.

⁴⁸ *Otago Witness*, Issue 896, 30 January 1869, p. 9.

⁴⁹ James Cowan, *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period: Volume II: The Hau Hau Wars, 1864-72*, Wellington: R. E. Owen, 1956, p. 260.

⁵⁰ *Daily Southern Cross*, Volume XXV, Issue 3599, 30 January 1869, p. 4.

came up from their camp to Headquarters. Shortly after the men were under arms and moved off directly to Turanga Ika, for what would turn out to be the final battle in this campaign. The Cavalry were the first to get within range of the enemy in the pa, and although Finnimore advanced his men to within 500 yards of the palisading, the rebels reserved their fire. Whitmore manoeuvred his forces, which included a native troop of Arawas, into position under steady fire from the rebels, till they reached a ditch and bank under which they took cover. The Wanganui and Kai Iwi Cavalry returned to Camp Lyons, and brought up the guns, which were placed under the command of Lyons whose gunners opened fire with every shell appearing to burst in or very close to the pa. The rebels in the pa kept up firing all day, which grew heavier towards the evening and, when the colonial force advanced, the rebels tauntingly called out, "Come on Pakeha, and be food for the Maori we are waiting to eat you; send all the fat ones in front," and similar expressions. During the day the rebels in the pa amused themselves by occasionally putting up a dummy to draw fire, and it was some time before the ruse was discovered. Firing from both sides continued until about three in the morning.⁵¹

The *Wanganui Herald's* special correspondent reported the outcome:

Titokowaru's stronghold was abandoned by him and taken possession of by our troops this morning at half-past nine. ... The rebels did not make a stand, but after firing a few shots retreated down the gully towards the Waitotara. In all my experience during the last war, I have never seen a more formidable rebel position. It has a double row of palisading, inside which are rifle pits connected with each other, all the way round, and having subterranean chambers. Inside there is a breastwork about five feet high, traversed in every direction. At two of the corners stand a rough timber stockade, about sixteen feet high, loopholed. Had the pah been stormed yesterday, and the rebels made a stand, we should have suffered a heavy loss, but the cowardly wretches dreaded the shot and shell and so the redoubtable Titokowaru with all his boast has fled to the bush. We have not a single casualty, and the enemy has been driven off without loss of life on our side.⁵²

So ended Titokowaru's War, but not the military action, as attempts were made to track him down, and punitive action was taken to prevent further rebel activity. The *Wanganui Herald* of 30 March reported that 'Colonel Whitmore

⁵¹ *Daily Southern Cross*, Volume XXV, Issue 3606, 8 February, 1869, p. 4.

⁵² *Press*, Volume XIV, Issue 1820, 11th February, 1869, p. 2.

has expressly handed over the Waitotara natives to the tender mercies of the local forces, and Captains Hawes, Kells and Bryce have for several days been exploring the country in the direction of the Seven Hummocks'. The *Wanganui Herald*, identified their value: 'It is now a recognised fact that Cavalry can do much greater service in keeping a district clear than it is possible for infantry to do. This was made clear by the dread the Maoris had of the Wanganui and Kai Iwi Cavalry'.⁵³ A letter to the *Wanganui Herald* in August 1905 reminiscing on Titokowaru's War recalled that the cavalry caused 'Tito so much worry and trouble, for the natives said they generally knew when the other troops moved, for they made so much noise, but when the Kai Iwi's moved out they turned up so unexpectedly that they were generally taken unawares'.⁵⁴

On 10 April the *Wanganui Herald's* Special Correspondent reported on an expedition which 'explored country never before trodden by white men ... led through unknown paths by an ancient Maori who had been made a prisoner by the Kai Iwi Cavalry at Pakaraka', they drove the enemy before them, and destroyed numerous villages and plantations. Owing to the inaccessible nature of the country the Kai Iwi Cavalry were on foot, but canoes were an important part of the expedition.⁵⁵ On the morning of 6 April Bryce obtained permission to push up the river with eleven men in search of canoes. Fresh tracks were noticed on the banks and after poling for three hours they came on a Maori canoe with two men and a boy in it. When the Maori were fired at they rushed ashore and disappeared, whilst their canoe, 'the finest we took on the expedition, drifted broadside down on us.' The expedition set out to show that no Maori were safe, even in their stronghold, if they committed acts of aggression, for 'where they can go we can follow'.⁵⁶

On 25 April another expeditionary force consisting of Veteran Volunteers and 20 members of the Kai Iwi Cavalry under Bryce, set off with the same 'ancient Maori' to guide them. After about three hours marching through neck-high fern they reached a track that led through the bush to a clearing occupied by

⁵³ *Wanganui Herald*, Volume IV, Issue 819, 31 March 1870, p. 2.

⁵⁴ *Wanganui Herald*, Volume XXXIX, Issue 11640, 18 August 1905, p. 3.

⁵⁵ *Wanganui Herald*, Volume III, Issue 578, 10 April 1869, p. 2.

⁵⁶ *Taranaki Herald*, Volume XVII, Issue 873, 17 April 1869, p. 3.

about 185 whare. The village was deserted and was apparently the place to where Titokowaru had retreated after his defeat at Nukumuru in February. According to the guide it was here that Titokowaru and some of his followers had disagreed, with the Waitotaras going up the river, while Titokowaru and the main body steadily retreated to Taranaki.⁵⁷

However, by early May *The Star* was reporting that the news from Patea was not reassuring, with Lyon not being able to muster a force strong enough to take the field or prevent Titokowaru's followers from returning to the Waitotara. As information had been received that the natives had been seen near their old haunts, a party including men of the Kai Iwi Cavalry had started to scour the country in that area. The newspaper concluded 'The order of the day is a long rope and a short shrift for any rebels that fall into their hands. This is a step in the right direction'.⁵⁸

Political measures to create an atmosphere conducive to the safe return of settlers were outlined in a Memorandum from William Fox, Premier, dated 1 November 1869, following a deputation of settlers concerned about their safety.

In discussing these arrangements with the settlers, both at Wanganui and Patea, I found one condition absolutely necessary, namely, that the Government should give an assurance of its determination not to allow the rebel Natives to return to the district. ... I was asked if it was true that the late Government intended to allow the return of rebel Natives on submission. I replied, that I had understood it was their intention. "Then," was the answer, given in a significant manner, "they will not be long there." ... It is impossible for any one who has talked with these settlers, and knows how deep a feeling the losses inflicted upon them by the rebels have created in their breasts, to doubt that the threat thus plainly hinted at would be assuredly carried into execution... I had no hesitation under the circumstances in assuring the settlers that, if they returned to their homes, the Government would do all in its power to keep the rebel Natives from coming back to the district.

Bryce was one of the leaders of this group of settlers who, as a result of their experiences, demanded the exclusion of Maori, ex-rebel or friendly, from the district at the threat of their lives.⁵⁹

⁵⁷ *New Zealand Herald*, Volume VI, Issue 1700, 4 May 1868, p. 5.

⁵⁸ *Star*, Issue 304, 5 May 1969, p. 2.

⁵⁹ Peter Walker, *The Fox Boy: The Story of an Abducted Child*, London: Bloomsbury Publishing Plc., 2001, p. 151.

By August Fox's policies were allowing settlers to return to the Waitotara with caution. The *New Zealand Herald* of 7 August reported that as spring was fast approaching the sooner the Waitotara settlers return to their land, under the protection of the Wanganui Volunteer Veterans and the Kai Iwi Cavalry under Captain Bryce, the better. But it cautioned 'Let them meet and determine to return in a body, each to his ruined homestead, each effect a temporary residence, keep a horse ready to mount at any moment, and have a system of day and night signals'.⁶⁰ Tension among the settlers was still high.

Much to Bryce's anger Fox demobilised all the volunteer troops, describing them as 'draggled-bastard soldiery' and struck them off pay.⁶¹ Bryce expressed this anger in an address to the troops:

Although it has pleased the Government in its wisdom to dismiss you now, after nine months' service, without one word of praise or thanks, or acknowledgement; still that will not less the gratification which I know you feel at having done something towards the safety and protection of life and property in the district this troop was raised to defend; and it will not lessen, I feel convinced, the good opinion with which I believe the public here regard you and your services.

In November Bryce recommended the 'disbandment of his distinguished corps; and in compliance with his request the Government have published a Gazette notice accordingly.' The *Wanganui Herald* agreed with Bryce's action saying 'it is better his corps should be disbanded than that it should exist only in name, and, gradually losing its members, die a natural death. Its services will not easily be effaced from the remembrance of the people of these districts.'⁶²

So ended Bryce's ten months leading the Kai Iwi Cavalry, a time he remembered as giving him considerable satisfaction in being able to defend his district from 'the horde of brutal savages'⁶³ threatening it. Historians looking at Bryce's service with the Kai Iwi Cavalry have concentrated their attention on the incident in November 1868 at Handley's Woolshed and the subsequent defamation case in London seventeen years later, but there was much more to

⁶⁰ *New Zealand Herald*, Volume VI, Issue 1782, 7 August 1869, p. 5.

⁶¹ Walker, p. 150.

⁶² *Wanganui Herald*, Volume III, Issue 704, 13 November 1869, p. 2.

⁶³ Bryce's farewell speech to his troop, *Wanganui Herald*, Volume III, Issue 627, 16 August 1869, p. 2

Bryce's involvement in Titokowaru's War than that one action. During his time with the cavalry, he left his home and family, took part in a number of attacks and punitive actions, was put in positions of great danger, saw, and participated in, acts of brutality and played a prominent part in the defence of the Kai Iwi district against the predations of Titokowaru and his warriors. The dangers he and his troops faced at that time left a lasting impression on him, as he frequently referred to his time with the cavalry.

Some years later when Bryce had Titokowaru in custody for the Parihaka ploughing campaign, he taunted Bryce with the military defeats suffered by the Cavalry at his hands. Belich reports the following exchange: 'Do you consider the Europeans a noble race? Do you think my people will run away? Have the Europeans forgotten Te-Ngutu-o-te Manu and Moturoa?'⁶⁴

Bryce had not forgotten. It was perhaps in part the memory of these defeats, and the deaths of his friends Hewett and Maxwell, that fuelled his determination to take the biggest colonist army yet raised against a group of confirmed pacifists, and to one of the most prominent of his roles on the New Zealand colonial stage, Parihaka.

⁶⁴ James Belich, *I Shall Not Die: Titokowaru's War 1868-69*, Wellington: Bridget Williams Books, 2010, p. 296.

Chapter 3

WINNING HIS SPURS: The Member for Wanganui

John Bryce was first and foremost a politician and in particular a local politician for the early part of his career. His political life spanned a period of over thirty years from his participation in local body politics in 1859, at the age of 25, to 1891 when he retired from Parliament after a vote of censure. Because of the confused political scene of the time he served eleven different premiers, in 17 ministries.

In 1862 he was elected a Warden of the New Brunswick District Roads Board, alongside his friend Captain James Hewett, who was killed three years later by Pai Marire adherents. The same year he was elected to the Wellington Provincial Council representing Wanganui and Rangitikei. He resigned the following year on a matter of principle, this was the first of many threatened or actual resignations during his political life.⁶⁵

Bryce again stood for the Wanganui seat in the 1866 election for the Wellington Provincial Council, and although he won the seat handsomely, receiving twice the number of votes of the next highest contender, he was again forced to resign from both the Provincial Government and Wanganui local bodies in 1867 due to ill health.

After the turmoil and terror of the 1860s during which Bryce and many of his fellow settlers lost family, friends and property through the Taranaki Wars, Pai Marire activity and the war against Titokowaru, the 1870s offered a measure of stability and opportunities for the building of infrastructure and political change, though Maori land issues remained unresolved, confiscations incomplete and increasingly being resisted.

It was in this political climate that Bryce agreed to seek election in 1871 for the Wellington Provincial Council, and he laid out in a public Notice in the *Wanganui Herald* his stance on 'some of the leading political topics of the

⁶⁵ Riseborough, 'Bryce, John', *Dictionary of New Zealand Biography*.

Colony'. In this he repeated his long held dislike of the provincial system of government advocating 'the introduction throughout the Colony of local self-government by means of boards, corporations and municipalities. Such a system ought ... to supersede provincialism, and cannot do so too soon.'

Referring to the possibility of the recurrence of native wars, he made a point which was to become a constant theme of his: 'I never had much faith in those predictions, made from time to time by wise men, that native wars would not recur. The best means of prevention is, to advance our frontier and ensure its occupation by a suitable class of settlers, open up the country by roads, and have in readiness an efficient force to nip in the bud isolated outbreaks or acts of outrage.' He concluded by telling potential voters that 'I am an independent politician. The ties which bind me to any special party have, as yet, no existence, and I do not think they will ever be formed. On every question which may arise, I will exercise my judgment as to whether it is likely to prove beneficial to the Colony and the district, and vote accordingly. I can take no pledge. ... and I ought to be trusted so far or not elected.'⁶⁶ Bryce was elected unopposed.

Bryce was mindful of the people and the area he represented, and assiduous in reporting back to the electorate regularly, taking up Wanganui's concerns in both the Provincial Council and later in the House of Representatives. One of his first campaigns was to argue for separate government for Wanganui because he believed that provincialism was detrimental to promoting the prosperity of the outlying districts. At a meeting in June 1869 he argued that:

Provincialism was a failure in the past; the emigration scheme, and promissary note system, showed how competent provincialism was to do any good; a splendid estate had been squandered, and now we had a legacy of debt of more than £10 to each inhabitant of the Province. No great act ever done by provincialism had turned out well; and bad as it was in the past it would be worse in the future, and the sooner it was destroyed the better.⁶⁷

In May 1873 he attended a meeting 'called together by the magic of the word "separation"', and told the overflowing audience that it was 'always a pleasure

⁶⁶ *Wanganui Herald*, Volume IV, Issue 989, 19 October 1870, p. 4.

⁶⁷ *Wanganui Herald*, Volume III, Issue 637, 18 June 1869, p. 2.

to do anything to promote the interests of his constituents' and moved the following motion:

That it is essential to the prosperity of this district that it should be politically separated from the province of Wellington, and that steps be taken to effect, if possible, that object.

The motion was seconded by John Ballance and carried by acclamation.⁶⁸

In presenting his Wanganui, Rangitikei and Patea Shires Bill, Bryce argued that all the work done by the Provincial Government could be done as well by local municipalities. He advised the House that the people of Wanganui were dissatisfied with their position relating to the Principal Government of Wellington, as evidenced by their petition signed by 1,100 male adults, and in bringing forward the Bill he was only doing his duty to his constituents. Bryce told the House that a good deal of the feeling against the provisions of the Bill were due to the natural diversity of interests between Wellington and Wanganui, and this was highlighted by the attitude of the Wellington Press, who heaped more abuse on Wanganui and its people than they had ever devoted to the condemnation of Titokowaru.

He went on to say, that the state of the Wanganui River was of concern to his constituents. He quoted from a report written by a Marine Engineer who found considerable erosion of the clay bluff, which could lead to the town being stranded on a peninsula. His report concluded by calling the Wanganui River an 'important river ... and one which is destined to play such an important part in the future of the Colony as the shipping port of a large and most valuable agricultural and wool-growing district.'⁶⁹

Bryce's Bill proposed creating three shires, Wanganui, Rangitikei and Patea whose boundaries were delineated in the schedule to the Bill. It was further proposed to establish in each shire a Council of nine members, 'the Council to have no legislative powers, but to have all the administrative powers of the Provincial Council with one important exemption, that was the power of dealing

⁶⁸ *Wanganui Herald*, Volume V, Issue 1794, 6 May 1873, p. 2.

⁶⁹ *Wanganui Herald*, Volume VI, Issue 18849, 5 September 1873, p. 2.

with the waste lands of the Colony.'⁷⁰ The Shires Bill was defeated on its second reading by 24 to 12. William Fitzherbert, Superintendent of Wellington Province and a firm advocate of provincialism, spoke of "Wanganui's miserable dribble of a river, and advised it to stick to coastal trade with Wellington". The Government voted against the Bill.⁷¹

Though the Bill failed, a reporter from the *Wanganui Herald* of 17 September 1873 praised Bryce, saying many members of the Assembly saw the Bill as the solution to the problem of provincialism. The Wellington correspondent of the *Otago Daily Times* said 'He has, however, not only done good to his constituents but to the Colony. ... Mr Bryce has, in fact, gone a long way towards solving the often-asked question "if you do away with Provincialism, what will you substitute for it"? Probably ere many years lapse, a system akin to that suggested in this Bill may be applied to the colony at large.'⁷²

It was another three years before Abolition of Provinces Act was finally passed, and the provinces ceased to exist in January 1877.

When an amendment to the Representation Bill was moved and debated in 1875, Bryce successfully moved for a second member for Wanganui.⁷³ The *Wanganui Chronicle* reported on 16 October 1875:

The success which has attended Mr Bryce's efforts in the above direction, and the considerable majority secured on the division, are a graceful acknowledgement on the part of the House of the justice of our claim, and a practical recognition of the rapidly growing importance of this extensive and fertile district. Mr Bryce may well feel proud of his success, especially when so many of his compeers have failed.⁷⁴

With the 1876 election approaching the *Otago Daily Times* reported on 31 December 1875 that it considered that if Sir Julius Vogel were nominated for Wanganui, he would be certain to be one of the two members elected to represent that district. Atkinson pointed out to the electorate 'the manifold advantages of having an influential man like Sir Julius to advocate their local

⁷⁰ *Wanganui Herald*, Volume VI, Issue 18849, 5 September 1873, p. 2.

⁷¹ *Wanganui Herald*, Volume VI, Issue 1882, 28 August 1873, p. 2.

⁷² *Otago Daily Times*, Issue 3612, 2 September 1873, p. 3.

⁷³ *Wikipedia*, 'New Zealand General Election, 1875-76', last modified on 19 April 2014.

⁷⁴ *Wanganui Chronicle*, Volume XXVIII, Issue 2876, 16 October 1875, p. 2.

interests in Parliament' and Government ministers made energetic efforts on Vogel's behalf to influence the vote. Bryce had already announced his intention to seek re-election, and was regarded as a certainty to be returned, and W. H. Watt, an old and popular local settler whose Committee were 'a very energetic and influential body', was urged to put his name forward.⁷⁵ Part of their strategy included issuing a circular which said: 'It becomes highly necessary that the present uncommon zeal to thrust him (Sir J. Vogel) on the electors of this district should receive the very closest scrutiny.'⁷⁶

The vote resulted in the election of Bryce and Vogel for Wanganui and Ballance for Rangitikei, regarded by the *Wanganui Herald* as 'significant of the new era in the progress of these districts which is about to dawn'.⁷⁷ However, questions were asked in the Legislative Council by George Waterhouse, who had the distinction of having been the premier on both sides of the Tasman, 'relative to the attempted exercise of corruption of the Wanganui constituency by Ministers in reference to the election of Sir Julius Vogel'. He concluded that the Wanganui electors deliberately 'sold themselves in the expectation of substantial favours to come. ... Sir Julius was not then in the colony, and not one in a hundred of the Wanganui people had ever seen him. Nevertheless, they metaphorically fell down and worshipped him'.⁷⁸

The Premier strongly condemned the insinuations made by Waterhouse,⁷⁹ however, as a result of the fluid politics of the day, within weeks of his gaining the Wanganui seat, Vogel was re-instated as Premier. A writ was issued to elect a member to replace Vogel and Watt, the failed candidate, supported the candidature of William Fox 'without considering it incumbent to obtain Mr. Fox's consent to the arrangement.' *The Evening Post* considered that the combination of Bryce, Ballance in Rangitikei and Fox as colleagues in the House was a dangerous thing for the electors of Wanganui. The newspaper explained that:

⁷⁵ *Otago Daily Times*, Issue 4327, 31 December, 1875.

⁷⁶ *Wanganui Herald*, Volume VIII, Issue 2663, 24 December 1875, p. 2.

⁷⁷ *Wanganui Herald*, Volume VIII, Issue 2674, 8 January, 1876, p. 2.

⁷⁸ *Thames Advertiser*, Volume IX, Issue 2361, 7 July 1876, p. 3.

⁷⁹ *Evening Post*, Volume XIV, Issue 4, 5 July 1876, p. 2.

Mr Bryce has the misfortune of being most cordially disliked by Mr Fox, and only those who know the almost feminine vindictiveness of which the latter gentlemen is capable, can fully understand how unpleasant the relationship would be between him and the present member. Mr Fox's sentiments with respect to Mr Ballance are well known. The latter is to Mr Fox even as Nazareth, out of which no good thing can come. Mr. Ballance on the other hand, cordially reciprocates the sentiment, so it will be seen what a happy family there will be when Mr Fox is elected.⁸⁰

The local press reminded the Wanganui electorate that Fox had pledged, "That no native fire should again be kindled within their district," and how quickly that pledge was broken without apology or explanation. Regarding Wanganui's representation, they asked what sort of compliment it would be to Bryce, who was instrumental in securing a second member for the district, if that privilege be given to a man who had always been an opponent of his. Perhaps knowing Bryce's predilection to resign the paper asked 'Would not Mr Bryce at once resign rather than waste his time in walking into opposite lobbies to his fellow Representative?'"⁸¹ Fox was elected. Bryce did not resign.

In his first decade in the House of Representatives Bryce argued Wanganui's causes in the House, and during this time three main issues engaged his attention, the resolution of the Wanganui Industrial School problem, the development of the Harbour, and railway connections from Wanganui.

In 1866 Bryce and Watt wrote to the Colonial Secretary saying

In 1852 His Excellency the Governor granted a large portion – viz., 250 acres of the township of Wanganui, to the Lord Bishop of New Zealand, in trust for education purposes. It is the feeling of the inhabitants of Wanganui that a great injury has been done to the district by thus handing over, virtually for denominational purposes, nearly one half of the town, including streets and reserves; and this feeling is not diminished by the fact that the condition of the Trust has not been fulfilled, ... no educational benefits of any kind have resulted from the magnificent grant of half a town.⁸²

Nearly ten years later the matter was still unresolved, despite the fact that it had been the subject of a Royal Commission enquiry in 1867 which recommended that 'the land should, where practicable, be laid out again and made available for

⁸⁰ *Evening Post*, Volume XIV, Issue 70, 20 September 1876, p. 2.

⁸¹ *Wanganui Herald*, Volume X, Issue 2921, 26 September 1876, p. 2.

⁸² 'Correspondence relative to Grant of Land for the Industrial School at Wanganui', *AJHR 1866 Session 1, D-15*, p. 1.

town purposes'.⁸³ However, no action was taken and consequently a Memorial from six hundred and seventy inhabitants of the Borough of Wanganui was presented to the House in April 1872 which pointed out that the Trust conditions 'have been consistently ignored, the land let out in large blocks ... towards the maintenance of a "Collegiate School", where the children of well-to-do persons are instructed principally in the dead languages and mathematics. ... this has deprived the poorer classes of the borough of a valuable educational provision for their children'.⁸⁴

In August 1876 Bryce asked the Premier whether the Government intended to bring down a Bill during the current session to resolve the question. Vogel, former member for Wanganui, recommended that conciliation was the best course of action and thought that Bishop Hadfield would be willing to come to some compromise if the status and position of the Church of England in the Trust was recognised. A letter to the Bishop, signed by both Bryce and Vogel, made various proposals including the composition of a Committee in which the School Estate be vested, that a third of the pupils be admitted free, and that the school be open to pupils of all denominations. Hadfield replied that the plan proposed involved a dangerous principle and, if sanctioned by the Legislature, would tend to destroy confidence in the security of property held under a Crown Grant.

The Government agreed that if Bryce introduced a Bill to carry out these proposals the Government would support it to the second reading, after which it should be referred to a Select Committee.⁸⁵ Bryce introduced his Bill with little delay but it failed its second reading.⁸⁶ Bryce and Hadfield continued to exchange an acrimonious correspondence through the newspapers and relations between them became strained and hostile.

In 1876 Wiremu Parata, a Member of the House of Representatives, had a similar issue with the Church of England and presented a petition requesting

⁸³ 'Report on Petition of Six Hundred and Seventy Inhabitants of Wanganui', *AJHR*, 1875 Session 1, I-5. p. 1.

⁸⁴ *AJHR*, 1875 Session I, I-05, p. 2.

⁸⁵ *Wanganui Herald*, Volume X, Issue 2856, 11 August 1876, p. 2.

⁸⁶ *Evening Post*, Volume XIV, Issue 48, 25 August 1876, p. 2.

‘that land granted by their tribe to the Bishop of New Zealand may be restored to them the condition of the grant not having been complied with’. This was referred to the Native Affairs Committee, which since 1875 had been chaired by Bryce. After days of questioning, Bryce produced a report in only four days, two of which were a weekend, which comprised just over a page of handwriting. The Committee recommended that ‘if many Educational reserves are similarly situated to this one, the present position of the religious, charitable and educational trusts of the colony requires the most serious and careful consideration of the House’.⁸⁷ In this short report Bryce made two other recommendations on issues which were important to him personally. The first one made it clear that Maori petitioners would not be able to rely on the support of the House for land to be returned to them while the second created a legislative opportunity for his Wanganui constituents to take back church educational reserves from the hold of the churches. The Wi Parata case was ultimately sent to the High Court on the recommendation of a Petitions Committee of the upper house, resulting in what became known as Justice Prendergast’s ‘infamous’ judgment, and the Wanganui Endowed School Bill returned to the House in 1879.⁸⁸

In July 1878 Bryce resigned from the Wanganui Education Board with the local press scathing of his action. The *Wanganui Chronicle* of 4 July reported:

Commenting upon the imbecile "action of Messrs Bryce and Duthie at the late meeting of the Wanganui Education Board", the Rangitikei Advocate speaks out in this fashion. ... Because, forsooth, a motion was negatived, which it was clearly demonstrated would have been most disastrous in its effects, the mover allows his spleen to get the better of his sense of his propriety, and in a tiff resigns his position. ... The position appears to be so absurd as to be scarcely creditable. He should undoubtedly have stuck to his post, and endeavoured to work harmoniously with the Board pro bono publico.⁸⁹

The improvement of the Wanganui harbour also demanded the attention of Bryce. A deputation met with Vogel, Premier and member for Wanganui, during his visit to the town in March 1876 to discuss the formation of a

⁸⁷ NZETC, Reports of the Native Affairs Committee, 1876, *Report on Petition of Wiremu Parata and 18 Others*, nzetc.victoria.ac.nz/tm/scholarly/tei-Nat1876Repo-t1-g1-t1-g1-t1.html.

⁸⁸ David V. Williams, *A Simple Nullity?: The Wi Parata Case in New Zealand Law and History*, Auckland: Auckland University Press, 2011, p. 2.

⁸⁹ *Wanganui Chronicle*, Volume XXI, Issue 3705, 4 July 1878, p. 2.

Wanganui Harbour Board. As Council could not agree on the composition of this Board, a public meeting of the ratepayers was held to decide whether the Council should form itself into a Harbour Board, or whether it shall be a separate body outside the Council.' At the same time Council passed a resolution saying 'that Mr J Bryce and Sir Julius Vogel be requested to draft a Harbour Board Bill for Wanganui' based on information given to them by the Wanganui Council as holders of the bridge, wharves, foreshore and hospital.⁹⁰ The Wanganui Harbour and River Conservators Board Act 1876 was passed on 30 October, legislating for a Harbour and Conservators Board consisting of nine members: three *ex officio* members and six elective members, to come into effect on 1st January, 1877.⁹¹

In September Bryce introduced the Wanganui Harbour Endowment Bill however, it was reported in late October that some hostility was being shown towards the Bill, obliging Bryce to appear before the Waste Lands Committee to give evidence.⁹²

A few months later the *Wanganui Herald* reported 'There not being any opposition, Mr. David Peat was elected a member of the Harbor Board, in place of Mr John Bryce, M.H.R., whose seat became vacant by virtue of the occupant being absent from four consecutive meetings of the Board'.⁹³ But, Bryce had done what he set out to with the Endowment Bill, and the *Wanganui Herald* was keen to give credit where it felt it was due saying:

It would appear that the success of local bodies in obtaining legislation favorable to their districts depends to some extent on the energy and intelligence of their representatives. In Wanganui we have been more than fortunate for while nearly every Harbour Endowment Bill was thrown out by the Legislative Council last session, Wanganui ... obtained all it wanted, and more than many of its friends anticipated. ... The simple truth is the credit is nearly altogether due to Mr Bryce, who did all the solid and difficult work, and was only prevented from crowning it in the charge of the Bill in its passage through the House, by a serious illness.⁹⁴

⁹⁰ *Evening Post*, Volume XIII, Issue 108, 8 May 1876, p. 2.

⁹¹ Wanganui Harbour and River Conservators Board Act 1876, www.legislation.co.nz/act/public/1876/0086/4.0/DLM131925.html.

⁹² *Wanganui Herald*, Volume XII, Issue 3071, 25 October 1877, p. 2.

⁹³ *Wanganui Herald*, Volume XIII, Issue 3019, 7 January 1878, p. 2.

⁹⁴ *Wanganui Herald*, Volume XVIII, Issue 3030, 19 January 1878, p. 2.

Of equal importance to Wanganui was the establishment of a railway to link it to other parts of the north island and in an address to his constituents in June 1878 Bryce brought them up to date with developments on the railway line from Wanganui to New Plymouth, which had been authorised in 1872 to be constructed 'in a leisurely manner'. He said in the intervening six years only about ten miles of preliminary work had been carried out, with not a single sleeper laid. He blamed the delay on 'three servants' of the Atkinson government who constituted 'a power behind the throne greater than the throne itself' who had determined that the railway north of Wanganui should not proceed, however the new Grey government promised that the railway would be constructed and carried across the Waitotara River, before proceeding further north.⁹⁵

The extension of the railway line from Waitotara to Waverley was finally opened in March 1881, celebrated by a public banquet at which both Bryce and Ballance were present.⁹⁶ It had taken almost ten years of working 'in a leisurely manner' to construct a railway from Wanganui to Waverley, a distance of about twenty-seven miles and in 'wretched weather' in March 1885 the West Coasts railway, from Wanganui to New Plymouth, finally opened.⁹⁷

Bryce's actions on behalf of his Wanganui constituents had registered with senior politicians, and the abolition of the provinces in 1876 meant that political issues were more centralized and national, rather than promoting narrower local interests, this created an opportunity for Bryce to go from local to national politics and presented him with a role in Maori policy making.

⁹⁵ *Evening Post*, Volume XVI, Issue 145, 18 June 1878, p. 2.

⁹⁶ *Bay Of Plenty Times*, Volume X, Issue 1018, 24 March 1881, p. 2.

⁹⁷ *New Zealand Herald*, Volume XXII, Issue 7285, 25 March 1885, p. 5.

Chapter 4

CHAMPING AT THE BIT: National politics

In 1876 Bryce was appointed to chair the important Native Affairs Committee, the *Wanganui Chronicle* reported in November that 'it is not Mr John Sheehan who is chairman of the Native Petitions Committee. Mr. John Bryce fills that position, and is the consequent recipient of the £100 voted as salary'.⁹⁸

The Committee effectively operated as a 'Maori Land Ombudsman' hearing petitions from Maori and Pakeha, investigating them and making recommendations to Parliament for action. Although the Committee investigated many different issues from Maori self-government, to the establishment of schools, the overwhelming number of petitions concerned the question of land, and the Committee played an important constitutional role as a check on the judiciary and the government. While the Committee had no power to dictate government action, it worked with the judiciary and the executive in an attempt to investigate and resolve grievances.⁹⁹

In the first parliamentary session of 1878, the Native Affairs Committee dealt with 131 petitions, each of which was examined and reported on. As an example the petition of Rahera Tiwaia claimed that:

She was entitled in her own right to 2,000 acres of land near the Waitotara River; that, notwithstanding her constant loyalty, the said land was confiscated, and only 400 acres thereof returned to her. The petitioner states that on one occasion she saved the lives of two Europeans, and ought not now to be treated as if she had been in rebellion. She prays for the consideration of the House.

To which she received the following reply:

That the Native Affairs Committee of last session reported as follows: "That the alleged claim of the petitioner must have been investigated at the sittings of the Compensation Court referred to in the petition, at which she was awarded 400 acres of land. The Committee do not feel able to review satisfactorily the decision of that Court, and, moreover, the petitioner has produced no evidence in support of her claim."

⁹⁸ *Wanganui Chronicle*, Volume XIX, Issue 3208, 2 November 1876, p. 2.

⁹⁹ Guy Finny, *New Zealand's Forgotten Appellate Court? The Native Affairs Committee, Petitions and Maori Land: 1871 to 1900*, Thesis submitted for the LLB (Honours) Degree, Wellington, 2013, pp. 2-4.

The Committee see no reason for making any further recommendation in respect of the alleged claim of the petitioner to land, but, as they are satisfied that she was directly instrumental in saving the lives of two Europeans, the Committee recommend that a gratuity of, say, £100 be given to the petitioner in recognition of the act of humanity.¹⁰⁰

Many petitions before the Native Affairs Committee were not as straightforward. A petition brought by Hori Kerei Taiaroa, a Member of the House of Representatives claiming £6,000 in back rent and interest for a property in Dunedin, proved contentious and complicated. Evidence was taken over a period of almost three weeks from Taiaroa and other members of the House such as Grey, Rolleston, MacAndrew, Stafford and Mantell before Bryce and the Committee found in favour of Taiaroa's claim, but Fox and MacAndrew registered their protest, on the grounds that an earlier payment had been intended to be final.¹⁰¹

Because of its influence and power, the composition of the Native Affairs Committee was the cause of dissension. Early in 1877 it was reported that in the previous Committee 'Mr. Sheehan had everything his own way', due to the ill health of Donald McLean preventing him from giving the attention to the Committee than he would have otherwise.¹⁰² Therefore when the Committee was being formed for the next session of Parliament, Atkinson, the Premier, omitted Sheehan's name from the list of Committee members as he 'was very much mixed up in native affairs, and was in fact looked upon as the paid advocate of the natives'.¹⁰³ Sir George Grey moved that Sheehan's name be reinstated, a proposal that was supported by Bryce who 'considered Mr Sheehan one of the most useful members of the Committee, as his knowledge of the natives had been found of great service'. The motion was carried against the Government on the voices.¹⁰⁴

¹⁰⁰ *Reports of the Native Affairs Committee, 1878, No. 47 - Petition of Rahera Tiwaia*, Victoria: University of Wellington Library, nzetc.victoria.ac.nz.

¹⁰¹ 'Reports of Public Petitions Committee', *AJHR, 1877 Session I, I-03b*. See also *Waitangi Tribunal*, 'Ngai Tahu Land Report Volume 2.3 The Princes Street Reserve Summary.' https://forms.justice.govt.nz/search/Documents/WT/wt_DOC.../Wai27.pdf

¹⁰² *Hawkes Bay Herald*, Volume XX, Issue 3822, 15 January 1877, p. 2.

¹⁰³ *Taranaki Herald*, Volume XXVII, Issue 1790, 26 July 1877, p. 3.

¹⁰⁴ *Wanganui Herald*, Volume XII, Issue 2996, 28 July 1887, p. 2.

The composition of the Committee was still a matter of some concern in 1882, by which time Bryce was Native Minister, under whom the Native Affairs Committee operated. The *Wanganui Herald* took issue with the make up of the Committee and in particular to 'with great deliberation excluding Mr Stevens, whose knowledge of Native affairs is equal to that of almost any man in the House'. It pointed out that the Committee had been constituted to afford the government 'a preponderating majority'. Bryce refused the request of Taiaroa that Stevens might be added 'as he understood Native affairs, and also the Maori language'.¹⁰⁵

In September matters came to a head when Trimble, Chairman of the Native Affairs Committee, referred a Committee report on another petition of Taiaroa to the House, asking it be laid on the table. Taiaroa alleged that his petition was not considered by the Committee but had been decided on party grounds. Bryce defended the Committee and warned that taunts and imputations from the natives would not be tolerated. He protested against the slurs made by the native members when matters did not go their way and threatened that if such conduct persisted, the Native Affairs Committee would have to be abolished. Te Wheoro retorted that the natives had never received much support from the Committee, and that doing away with it would therefore be no great loss. Sheehan contended that the insinuations Maori members had made were no worse than had often been made by European members. After some spirited debate the motion was supported by the House.¹⁰⁶

In 1879, when replying to questions at an electorate meeting, Bryce justified taking a salary for chairing the Native Affairs Committee. He told the voters that the position involved a lot of work as the Committee was composed of 24 members of the House, 'embracing all shades of opinion', who had to decide on matters of great importance and that managing them was no easy task. He assured the meeting that the Committee had saved the country tens of thousands of pounds, and he had been complimented on his chairmanship. He said 'he was never prouder of anything in his life than of the way he got his first

¹⁰⁵ *Wanganui Herald*, Volume XVI, Issue 4680, 29 May 1882, p. 2.

¹⁰⁶ *Oamaru Mail*, Volume IV, Issue 1322, 4 September 1882, p. 2.

salary for that work. ... the first year he occupied the Chair, the gentlemen of the Committee were so pleased with his mode of filling it that they had asked that £100 be placed on the Estimates as some recognition of his services'.¹⁰⁷

In February 1879 Bryce was appointed to head a Royal Commission to enquire into irregularities in the Bay of Islands electoral roll. For some time the opposition had accused the government of attempting to swamp that constituency by flooding the roll improperly with Maori names. A House Committee had been formed to investigate the matter and, following its report Edward Williams, brother of the member for Mangonui, was removed as Registration Officer on the grounds 'that he would be apt to show partiality'. As a result all the names previously objected to by him, including 'dead, absent and disqualified persons' were placed on the roll for 1878 and 1879.¹⁰⁸ In view of the claims and counterclaims, innuendo and accusations of corruption, a Royal Commission was called and Bryce nominated to head it. Both sides of the House expressed confidence in his nomination and their willingness to accept his report, which it was expected would ascertain once and for all whether Ministers had dishonestly tampered with the electoral roll or had been maligned.¹⁰⁹

Bryce's report was presented in June 1879 and found 'that hardly anyone concerned seems to come well out of this inquiry' but though 'the conduct of the Government in removing Mr Williams ... was inconsiderate, injudicious and objectionable; but I do not believe that the Government, or any member of it, had any intention by that means of preventing due inquiry into the merits or demerits of the claims objected to by Mr Williams'.¹¹⁰

At the same time as the Bay of Islands Commission of Inquiry was proceeding the Grey government was being tested about its proposals regarding the sale of the Waimate Plains. As the *West Coast Times* put it, 'a fog surrounds the whole question. ... Ministers fly backwards and forwards between Taranaki and Wellington. Mr Mackay holds interminable and stupid conversations with Te

¹⁰⁷ *Wanganui Chronicle*, Volume XXI, Issue 4085, 5 July 1879, p. 2.

¹⁰⁸ *Electoral Roll of Mongonui and Bay of Islands District, AJHR, 1879 Session I, H-8*, p. 4.

¹⁰⁹ *Evening Post*, Volume XVII, Issue 342, 12 February 1879, p. 2.

¹¹⁰ *AJHR 1879 Session I, H-8*, p. 4.

Whiti and other Native notabilities, and nothing comes of them, ... the Government have given way ... to save the country from the expense of a war'.¹¹¹

By 1879 the Grey government was 'hastening to their doom',¹¹² partly because of the trouble developing on the West Coast. With an election looming, Bryce gave a wide-ranging political speech to his electorate in Wanganui in July 1879, and referred to a 'disruption' in government ranks.

Bryce was scathing of the way Native affairs had been handled for many years. Despite the fact that when Grey came to office he boasted that he was aided by 'a gentleman, born in the Colony and possessing an intimate knowledge of native manners and customs', which evoked laughter from his listeners, they had repeated the mistakes of previous administrations. Bryce considered that if, after Maori had been defeated in the Waikato and escaped to their isolated fortresses, they had been left alone it would have eventually been possible to negotiate reasonably with them. However, in 1875 and 1876 McLean waited on the Maori King, and though, at the time, he was denounced by Grey for treating with a man who was harbouring criminals, Grey had done the same himself. Bryce reminded his audience of the losses they had suffered in 1869, and how the settlers had broken the rebellion and forced Maori to flee. Having been personally involved, he lamented the decision, made for political reasons, to abandon the 'expedition to complete the Native subjection', which he considered a missed opportunity. When he heard of the flight of Hiroki to Parihaka, Bryce felt that the Government should have prepared a strong force and sent it to insist that the fugitive be given up. Instead of that, the Government had convinced the natives that they did not intend to fight, but he felt that a stand should have been made.

Bryce, as he had done for many years, justified his independent stance to his voters. He said there was a good deal of talk about the formation of parties, that politicians throughout the Colony had become divided into two great parties, but he gave the reason he could not become a party man himself. He said that a good party man can see no faults in his friends and most certainly

¹¹¹ *West Coast Times*, Issue 3149, 1 May 1879, p. 2.

¹¹² *Wanganui Herald*, Volume XII, Issue 9453, 3 July 1879, p. 2.

can discover no merits in his opponents, but he, himself often saw merits in his opponents, and was very apt to find fault with his friends. Eighteen years previously when he first stood for the Wanganui constituency he had done so in the position of an independent candidate. He continued to feel that was the only position that he could occupy with satisfaction to himself and to his constituents. He would only support a Government so long as they in his opinion deserved support.¹¹³

As Bryce concluded his speech he returned to the 'disruption' to the Ministry and acknowledged that it referred to Ballance, and as Ballance 'was one of themselves' it was of interest to the community. Bryce said when the Premier, Ballance and Sheehan were discussing the estimates, Grey accused Ballance of insulting him in referring to one of the items, and ordered him to leave the room. Ballance left, effectively resigning, and he felt that Ballance had no other option.¹¹⁴

Early in August the Grey government was defeated by an overwhelming majority, 'representing all shades of political opinion', on a vote of a lack of confidence in the administration. However, Grey, instead of offering his resignation, advised the Governor to dissolve Parliament and 'plunged the country into the turmoil of a general election, at a time when the people are suffering under the severest commercial depression that has occurred for many years' ¹¹⁵. As the election approached the *Thames Advertiser* told its readers that the Wanganui contest promised to be the most interesting and exciting in the colony. Three candidates: Fox, Ballance and Bryce were to contest the two Wanganui seats. All three were opposed to Grey's ministry, but it was reported that Ballance had entered the Wanganui fray to attempt to exclude Fox from the House, and that he and Bryce would run together, speaking from the same platform.¹¹⁶

After a hotly contested election between the three candidates, voting day on 4 September saw Bryce and Ballance returned for Wanganui. 'Plumping', a

¹¹³ *Wanganui Herald*, Volume XII, Issue 3452, 3 July 1879, p. 2.

¹¹⁴ *Wanganui Herald*, Volume XII, Issue 3454, 4 July 1879, p. 2.

¹¹⁵ *Wanganui Herald*, Volume XII, Issue 9503, 1 September 1879, p. 2.

¹¹⁶ *Thames Advertiser*, Volume XII, Issue 3395, 16 August 1879, p. 2.

feature of the English electoral system which allowed a voter to give one vote to each of any two candidates if the constituency returned two members, but also allowed him to give one vote to only one candidate, was encouraged by the Fox campaign, which narrowed the margin and made it a close contest.¹¹⁷

This close contest was reflected in the overall poll results with the *Waikato Times* on 13th September saying the result 'is now so engrossing a matter, that we shall publish the list from issue to issue, with latest returns, until the New House is elected'. The list for that date showed that the Government commanded 37 seats, the Opposition 35 with another 6 members being registered as Independent. Ballance featured among the Independent members, while Bryce was listed as being in the Opposition ranks.¹¹⁸ The final election result gave a narrow majority to the Grey ministry but this did not last long. The opposition, confident they had the numbers, brought down an amendment to the Address to Reply claiming the government as presently constituted did not have the confidence of the House.¹¹⁹

The vote on the amendment was carried and 'under ordinary circumstances it would be followed as a matter of course by a Ministerial resignation'.¹²⁰

However, Grey chose to read the amendment literally and hinted that he would meet the House with a fresh assortment of colleagues who 'would be in every way calculated to command the confidence of the Legislature'.¹²¹ Eventually Grey was persuaded to present his resignation to the Governor, Sir Hercules Robinson, who sent for Hon. John Hall and asked him to form a Ministry.¹²²

Though initially Hall was not able to command a majority in the House, he was guaranteed a firm-working majority when four Auckland members of the House defected from the opposition ranks. On 24 October Reader Wood, William Swanson, W. J. Hurst and W. H. Colbeck, for either moral or mercenary considerations, joined the Hall ministry, with whom they felt they had a greater

¹¹⁷ *Grey River Argus*, Volume XXIII, Issue 3448, 6 September 1879, p. 2.

¹¹⁸ *Waikato Times*, Volume XIII, Issue 1127, 13 September 1879, p. 2.

¹¹⁹ *Wanganui Chronicle*, Volume XXI, Issue 4149, 27 September 1879, p. 2.

¹²⁰ *Press*, Volume XXXII, Issue 4425, 6 October 1879, p. 2.

¹²¹ *Press*, Volume XXXII, Issue 4425, 6 October 1879, p. 2.

¹²² *Press*, Volume XXXII, Issue 4426, 7 October 1879, p. 2.

identity of interest.¹²³ They insisted on several conditions, which involved implementing the Grey electoral reforms, and Hall moved quickly to legislate for triennial parliaments and universal male suffrage.¹²⁴

As Hall set about putting together his Ministry, *The Auckland Star* reported: 'Mr Hall is using energetic exertions to secure Mr Bryce as Native Minister, but hitherto without success'.¹²⁵ However, by the time the new Ministry was sworn in two days later, Bryce took his place as Native Minister, alongside Hall as Premier and Colonial Secretary, Rolleston, Minister of Public Works, Immigration and Education, Atkinson, Colonial Treasurer and Minister for Customs, Whitaker the Attorney General took a seat in the Legislative Council and Oliver as Minister for Lands and Mines.

Responses to Bryce's appointment were generally favourable; he was known as 'a calm and judicious man',¹²⁶ who it was hoped would be able to unveil the mysteries of the Native Affairs Department.¹²⁷ Hall said his new Native Minister was investigating this department whose affairs were in a very complicated state.¹²⁸ *The Colonist*, however, launched a diatribe aimed at the members of the Ministry and had this to say about Bryce:

Mr John Bryce of Wanganui, who, dazzled by a glittering prize so far beyond the wildest dreams of his former years, has been induced to ally himself with men with whom he has nothing in common, who will throw him over at the earliest opportunity, and who, to speak mildly, display singularly bad taste and a rare want of gratitude in coaxing the man to become their colleague to whose bitter opposition the defeat of their chief of last session, Sir William Fox, was mainly due.¹²⁹

Bryce served as Native Minister for almost five years, apart from a nine month period in 1881, after he resigned from the position as a result of a disagreement

¹²³ R. S. Stone, 'The Maori Lands Question and the Fall of the Grey Ministry, 1879', *The New Zealand Journal of History*, Volume 01, 1967. No. 1.

¹²⁴ W. J. Gardner. 'Hall, John', from the *Dictionary of New Zealand Biography*, Volume One, Wellington: Bridget Williams Books Limited and the Department of Internal Affairs, Reprinted 1990.

¹²⁵ *Auckland Star*, Volume x, Issue 2959, 8 October 1879, p. 2.

¹²⁶ *New Zealand Herald*, Volume XVI, Issue 5583, 8 October 1879, p. 5.

¹²⁷ *Otago Daily Times*, Issue 5512, 18 October 1879, p. 2.

¹²⁸ *Colonist*, Volume XXII, Issue 2612, 11 October 1879, p. 3.

¹²⁹ *Colonist*, Volume XXII, Issue 2613, 14 October 1879, p. 3.

with his colleagues. During his tenure his mettle was tested in the cauldron of the West Coast difficulties, and later the King Country.

Chapter 5

UNBRIDLED POWER: Native Minister

Bryce inherited a Native Department tainted by allegations of overspending, mismanagement and corruption. McLean had promoted a system of personal government and the department was 'a hotbed of corruption and patronage'. Its partisan culture resulted in hostility to, and suspicion of, Sheehan when he became Native Minister¹³⁰ so it was not surprising that he was unable to effect many of the changes he had promised when in opposition. In addition he and Grey embarked on a massive programme of Maori land buying, in direct contradiction of the undertaking they had made earlier to abandon it, allowing private purchasers to negotiate independently with Maori. Stone puts the defeat of the Grey government primarily down to the maladministration of the Native Affairs Department.¹³¹

In his long awaited Native Statement to the House on 17 October 1879 Bryce began by saying that he would honour the constitutional doctrine that 'it was no part of the duty of an incoming Ministry to traduce the character of the preceding Ministry'. Nevertheless, he proposed to explain to the House the way each particular department had been administered under the system of 'personal government which obtains in the Native Department' and remarked that during the last two years under 'the two greatest Native experts in the colony' the cult of personal government had grown to an almost unbearable extent.

He reminded members that the former Native Minister had at his disposal funds voted by the House, but the House had little or no control over how this money was spent. He referred to a sum of £2,000 for roads in the Native districts and £15,000 available for the opening up of Native lands, for which the Public Works Department agreed without demur to the proposals put up by the Native Minister, meaning a sum of £12,050 was paid to the Thames County for various projects, and the House was quick to recognise that the previous Minister was

¹³⁰ R. C. J. Stone, p. 55

¹³¹ Stone, p. 51

the member for Thames. Bryce also showed concern at the number of pensioners, assessors and policemen employed by the department, under the personal supervision of the Native Minister. This number he said had grown as Native members sought to dispense patronage on their election to the House; requests which it was difficult for any Native Minister to refuse if he wished to retain his influence with Maori.

Bryce questioned whether or not Native affairs were in a better state than they were when the Grey Government took office and considered that 'if we had shown more firmness and justice, and less of what has been mistakenly called kindness, the result would have been better for the country ... better for the Europeans and better for the Maori people'. In referring to the affairs on the West Coast, he agreed with Hall that, for the sake of the government's reputation, both in New Zealand and abroad, there should be an inquiry into the grievances of West Coast Maori, though he felt there were probably no grievances to speak of on the Waimate Plains, there could be some, though 'greatly magnified', on the coast. As he put the problems of the West Coast down to the Maori belief that Te Whiti held supernatural powers, he had little faith that an inquiry, or a 'proper adjustment of reserves', would settle the difficulty. Bryce bemoaned the fact that the peace of the colony was dependent on 'the discretion of a man who is so far gone in insanity that he has a belief that he can raise men from the dead', and that preserving the peace was 'costing the colony money which it can ill spare'.¹³²

Having pointed out the shortcomings of the Native Department he was taking over, Bryce went on to indicate how he thought things could be improved. He endorsed the transfer of Native schools to the Education Department and likewise proposed to place the roads in Native Districts under the control of the Public Works Department, so that they were not dependent on the personal whim of a Minister. As regards pensioners and assessors, they would be transferred to the Colonial Secretary's Department and Justice Department

¹³² 'Native Statement by Native Minister, the Honourable Mr. Bryce', *AJHR*, 1879, Session II, G-01, p. 18.

respectively, thus reducing that portion of the department that he considered 'so objectionable'.

Bryce referred to the important question of the alienation of Native lands, saying he had for a long time held positive opinions on the issue but he could not guarantee that his solution would always produce good results 'unmixed with evil', as there was no system that would not be open to manipulation. He proposed that facilities be made available to Maori for surveying and ascertaining title to their land before providing them with some way of placing the land before the public for sale, through the creation of a Board for that purpose. The inclusion of a significant Maori element into the Board would provide Maori with confidence in its operation.

Most of the press commentary on Bryce's Native Statement was positive, he was applauded for laying 'bare all the anomalies, absurdities and vices of the system ... in an exceedingly temperate and judicial manner, not attempting to attach blame to any person or any Minister, but rather aiming at exposing the faults of the system itself'.¹³³ On Bryce's proposal on the alienation of Native lands which 'comprises nine-tenths of the Native question' the *Press* said the scheme 'had very much to recommend it', but many previous proposals had failed to realise the expectations of their authors.¹³⁴

Though Bryce was primarily pre-occupied with the native problem on the West Coast, the two other main points of his Native Statement were addressed. When it came to retrenchment in, and the re-organisation of, the Native Department, Bryce had put his reputation and position on the line, threatening to resign unless he achieved significant results. He initially worked to reduce the department by transferring functions he had identified earlier to the departments to which they properly belonged and then began to re-organise what was left, reducing the number of staff by forty. 'The result is that the actual saving realised amounts, as the Colonial Treasurer was able to tell us, of nearly fifty per cent'.¹³⁵ The *Timaru Herald* reported that 'The mystery of the

¹³³ *Timaru Herald*, Volume XXXI, Issue 1588, 23 October 1879, p. 2.

¹³⁴ *Press*, Volume XXXI, Issue 4449, 3 November 1879, p. 2.

¹³⁵ *Press*, Volume XXXIII, Issue 4637, 11 June 1880, p. 2.

Native Office, in short, will soon be dissolved, and its business will be carried out very much like the business of any other department. Yet there is not the smallest indication of any perilous results arising from this great change. ... The natives themselves, we are assured, far from taking alarm at Mr Bryce's reforms, or resenting his measures of retrenchment, either pay no attention to them or else highly approve of them'.¹³⁶

When it came to the alienation of native land, Bryce did not have the same success. Despite his avowed intention to protect Maori land sellers against speculators, his handling of the sale of the Patetere block laid him open to criticism from the opposition, Maori and settlers alike.

This land in the South Waikato-Thames Valley region had been the subject of intense selling and buying pressure since the early 1870s, with Maori, the King movement, the government and speculators all being involved. At the time the Hall ministry came to power in 1879 the land was covered by a proclamation issued in 1878 under the Native Land Purchases Act of 1877, notifying that the Government had an interest in the block and that negotiations were proceeding to complete the purchase.

Bryce, as the new Native Minister, asked for a report about surveys in the area as he feared for the safety of surveyors. This report added to the confusion with claims, counterclaims and accusations being directed against several European speculators and Maori collaborators, and the information that a survey had already been completed along the eastern boundary being disputed by the government Inspector of Surveys, Percy Smith, who advised that the Patetere survey had not begun.¹³⁷

On 6 November Bryce directed that all Patetere surveys be immediately stopped which annoyed Maori owners and European speculators alike. A deputation of Auckland businessmen visited Bryce and asked for a meeting with Maori, purchasers and government, along with a simultaneous sitting of the Native

¹³⁶ *Timaru Herald*, Volume XXXII, Issue 1677, 5 February 1880, p. 2.

¹³⁷ Bryan D. Gilling, *Waitangi Tribunal Report WAI 255, 'The Purchase of the Patetere Block 1873-1881: An Exploratory Report'*, p. 24.

Land Court to determine title and facilitate the purchase process.¹³⁸ Bryce dismissed the idea of a meeting as 'he had never seen any good come from a large Maori meeting', but approved a smaller meeting of interested parties.¹³⁹

By this time Sheehan, previously Native Minister who had opposed any private dealings with the Patetere land, had surfaced in association with F. A. Whitaker, son of Attorney General Frederick Whitaker, as counsel for the Patetere Land Company, one of several groups who were competing to purchase the valuable land. Maori were divided; as well as those who supported or opposed selling, some Maori were associated with one or other of the syndicates, or the Grace brothers, acting as Government agents. To add to the confusion there were different groups of surveyors operating, some legally and some in contravention of the Proclamation, who often had differences with opposing interests.

Subject to immense pressure from competing parties, Bryce let Sheehan know that if the government could recoup the money it had outlaid in advances and expenses 'the anxiety of the Government to proceed with the purchase would not be great'.¹⁴⁰ This was a radical change in Government policy and signalled to the Patetere Land Company that provided the government's financial interests were guaranteed, they were free to proceed.¹⁴¹

Stone in his article on the fall of the Grey Government attributed this change of heart to the new government's determination to retrench and reduce debt, particularly after unfettered spending on land buying under the Grey ministry had contributed to leaving the colony in dire financial straits. He maintained that it was 'the financial caution of the Colonial Treasurer, Harry Atkinson, and the parsimony of the Native Minister, John Bryce, which ended the pre-emptive purchasing policy of the previous administration'.¹⁴² Despite Chief Land Court Judge Fenton's initial refusal to pass the land through the Court, the Patetere block passed through the Court in May and June 1880, to the advantage of both

¹³⁸ Gilling, p. 27.

¹³⁹ Gilling, p. 31.

¹⁴⁰ Gilling, p. 31.

¹⁴¹ Gilling, p. 43.

¹⁴² Stone, p. 72.

the Patetere Land Company and the Government.¹⁴³

Several complaints lodged with the Land Court into the Court's decisions were dismissed, but Bryce was the target of a parliamentary attack led by Grey who accused him of 'unfair and immoral practice', and demanded a Committee of enquiry. Settlers in Waikato and Thames also submitted petitions arguing that their interests had been ignored in favour of a single large-scale operation. They were supported by the colony's press, as the *Wanganui Herald* protested 'Mr Sheehan, Mr Whitaker, M. H. R., and others are going to acquire it at a very respectable figure. The transaction is seriously to be regretted, for the Government are parting with the means of directly settling the country by men of moderate means, while they are playing into the hands of pure speculators'. The paper went on to say that a Committee had been appointed to investigate the process but as it was 'packed with thick-and-thin Ministerial supporters', the result was a foregone conclusion.¹⁴⁴

While Bryce worked to effect changes in the Native Department and resolve the Patetere situation, it was the situation on the West Coast which took most of his time in his first year as Native Minister. In a Ministerial Statement, shortly after accepting the Governor's invitation to form a Ministry, Hall said 'The West Coast troubles had occasioned a very large expenditure, which, considering all the circumstances could not with safety to the settlers have been avoided and a Royal Commission would be appointed to inquire into all the facts of the case'.¹⁴⁵

In response to the Premier's comment and Bryce's agreement that 'we ought to cause an inquiry to be made into whatever grievances the Maoris have on that coast', the Governor issued a proclamation which after the Preamble read:

This Commission is appointed in accordance with the will of Parliament, in order that any just ground of complaint which may exist on the part of Maoris may be removed, and peace may be firmly established between both races.

¹⁴³ Gilling, p. 43.

¹⁴⁴ *Wanganui Herald*, Volume XIV, Issue 3812, 4 August 1880, p. 2.

¹⁴⁵ *Clutha Leader*, Volume VI, Issue 315, 15 October 1879, p. 3.

...For this reason he has appointed as Commissioners gentlemen of high position and of great experience in public affairs to inquire into the claims and promises which are stated to be unfulfilled.¹⁴⁶

The *Taranaki Herald* reviewed the members of the Commission, Sir William Fox, Sir Francis Dillon Bell and Mr Hone Tawhai, and concluded that Bell would be painstaking and industrious, though his often aired views that promises made to Maori about their land had not been fulfilled would mean that he came from a sympathetic position. Fox who had previously 'doctored the native question', had mellowed and his remedies would not now be as drastic, whereas the native member had shown great ability in grasping the scope and bearing of questions in the House.¹⁴⁷

The *New Zealand Herald* forecast that 'some of the natives will not meet Sir W. Fox upon any consideration, as they distrust him'. Since then it is rumoured that Dr. Buller, Wi Tako, Natotora, and Wi Parata have sent a telegram advising the West Coast natives not to appear before, or recognise, the Commission, on the ground that Sir W. Fox was the architect of the confiscation policy, and that the 'grievances should be inquired into by independent judges'.¹⁴⁸ Te Whiti, when given a copy of the Governor's proclamation, and learning that Hone Tawhai was to be one of the Commissioners, said he was 'like a dog with long ears', a Maori figure of speech signifying 'a person more ornamental than useful, a showy creature with no corresponding powers'¹⁴⁹ and described the Commission as two 'pakeha and a dog'.¹⁵⁰

By the end of January Tawhai had resigned his Commissioner's position. This despite the fact that the Act was translated into Maori for his benefit, he was present in the House during the discussions and passing of the Act, and the objects of the Commission were carefully explained to him by Bryce. He likened himself to 'a horse between the shafts of a cart, in which was seated the two other Commissioners driving him'.¹⁵¹ In July Sir George Grey, speaking to

¹⁴⁶ 'Reports of the Royal Commission "The Confiscated lands inquiry and Maori Prisoners' Trial Act, 1879', *AJHR, 1880 Session I, G-02*, Appendix A, No.2, p.2.

¹⁴⁷ *Taranaki Herald*, Volume XXVIII, Issue 3337, 27 January 1880, p. 2.

¹⁴⁸ *New Zealand Herald*, Volume XVII, Issue 5667, 16 January 1880, p. 5.

¹⁴⁹ *Timaru Herald*, Volume XXXII, Issue 1670, 28 January 1880, p. 2.

¹⁵⁰ Dick Scott, *Ask That Mountain: the Story of Parihaka*, Auckland: Heinemann, 1975, p. 65.

¹⁵¹ *Wanganui Herald*, Volume XII, Issue 3626, 31 January 1880, p. 2.

a question of privilege, referred to a speech by the member for Rangitikei revealing that Tawhai had attempted to get money paid in advance of his expenses as West Coast Commissioner, and when this was refused he declined to take up the appointment, saying that he was not satisfied with the other two Commissioners.

The Commissioners, Fox and Bell, began their work in early February, renting a house in Hawera for three months, where they held the first sitting on 11 February. Ten days later it was reported that the Commission was attracting a good deal of attention from Maori who were told that though their ancient rights to the Plains were gone forever, reserves would be apportioned to them as the Crown did not want to see them homeless and landless.¹⁵² In spite of the efforts of some Europeans and disaffected Maori, several influential Maori brought their grievances before the Commission, on the assurance that the Crown intended to honour any arrangements that were proved to have been made with the government.

The Act which had provided for the appointment for the Royal Commission on the West Coast also gave the government the power to postpone the trial of Maori prisoners, namely ploughmen from Parihaka, who were already in custody until such time as the Governor-in-Council thought appropriate. The Confiscated Lands Inquiry and Maori Prisoners' Trial Bill passed through the House before it rose in December and became the first of several pieces of legislation Bryce introduced to deal with Maori unrest and action on the West Coast. With the date for the trials of some two hundred Maori prisoners set for the beginning of April 1880, the government hoped to buy time, allowing the Commission to carry out its inquiries and the West Coast to be secured.¹⁵³

Bryce wasted no time in addressing the 'West Coast difficulty' and was given additional tools by being appointed Minister for Defence in January 1880. The *Otago Daily Times* reported that he was likely to superintend the commencement of intended operations on the Waimate Plains, 'with a view to

¹⁵² *Wanganui Chronicle*, Volume XXII, Issue 4265, 23 February 1880, p. 2.

¹⁵³ *Timaru Herald*, Volume XXXI, Issue 1643, 27 December 1879, p. 2.

prompt and decisive measures'.¹⁵⁴ There seemed to be some confusion, however, and the *Taranaki Herald* reported 'Strong opinions are expressed doubting the intention of the Government taking active measures re Waimate Plains ... and it is mooted in well-informed circles that the Cabinet is divided on this question'. The newspaper remarked that it was known that the Native Minister was in favour of occupying the Plains and trusted 'that he will remain firm in his convictions'.¹⁵⁵

The Royal Commission presented its first report on 15 March, and Fox and Bell set the tenor for their eventual findings. A telling observation on the first page said:

... that the immediate cause of the ignominious end of the survey was the fact of no reserves having been made. General promises had more than once been given to them that ... "large reserves" would be made for them; but no step was ever taken to let them really know what was to be theirs.¹⁵⁶

The Commissioners found that the most important liability was the necessity of providing land for the Parihaka people, saying unequivocally 'no one pretends we can tell Te Whiti and his people they must leave it'.¹⁵⁷ The *New Zealand Herald* of 19 April reported that although Te Whiti did not recognise the Commission, he had watched the proceedings closely and been informed as to the conclusions of its interim report and that the Government was prepared to carry out its recommendations.¹⁵⁸

Meanwhile, the Governor extended the deadline for the trial of the Maori prisoners, under the Confiscated Lands Inquiry and Maori Prisoners' Trials Bill, from April to 5th July and subsequently to 26th July.¹⁵⁹ Bryce welcomed the support of Sheehan who said in the House that 'the action of both the Grey and Hall Governments was possibly strained and illegal', but that it was the only way to avert 'a war of the most disastrous kind'.¹⁶⁰

¹⁵⁴ *Otago Daily Times*, Issue 5582, 10 January 1880, p. 2.

¹⁵⁵ *Taranaki Herald*, Volume XXVIII, Issue 3324, 12 January 1880, p. 2.

¹⁵⁶ *AJHR*, 1880 Session I, G-02, p. v.

¹⁵⁷ *AJHR*, 1880 Session I, G-02, pp. vi-x.

¹⁵⁸ *New Zealand Herald*, Volume XVII, Issue 5747, 19 April 1880, p. 4.

¹⁵⁹ 'Maori Prisoners, Their Detention, Treatment, Etc.', *AJHR*, 1881 Session I, G-07, p. 4.

¹⁶⁰ *Colonist*, Volume XXIII, Issue 2694, 20 April 1880, p. 2.

In the meantime road making was progressing on the Plains, with a target of three miles a week to be completed,¹⁶¹ and it was reported that Bryce had sole control of the West Coast problem and 'the days of treating by Royal Commissioners are over'. Life as Native Minister had its dangers, as he and Rolleston had a narrow escape while being driven in the Armed Constabulary express. On descending the hill the brake gave way and the express ran into the river. Rolleston was thrown forward onto the horses, and Bryce landed under the trap in the water. As far as the Government was concerned, it was fortunate neither of them was injured, and Rolleston and Bryce completed their journey on horseback.¹⁶² The road was getting closer and closer to Parihaka land and on 3 May when Bryce, with Colonel Roberts and Hursthouse, the engineer, crossed Te Whiti's northern boundary to choose a site for a new camp within his territory, they met no resistance.¹⁶³ However, within a few weeks this was to change.

In June, Bryce rushed to Taranaki to deal with what was described as a minor crisis. Small numbers of Maori had persisted in building fences across the recently constructed constabulary road close to Parihaka, and as often as the constabulary removed them, the fences were re-erected. An explanation was received in a telegram from Bryce saying that the obstruction to the road parties was because there was a Native cultivation nearby and Maori were afraid that if the road was not fenced horses and cattle would interfere with their crops.¹⁶⁴

The Second Report of the Commission was presented to the Governor on 14 July in which the Commissioners found it 'necessary to trace very briefly from the history of our relations to the Native race, the circumstances under which we became involved in the hostilities with the tribes on the West Coast, out of which have grown the present embarrassments'. The inconsistencies of successive Ministries were also investigated by 'a close and protracted scrutiny of a vast mass of official documents' and reported on.¹⁶⁵

¹⁶¹ *Thames Advertiser*, Volume XIII, Issue 3599, 29 April 1880, p. 3.

¹⁶² *Taranaki Herald*, Volume XXVIII, Issue 3597, 22 November 1880, p. 3.

¹⁶³ *Press*, Volume XXXIII, Issue 4604, 4 May 1880, p. 2.

¹⁶⁴ *Waikato Times*, Volume XV, Issue 1246, 24 June 1880, p. 2.

¹⁶⁵ *AJHR, 1880, Session 1, G-02*, p. xi.

Newspaper comment on this Report was generally favourable. The *Wanganui Herald* of 26 July 1880 called it 'an instructive though humiliating one, humiliating to the narrators themselves in particular, and to the colony in general'. It told its readers that the report not only explained the origin of the West Coast trouble, but also the cause of the abuses in the Native Department. The *Otago Daily Times* considered that much of the interest had been taken out of the second report by Bryce's disclosures in his Native Statement and particularly his criticism of the culture of waste that pertained in the Native Department. It reported that 'Money has over and over again been paid away, ostensibly, for the purchase of land that has not furthered the purchase by one iota, and has been vouched for by documents that we can call by no other name than fraudulent, as they were clearly intended to deceive, and did deceive, the Audit Department.'¹⁶⁶

The *Oamaru Mail* summed up its reaction to the report like this, the 'disaffection of the natives on the West Coast was but the natural outcome of a feeble and vacillating policy towards them during more than fifteen years; ... What an admission is this from two men who, during the period mentioned of fifteen years, took a prominent part in the affairs of the Colony'.¹⁶⁷ From Bryce there was no comment.

With the 26 July deadline for the trial of Maori prisoners imminent, the Government found it imperative to introduce legislation to allow for their further incarceration. The Maori Prisoners' Bill was introduced in July 1880 as 'a temporary measure' to allow for the further detention of the untried ploughmen, and Bryce had to admit that all pretence of bringing the ploughmen to trial was now dropped as it was considered unnecessary to try them 'with a view to infliction of punishment', but they must be securely held in case their release 'would endanger the peace of the colony, and might lead to insurrection'.¹⁶⁸ It was proposed that the Act would continue in force until the end of the next session of Parliament.¹⁶⁹ Bryce urged the House's urgent

¹⁶⁶ *Otago Daily Times*, Issue 5744, 5 February 1880, p. 2.

¹⁶⁷ *Oamaru Mail*, Volume IV, Issue 1319, 16 July 1880.

¹⁶⁸ Riseborough, *Days of Darkness*, p. 117.

¹⁶⁹ *Evening Post*, Volume XX, Issue 164, 16 July 1880, p. 2.

consideration of the Bill at its Second Reading as 'it would endanger the peace of the colony, ... if the said natives were released from confinement and permitted to return to the West Coast ...'¹⁷⁰



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The Commissioner's Third Report on 5 August 1880 made recommendations to the Governor and identified two objectives. Firstly the need to do justice to the Natives, and secondly to provide English settlement of the country, as they said; 'No policy is worth a thought that does not provide for both'.¹⁷² Importantly the Report dealt at length with the Parihaka Reserve, finding that the promises in the Proclamations to Maori who were never in arms against the Government must be held to be sacred.

The Commissioners ended their Report by urging the Governor to lose no time in making contact with Te Whiti to advise him 'of the manner in which it is

¹⁷⁰ *Wanganui Herald*, Volume XIV, Issue 3800, 22 July 1880, p. 2.

¹⁷¹ Shows 'Betsy Bryce' using bellows to accelerate the fire under the Parihaka cauldron which contains Maori figures. Mr Punch stands behind the pot and warns that it will boil over, to which Bryce replies that it's none of his business. ATL Ref PUBL-0097-1880-405.

¹⁷² *AJHR*, G-02, p.xlv.

proposed to deal with the disputed districts'.¹⁷³ Bryce said the Government intended substantially to carry out the report, but would not give any cast-iron guarantee.¹⁷⁴ The *Taranaki Herald* reported that the Commissioners' final report had been privately translated into Maori and forwarded to Parihaka. Bryce complimented the Commissioners for their 'zeal, ability and desire to do justice to the Natives' and said the Government priority was 'settlement' which he said was the only certain way of resolving the long-standing dispute. He announced that the Government intended to advertise for sale a significant part of the lands on the West Coast, though nearly all the Maori cultivations and lands would be set apart for the Natives. Bryce said the co-operation of Maori would be sought in carrying out the Government's plans, though he was not confident of this.¹⁷⁵

This proved to be correct and from early August a succession of fencers was arrested. It was believed that Te Whiti had sources reporting to him that government funds were getting low and, if he continued with his plan of attack, he would win in the end.¹⁷⁶ Bryce retaliated with more legislation. On moving the second reading of the West Coast Settlement (North Island) Bill he said it was introduced to solve a problem his Government had inherited. He said it was the 'object of the Government (1) to satisfy the natives that their just claims would be recognised, and (2) to convince the natives that the authority of law must be established on the coast'.¹⁷⁷ The contentious part of the legislation, Clauses 6 and 7 of the Bill, gave power to any Justice of the Peace to impose penalties of up to two years hard labour for a variety of offences including obstruction, removal of fences or survey pegs, ploughing or breaking up the surface of any land whereby the lawful occupation is obstructed or impeded, unlawfully erecting fences or buildings, breaking up or destroying any road gazetted as a highway, or assembling, armed or unarmed, for the purpose of

¹⁷³ *AJHR, G-02*, p.lxiv.

¹⁷⁴ *Timaru Herald*, Volume XXXIII, Issue 1849, 25 August 1880, p. 2.

¹⁷⁵ *Wanganui Chronicle*, Volume XXII, Issue 9201, 23 August 1880, p. 2.

¹⁷⁶ *Otago Daily Times*, Issue 5767, 13 August 1880, p. 4.

¹⁷⁷ *Oamaru Mail*, Volume IV, Issue 1319, 20 August 1880, p. 2.

committing any of the above-named offences. The Act was to remain in force for three years from the end of the current session of Parliament.¹⁷⁸

The Bill was translated into Maori and distributed at Parihaka where Tohu dismissed the penal clauses and said he would continue to send fencers to be arrested. Certainly the flow of fencers did not diminish, and Bryce, who was at the constabulary camp, ordered the arrest of 59 able bodied men who offered no resistance. Among those arrested were Kahia, a former native assessor, and Nuku, a half-brother to Titokowaru.¹⁷⁹

Early in October 25 prisoners held under the Maori Prisoners Act were released from Dunedin gaol, transported to Lyttelton by train and from there on board the *Hinemoa* to Taranaki, with a warning that if they re-offended they would be arrested and tried under the West Coast Settlement Act.¹⁸⁰ Bryce took this opportunity to write to the chief Wiremu Kingi, one of the freed prisoners, reminding him of the promise made by the government to deal justly with Maori and settle their grievances through the recommendations of the Royal Commission, but that all acts of lawlessness must cease or be punished according to the new law. Bryce pointed out that Wiremu Kingi and his companions were freed to honour the Governor's words that he did not wish to hold Maori in custody any longer than necessary. He concluded his letter with a plea to Kingi to help the Government end the unrest and promote the real interests of his people.¹⁸¹

A Cabinet meeting on 2 November made the decision to proceed immediately with the survey of the whole of the Parihaka block of land, with the exception of the portion reserved under the recommendation of the Royal Commission. The successful sale of the first block of the Waimate Plains, and the imminent sale of a second block was, Bryce told the House, 'the only certain way, of disposing effectually, once and for ever, of that difficulty, ... by first setting apart out of the land there, ample reserves for the Natives to satisfy their just claims, and secondly by settling upon the remainder of the land a close European

¹⁷⁸ *Press*, Volume XXXIV, Issue 4697, 21 August 1880, p. 2.

¹⁷⁹ *Auckland Star*, Volume XI, Issue 3160, 4 September 1880, p. 3.

¹⁸⁰ *Evening Post*, Volume XX, Issue 233, 5 October 1880, p. 2.

¹⁸¹ *Wanganui Herald*, Volume XIV, Issue 3956, 7 October 1880, p. 2.

population',¹⁸²

Though most of the Commission's recommendations had been adhered to by the government, the suggestion that Te Whiti be invited to 'share' in the division of the disputed land had been ignored. To address this Parris, the West Coast Commissioner, was sent to meet with Te Whiti to discuss the surveys being carried out on Parihaka land. Parris was refused permission to address the people and asked to leave as he was linked in the minds of Maori with Fox, and the cause of the problem.¹⁸³

The new Governor, Sir Arthur Gordon, who had replaced Robinson, arrived in Auckland in late November, to a reception 'mismanaged and bungled' requiring him to walk through mud, surrounded by a jostling crowd; a reception not calculated, said the *Auckland Star*, to impress favourably.¹⁸⁴ His reputation had preceded him, with reports circulating about his 'peculiarities of temper and disposition, that it is generally supposed the Ministers will have a good deal of trouble with him'¹⁸⁵ and that his consideration for the natives amounted to weakness.¹⁸⁶

Concern about the plight of Maori had also been expressed in Britain and when in December a letter was received from Lord Kimberley, the Secretary of State at the Colonial Office, seeking clarification of the Maori Prisoners Act, and details of Maori prisoners 'unjustly detained ... without trial, and a full report respecting the Native disturbances of 1879 and 1880, and the measures taken by the Government of New Zealand in consequence of them' Bryce was forced to justify his legislation. His justification took the form of a 'Memorandum of the Causes which justify the Detention of the West Coast Maori Prisoners' which, in part, said:

To have tried the prisoners who were taken under these circumstances for the comparatively trivial offences with which they were charged would have been ridiculous, and would by no means have shown a true appreciation of the circumstances of the case ... Much has been said about the rights of the

¹⁸² *Evening Post*, Volume XX, Issue 258, 3 November 1880, p. 2.

¹⁸³ *Press*, Volume XXXIV, Issue 4775, 22 November 1880, p. 2.

¹⁸⁴ *Auckland Star*, Volume XI, Issue 3228, 24 November 1880, p. 2.

¹⁸⁵ *Timaru Herald*, Volume XXXIII, Issue 1934, 2 December 1880, p. 6.

¹⁸⁶ *Oamaru Mail*, Volume IV, Issue 1319, 25 August 1880, p. 2.

British subject under Magna Charta, and the writ of habeas corpus, but few will be found to deny the right of the State to hold these charters in suspension in great emergencies, or in extreme or highly exceptional circumstances.¹⁸⁷

Gordon, knowing how political facts could be misrepresented, sent his own confidential report to the Colonial Office in which he said he could not 'wholly concur' with Bryce's conclusions and considered 'some of the facts ... not altogether accurately stated'.¹⁸⁸

This concern by the Colonial Office spurred the government into attempting to communicate with Te Whiti again, this time through a meeting with the Governor. On 25 December Captain Louis Knollys, the Governor's ADC, accompanied by Hursthouse, the 'engineer in charge of road construction on the confiscated land' and Hone Pihama, a 'chief of considerable power' arrived at Parihaka, with an invitation from the Governor.¹⁸⁹ Knollys described Te Whiti as 'a good-looking man, with a "smug" face, and a most marked expression of self-complacency and conceit'. Te Whiti kept Knollys and his party waiting for five hours while he played draughts and refused to touch the letter. When it was read to him he commented "The cooked potato cannot discuss," which was taken to mean that 'he was cooked by the Government beyond discussion.' Knollys and his group left soon after, knowing that the letter would need to be read and discussed before any reply could be given.¹⁹⁰ When Knollys returned to Parihaka two days later, Te Whiti was affable but insisted that if the Governor wanted to know more about how the potato was cooked 'he must come to the pot where the potato was cooked, and see the heap of evils that have been done.' Realising that there was little likelihood of an immediate resolution, the Governor's party left.¹⁹¹

The *Timaru Herald* of 28 December reported that Captain Knollys had gone to Parihaka on some undisclosed mission, but that it was with the full knowledge

¹⁸⁷ *AJHR, 1881 Session I, G-07*, p. 13.

¹⁸⁸ *AJHR 1881 G7*, pp. 5-8.

¹⁸⁹ Riseborough, pp. 138-139.

¹⁹⁰ Colin Newbury, *Patronage and Politics in the Victorian Empire: The Personal Governance of Sir Arthur Hamilton Gordon (Lord Stanmore)*, New York: Cambria Press, 2010, p.125.

¹⁹¹ 'Despatches from the Governor of New Zealand to the Secretary of State', *AJHR, 1881 Session I, A-01*, pp. 20-26.

and approval of the Ministers,¹⁹² indeed Atkinson and Rolleston were closely involved, communicating with Hursthouse and Pihama between visits.¹⁹³ The meeting incensed Bryce who in a letter to the Premier dated 8 January 1881 enclosed a letter of resignation which he had written on 5 December, but been persuaded by Atkinson to hold back until Cabinet could discuss his long held plan of action against Parihaka. He now considered that Cabinet had 'completely broken faith with him' and placed him in 'a false position' leaving him no alternative but to resign.¹⁹⁴

This time the Government accepted his resignation as it was expedient for the Cabinet to show a more moderate and conciliatory face, which Rolleston, the new Native Minister would portray, and Bryce would take a back seat.

¹⁹² *Timaru Herald*, Volume XXXIII, Issue 1955, 28 August 1880, p. 3.

¹⁹³ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Auckland: Allen & Unwin, 2002, p. 138.

¹⁹⁴ Bryce to Hall 8 January 1881, Hall Mss., MS-Copy-Micro-0694-43 vol 41, ATL.

Chapter 6

ON HIS HIGH HORSE: Parihaka

John Bryce and Parihaka are inextricably linked in New Zealand's historical consciousness. He was the author of the plan the government implemented to resolve the 'West Coast difficulties' and he ultimately became its agent. However, it took two years and a series of events for his Cabinet colleagues to sanction the action that took place on 5 November 1881. This was no spontaneous Armageddon, but the consequence of years of unfulfilled promises and uncertainty, of a failure to communicate, of a clash of cultures, of a government beset by economic difficulties, and of the contrasting aspirations and expectations of Maori and Paheka.

The story of Parihaka has been well researched and reported and, for that reason, secondary sources will form a significant part of this chapter, which focusses on Bryce's part in it. Dr Hazel Riseborough wrote her doctoral thesis on the causes and effects of events in Taranaki, which led to the invasion of Parihaka, and its aftermath, and subsequently wrote a report for the Waitangi Tribunal on the Taranaki confiscation claim. In 1989 she published *Days of Darkness: The Government and Parihaka*¹⁹⁵ using primary material in the form of government memos, telegrams and Parliamentary records to chart the government's response to the perceived threat posed by Te Whiti and his community.

Other historians who have made a study of Parihaka include a Benedictine priest, Domenico Vaggioli, who lived in New Zealand from 1879 to 1887. In his *Storia della Nuova Zelanda e dei Suoi Abitatori* published in Parma in 1896, Vaggioli saw Te Whiti as a political leader, rather than a religious one, and described him as 'more of a politician than all the politicians in New Zealand', a man 'without peer in the annals of Maoris'.¹⁹⁶ One of Vaggioli's sources was

¹⁹⁵ Hazel Riseborough, *Days of Darkness: The Government and Parihaka: Taranaki 1878-1884*, Wellington: Allen & Unwin, 1989.

¹⁹⁶ Hazel Riseborough, 'Parihaka and the Historians', *The 1993 Parihaka Seminars*, Taranaki Museum, p. 5.

the Australian historian G. W. Rusden, whose *History of New Zealand* created much comment and controversy when it was published, particularly in his description of Bryce's actions during Titokowaru's war. Though his account of Parihaka, which was the earliest historical reference to the event, coming just two years after it occurred, did not form part of the 1886 libel action Bryce took against Rusden, his counsel made every effort to highlight it, and Bryce's part in the action, to justify Rusden's description of Bryce as 'cruel and callous'.¹⁹⁷

Alfred Saunders, an outspoken liberal politician, showed his sympathy with the 'patient Parihaka martyrs' in his *History of New Zealand*, published in 1899. At about the same time, William Pember Reeves the eldest son of the proprietor of the *Lyttelton Times*, a newspaper that had consistently opposed government action in Taranaki, considered himself 'one of a minority of New Zealanders' who thought the Europeans in the wrong in this affair.¹⁹⁸

Twenty years after the invasion of Parihaka Bryce participated in an exchange of correspondence in the *Christchurch Press*, and personally, with O. T. J. Alpers, who with R. F. Irvine had published a history, *The Progress of New Zealand in the Century*, objecting to his depiction of events at Parihaka as being 'not coincident' with Bryce's recollection of the affair.¹⁹⁹

In *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period*, James Cowan wrote 'Te Whiti was a much-abused, much-misunderstood man. He was execrated as a fanatic and a firebrand by those ignorant of his nobility of character, who made no secret of their desire for the extermination of the Maori.'²⁰⁰ Cowan compared Te Whiti and Bryce saying: 'His [Te Whiti's] patient, strife-hating character stands out in strong contrast to the harsh, overbearing attitude of John Bryce ... whose narrow outlook unfitted him for a position involving the handling of delicate inter-racial problems'.²⁰¹

A secondary schools text book by Condcliffe and Airey, published in 1938,

¹⁹⁷ Riseborough, 'Parihaka', pp. 5-6.

¹⁹⁸ 'Report on Confiscated Native Lands and other Grievances', *AJHR*, 1928 Session I, G-07, p. 17.

¹⁹⁹ Riseborough, 'Parihaka' p. 6.

²⁰⁰ James Cowan, *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period* [1922], Volume II, Wellington, 1983, p. 476.

²⁰¹ Cowan, p. 488.

described Parihaka as a 'communist village' where, after 'curious and amusing scenes' Te Whiti was arrested and 'the threatened trouble ended in a burlesque at which the whole colony laughed'.²⁰² A new, revised, and extensively re-written edition dealt with this insensitivity by omitting any reference to Parihaka.²⁰³

A dose of measles or mumps led to the first popular, modern book written on Parihaka. Dick Scott was recuperating from one or other of these childhood illnesses, and in desperation for something to read reached for a large tome he had acquired several years earlier. This was the 640 page transcript of the *Bryce v Rusden 1886* libel action taken by Bryce against the Australian historian for inaccuracies in his account of events at Handley's woolshed. As he waded through the report, Scott read of the events at Parihaka, and his journalist's mind determined to find out more. He visited Parihaka where he was able to talk to Maori, some of whom had known Te Whiti. He pursued his interest in the project, researching historical archives, of which he said 'Because the Maori were not expected to read them a lot of secret stuff was hidden in Parliamentary papers', and in 1954 published *The Parihaka Story*. For the next fifteen years the book languished virtually unnoticed, until Scott received a call asking him to publish the book again, and he was offered the help of a Parihaka elder, Whatarau Wharehoka, and the community. The book was rewritten and *Ask That Mountain* was published in 1975, to a hostile reception from academics, with criticisms such as 'It's a melodrama masquerading as history, with cardboard cut-out figures ... Lofty and absurd claims are made for the importance of Te Whiti and Parihaka'.²⁰⁴

Another useful source is Michael Belgrave's *Historical Frictions: Maori Claims and Reinvented Histories*, with insights obtained through many areas of

²⁰² J.B. Condliffe and W.T.G. Airey, *A Short History of New Zealand*, Auckland, 6th edition, 1938.

²⁰³ Riseborough, 'Parihaka', p. 8., *A Short History of New Zealand*, 7th edition completely revised and extensively re-written by W.T.G. Airey, 1953.

²⁰⁴ Virginia Winder, *Dick Scott outlines own Parihaka Journey*, 2003: accessed 28 July 2014, pukeariki.com/Learning-Research/Taranaki-Research-Centre/Taranaki-Stories/Taranaki-Story/id/90/title/dick-scott-outlines-own-parihaka-journey.

historical research for the Waitangi Tribunal, including the Taranaki claim.²⁰⁵

A recent article on Parihaka was published in the *Antrocom Online Journal of Anthropology* in 2011. *The Parihaka Cult* written by Kerry Bolton seeks to demystify what he sees as the myth that has grown up over Parihaka, or in his words 'attempts to put the Parihaka phenomenon in context historically and socially'.²⁰⁶ Bolton reports that for some months before the invasion of Parihaka the atmosphere was steadily being fermented by Te Whiti's enigmatic, prophetic speeches to his followers with their religious rhetoric and ambiguity, leaving them open to many different interpretations by press representatives, politicians and settlers, who often relied on translations by government sanctioned translators. He gives credit to the insistence of Bryce on effecting the destruction of Parihaka, and therefore the settling of the 'west coast problem', after several years of government vacillation. Bolton describes Bryce as 'much maligned', and maintained he was ridiculed and his reputation smeared ever since.²⁰⁷

Bryce's involvement in Parihaka began when he was appointed Native Minister in Hall's ministry in 1879. By the late 1870s, partly as a result of Vogel's active settler recruitment policy the demand for land had escalated. When the Grey government determined to open up land on the Waimate plains of the Taranaki, this posed a threat to the existence of Parihaka and Grey was ultimately forced, because of actions taken by Te Whiti and his supporters, to withdraw the surveyors and abandon the advertised sale of land.

Riseborough chronicles how Maori frustration at the lack of gazetted reserves and the encroachment of survey crews finally translated into action. On Sunday 25th May 1879 Te Whiti sent out unarmed ploughmen to cut his moko into land at Oakura, as a symbolic action to 'assert his right to the land'.²⁰⁸ Over the next few weeks, unarmed ploughmen continued to plough confiscated

²⁰⁵ Michael Belgrave, *Historical Frictions: Maori Claims and Reinvented Histories*, Auckland: Auckland University Press, 2005.

²⁰⁶ Kerry Bolton, 'The Parihaka Cult' in *Antrocom Online Journal of Anthropology* 2011, vol 7. n. 1, p.79, www.coxon.com/.../the-parihaka-cult-antrocom-online-journal.

²⁰⁷ Bolton, p. 92.

²⁰⁸ Riseborough, *Days of Darkness*, p. 82.

land held by settlers. The settlers' memories of Titokowaru, who was now prominent among the ploughmen, fuelled their apprehension, they enrolled as volunteers and demanded the government issue them with arms and ammunition.

Riseborough covers the change of government with the 'self destroying Grey government' coming under pressure and his leadership questioned, partly because of his handling of the West Coast problem, and Grey negotiating his own exit terms, among them the passing of the Prisoners' Trials Act, the first of the notorious pieces of legislation introduced to 'settle the west coast difficulty'.²⁰⁹

From the start of his tenure as Native Minister Bryce took a firm approach to the festering wound that was the 'West Coast difficulty' he had inherited.

Whereas Grey and Sheehan had been content at times to apply a salve and sticking plasters to problems as they developed, Bryce made it plain the only remedy was to cauterise the wound. He arranged for the deployment of additional Armed Constabulary who helped protect, facilitate and construct roadworks on the Waimate Plains. At the same time he introduced a series of repressive bills designed to remove turbulent Maori prisoners from Taranaki to South Island gaols, while he established 'a close European population' on the west coast.²¹⁰

However, despite his obvious determination to solve the problems, a frustrated Bryce advised Hall that he had decided to resign because of the differences of opinion between him and his Cabinet colleagues on how to handle the West Coast. He said the differences had become 'constant and uniform', and from time to time he had 'ventured to disregard the wishes of Cabinet' to achieve his goals. The main issue of contention was his desire to arrest the criminal Hiroki who had been given sanctuary at Parihaka, and he felt that 'under certain circumstances which might arise' Te Whiti and Tohu could also be arrested, but these proposals were not sanctioned by Cabinet.²¹¹ Cabinet, concerned that

²⁰⁹ Riseborough, *Days of Darkness*, pp. 90-2.

²¹⁰ Riseborough, *Days of Darkness*, p. 97.

²¹¹ Riseborough, *Days of Darkness*, p. 127.

any change in administration could lead to the return of the Grey government, persuaded him to withdraw his resignation.²¹²



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But it was not long before Bryce once again submitted his resignation, this time because of the meeting already referred to between Te Whiti and Knollys as he found 'the idea of negotiating with Te Whiti perfectly preposterous', and that Cabinet had 'completely broken faith' with him. A press statement was released saying Bryce had resigned because of the 'refusal of Cabinet to agree to the immediate adoption of active measures with regard to Parihaka'. Gordon presciently wrote that 'a renewal of similar proposals at a future day was not improbable'.²¹⁴ Bryce was replaced with the moderate William Rolleston.

By September Rolleston was spending a lot of time in Taranaki, his Diary recorded that he sailed to New Plymouth arriving on 23rd where he met a deputation of settlers regarding affairs on the West Coast and inspected many areas where Maori were cultivating and fencing clearings. He recorded a lengthy report from F. W. Riemenschneider, son of the German missionary

²¹² Riseborough, *Days of Darkness*, p. 128.

²¹³ Bryce in military uniform sawing through the leg of a recumbent Maori, the leg is marked 'flour' and the 'sugar'; leg has already been removed. Exaggerated version of Mount Taranaki is in the background, the three stick figures are ploughmen. The cartoon is a reference to the Government's treatment of Parihaka Maori. ATL A-095-038.

²¹⁴ Riseborough, *Days of Darkness*, p. 140.

under whom Te Whiti and Tohu had studied, of a meeting he had had with Te Whiti and Tohu. Te Whiti's main concern was how the newspapers had interpreted his speech of 18 September, particularly the use of the word 'pakanga'. He contended that the word had been construed to mean 'fighting', the commonly understood definition of the word, whereas he used it as meaning 'dispute' with regard to their ancestral cultivations. He regretted that the false construction put upon his speech had led to extra constabulary flocking into the District and the settlers being alarmed. Te Whiti lamented the fact that the Governor had 'rushed up to Fiji and forsaken his sucklings' as he had hoped that the new Governor would have acted differently to his predecessors. He expressed the desire to meet the Governor but said he had no wish to 'see a subordinate of his who came in stripes like a soldier'. Te Whiti acknowledged he had seen the report of the West Coast Commission and wanted to know when the Government intended giving effect to its recommendations.²¹⁵

Meanwhile, despite Rolleston's conciliatory efforts and re-assuring reports regarding Parihaka, telegrams between Hall in Wellington and Whitaker in Auckland, using the code they employed for sensitive messages, show that moves were being made to bring the 'West Coast difficulty' to a head. The first one, from Hall, sent on 15 October, read 'it seems to me that circumstances may now justify the adoption of strong measures such as he proposed at a time when they were not justifiable. If such is the case I think B would join as Native Minister. Rolleston seems to shrink from the responsibility of the position and the action which has to be taken. I shall be glad to know your views confidentially'.

The next telegram read, 'It is of importance Government would be committed one way or other before Sir Arthur Gordon returns, or we shall have great difficulties'. By 17 October Hall was reporting 'Bryce came down on Saturday. He is disposed to join as Native Minister and the opinions he entertains do not seem to me to present any obstacles to his doing so ... Propose to issue Proclamation (attached as Appendix 1) briefly reviewing the events of the past two years'. The Proclamation promised to address the claims and grievances if

²¹⁵ Rolleston Diary, 1881, qMS-1716, ATL.

its conditions were accepted within fourteen days, after which all offers would be withdrawn and the government would take what land they considered proper. The telegram ended by saying: 'I think it will be admitted we have exhausted all means of peaceable solution. Bryce would be content to work out this plan. He considers and I agree that if hostilities do break out they should be pursued very promptly and very vigorously ...'.²¹⁶

Whitaker's reply on 18 October approved Bryce's rejoining and the Proclamation but, reflected his legal training as he made the following point: 'I think it of great advantage if we can bring Maoris within English law instead of using our venial acts to try them at all events we should stand better in public opinion in England'. Hall's telegram of 19th confirmed the Proclamation would be Gazetted that night and that Bryce would be sworn in.

On 20 October Hall's telegram to Whitaker related the sequence of events the previous night, and their ramifications:

About eight o'clock last evening a Proclamation was signed by the administrator of the Government and the appointment of Mr Bryce as Native Minister was also signed. An Executive Council was held immediately afterwards at which Mr Bryce was sworn in – His Excellency now questions the validity of the above acts on the ground that he was at that time within the territorial waters of the Colony. This was not known to the members of the Executive Council. Your opinion is requested on the question raised.²¹⁷

Whitaker's reply took an aggressive legal stance: 'If the acts questioned are valid they must be acted up to. If they are not they must be validated at once by the Governor or he must take the Government into his own hands and find a new ministry in my opinion we cannot recede we will go into the legal question though substantially it makes no difference with my view.' He enlarged on his opinion 'It seems to me that Governor's incapacity continued till he was in a position to actively resume Government ... As soon as he got on shore the Administrators powers ceased but even in harbor [sic] it may be that he was not on New Zealand territory as by common law it is high seas where tide flows'.²¹⁸

²¹⁶ Sir John Hall Papers 1836-1907, ATL, MS-Copy-Micro-0694, Reel 97

²¹⁷ *ibid.*

²¹⁸ *ibid.*

The Governor, who was furious at the action that had been taken, advised he was referring the matter to the Secretary of State, but by 26 October Hall was able to report to Whitaker 'Governor has received answer from Secretary of State agreeing that Administrators acts are valid' thus clearing the way for Bryce to act in accordance with the Proclamation, which had already been delivered to Te Whiti at Parihaka.²¹⁹

Rolleston recorded in his Diary that Butler 'delivered Proclamation to Te Whiti's own hands in presence of about 150 other Maoris. ... He told me had no message in return.' The last entry on 25 October told that Riemenschneider had read to Te Whiti and Tohu the whole of the West Commission reports and commented that 'now they know everything they have no excuse. Ropata says that tho' Te Whiti and his people pretend to make light of the ultimatum it is exercising them terribly, considers that his mission is at an end and regrets that it has not been more successful'.^{220, 221}

Butler in a telegram to Rolleston of 22 October reported on his meeting with Te Whiti when he delivered the Proclamation, he quoted Te Whiti as saying: 'These are not new words; they were uttered some time ago in the House by Sir William Fox, who said the Maoris were to be deprived of all their land this year. Do not now attribute any blame to Te Whiti for this: it is the doing of the pakehas entirely.' He reported Te Whiti looked 'weary and careworn'.²²²

Despite Bryce's attempts to exclude newspaper reporters from Parihaka his old adversary, Samuel Crombie-Brown of the *Lyttelton Times* with two colleagues, managed to evade the militia, entered the village and were given refuge in a whare from where 'full observations could be made', and it was through their reports, that the word quickly spread throughout the colony. The *Star*, the evening sister paper to the *Lyttelton Times*, of 8 November, carried sensational headlines – A LAND OF LIBERTY AND FREEDOM – MORE OUTRAGES! A TRULY

²¹⁹ *ibid.*

²²⁰ Rolleston Diary, 1881.

²²¹ The *Wanganui Herald* reported that Takorangi, 'his voice being ever on the side of war. ... Ever since the old scoundrel took up his residence at Parihaka he has been a thorn in the side of Te Whiti, and it is reported that had it not been for the bellicose attitude consistently taken up by our old neighbour, Te Whiti and Tohu would have accepted the Proclamation'.

²²² 'West Coast Native Affairs', *AJHR*, 1883 Session I, A-04, p. 4.

SPLENDID SPECTACLE – KING BRYCE AS AN ABSOLUTE DICTATOR – MR
ROLLESTON CHIEF CONSTABLE – THE WHARES OF PEACEFUL NATIVES TO BE
GIVEN TO THE FLAMES. ²²³

The events of 5 November 1881 are so well documented that it is not necessary to detail them in full here, suffice to say Bryce, theatrically mounted on his white charger, accompanied by Rolleston on foot, with 595 Volunteers and 630 Armed Constabulary, advanced on Parihaka. Hall received the following telegram from Bryce at 11 a.m. giving this terse account of the morning's action:

Arrived at Parihaka at 9 a.m. Found marae enclosure jammed. Mr Butler was directed to call on Te Whiti to give an answer to the proclamation. Te Whiti did not reply. At 9.30 the Riot Act was read. One hour allowed to elapse by law. The marae will be surrounded. Hiroki is there. The natives are dressed in holiday fashion, with seemingly no intention of other than passive resistance. Te Whiti told the natives to sit close and be stout-hearted.²²⁴

Te Whiti quietly awaited the soldiers' approach, and walked out with them in a dignified manner, his wife following closely. Tohu was arrested in a similar manner. After their arrest, both Te Whiti and Tohu were allowed to address the people. Te Whiti said: "Be of good heart and patient. Today's work is not of my doing; it comes from the hearts of the pakehas. Upon my fall the pakeha builds his work. Be steadfast in all that is peaceful".²²⁵

Hall's telegram to Whitaker reported that Bryce had returned to the camp at Pungarehu, and continued 'He thought it unwise to press dispersion today on the assembled natives who after the arrest were naturally in high state of suppressed excitement. He is leaving the rest of the day to soak into their minds and will derive means to cause the visitors to withdraw to their own proper localities which is now the principal object to be kept in view'.²²⁶ In an effort to effect the removal of 'stranger' Maori Bryce had a proclamation printed and posted around Parihaka saying: 'Notice to the Maoris of Waikato, Whanganui, Ngaurua, and other tribes who are dwelling at Parihaka. This is a

²²³ *Star*, Issue 4227, 8 November 1881, p. 3.

²²⁴ *Wanganui Chronicle*, Volume XXIII, Issue 9541, 7 November 1881, p. 2.

²²⁵ *Star*, Issue 4226, 7 November 1881, p. 3.

²²⁶ Hall Mss.

notice and a request that you leave Parihaka and the vicinity, and return to your neighbourhoods. Do not be deaf, but listen to the request at once - John Bryce, Native Minister, War Minister'.²²⁷

However, the dispersal of the non-Parihaka Maori presented Bryce with many challenges over the next two weeks, as he outlined in a letter to Hall of 11 November saying: 'Consider, here are 2,000 people sitting still, absolutely declining to give me any indication of where they belong to, or who they belong to, they will sit still where they are, and do nothing else. ... If I take the whole lot prisoners, as Atkinson recommends, the operation *per se* will be difficult ... Moreover, it is extremely probable that wives would be separated from their husbands, children from parents, and so on'.²²⁸

Bryce sought the assistance of Mete Kingi, one time Member of the House of Representatives for Western Maori ²²⁹, and Hone Pihama, chief of a hapu of Ngati Ruanui²³⁰ to appeal to their kinsmen. However, Te Whiti's influence, and his injunction to his followers four days before the raid on Parihaka: "Let us all remain here at Parihaka, which came from heaven, and none shall be taken",²³¹ proved stronger than the appeals from their tribal chiefs to return to their homes. This reinforced in Bryce his often-repeated warning about the power Te Whiti exercised on his followers, what he referred to as their 'fanatacism', and strengthened his resolve to attempt to break the spell by whatever means he could. Bryce was aware of how some of his actions would be construed and his 11 November letter to Hall also said:

'I am pointing out these difficulties that you may consider them when you may hear of my doing things which do not altogether recommend themselves to your mind. I may be forced into a choice of objectionable courses. ... Notwithstanding these difficulties, this thing has to be settled, and I am confident I can do it if I am not stopped. That the manner in which I do it

²²⁷ *Auckland Star*, Issue 3512, 8 November 1881, p. 3.

²²⁸ *Aureretanga: Groans of the Maoris*, Ed. G.W. Rusden, Christchurch, New Zealand: Capper Press, 1975, p.114.

²²⁹ Steven Oliver. 'Te Rangi Paetahi, Mete Kingi', from the *Dictionary of New Zealand Biography*. *Te Ara - the Encyclopedia of New Zealand*, updated 30-Oct-2012 URL: <http://www.TeAra.govt.nz/en/biographies/1t62/te-rangi-paetahi-mete-kingi>.

²³⁰ Ian Church, 'Te Rei Hanataua, Hone Pihama', *The Turbulent Years, 1879-1900: The Maori Biographies from the Dictionary of New Zealand Biography, Volume Two*, Wellington: Bridget Williams Books and Department of Internal Affairs, 1994.pp. 174,175.

²³¹ *AJHR* 1883, A-04, p. 10.

will be free from objections is more than I can promise, and I hope that you and my colleagues will put the most favourable construction on things.'²³²

The 'objectionable courses' Bryce employed were the destruction of the whares occupied by the expelled strangers, with the debris thrown into the marae, thus 'breaking the spell' of sanctity which is supposed to invest it.²³³

Eventually, Bryce was forced to bring in Maori from other parts of the North Island who were able to identify some of the assembly, and these were drafted out and returned to their districts. By 19 November the *West Coast Times* was reporting that the Government had received telegrams from Bryce confirming that a number of natives have submitted voluntarily, and left Parihaka without, as usual, requiring to be removed. Furthermore, Te Whiti's chief officer or constable, had spontaneously placed in Bryce's hands his greenstone *mere*, the insignia of his authority.²³⁴

Bryce's final responsibility at Parihaka, as tasked by Hall, was the destruction of cultivations belonging to those Maori who had been repatriated. Press commentary on this operation reflected the division of opinion that existed in the European community. The *New Zealand Herald* on 30 December said: 'As a good deal of capital is being sought to be made out of the destruction of native crops at and near Parihaka by Mr. Bryce's orders, it may be well to give the explanation which I have received on very good authority. The fact simply is, that the crops destroyed at Parihaka are merely those planted by the strangers who had no right there, and assembled there in defiance of the Government'.²³⁵

The *Auckland Star* expressed the disquiet which was beginning to be felt when it reported that people 'who supported the movement on Parihaka are asking whether some of the recent measures are not going too far',²³⁶ and the *Star* was damning in its criticism: 'Having told the feelings of the Natives with regard to the destruction of their crops, it is but right to say that the Constabulary obey

²³² G.W. Rusden, *History of New Zealand, Volume III*, Melbourne: Melville, Mullen and Slade, 1883, p. 299.

²³³ *Evening Post*, Volume XXII, Issue 121, 21 November, 1881, p. 2.

²³⁴ *West Coast Times*, Issue 3937, 21 November 1881, p.2.

²³⁵ *New Zealand Herald*, Volume XVIII, Issue 6277, 30 December 1881, p. 5.

²³⁶ *Auckland Star*, Volume XVII, 3552, 24 December 1881, p. 3.

the orders of Mr Bryce with as much reluctance as drilled soldiers can exhibit. They do what they are told with the greatest disgust for the work they have to perform. They all bitterly regret having to destroy unripe crops, and, thinking of the presents of food made to them by the Natives, reproach their own nation with ingratitude and ruthless severity'.²³⁷ In a telegram to Rolleston on 22 November, Bryce acknowledged the problem he was creating when he grudgingly said 'Should additional difficulty arise from want of food, I propose to give the dispersed men road work at low wages; but I will carefully avoid all pampering'.²³⁸

Though the press, and the settler population at large, were generally supportive of the action on Parihaka, and relieved that the problems of the West Coast appeared to have been solved with no bloodshed, there were differing opinions, often based on political differences, illustrated by the following two excerpts.

The *New Zealand Herald*, a government supporter reported:

Both here and at Home, both doubt and fear will have been diminished, if not removed, by the successful result of the expedition against Parihaka. The Government commenced by being just, by appointing a Commission to remedy any native wrongs, it then enforced its policy of repression with prudence and firmness, and it has ended with success the accomplishment of its object without bloodshed. ... The operations against Parihaka possess the greatest importance as the initiation of a resolute policy based upon the assertion of the supremacy of the law. By the Treaty of Waitangi the Maori is rendered the equal of the European community. Hitherto he has been treated as superior to him. He has violated the law with impunity.²³⁹

The *Lyttelton Times* who consistently opposed the Hall government took them to task for the 'blundering and plundering at Parihaka' and of Bryce said:

Probably, like most half-educated men, he has that smattering of information which makes him think he ought to be a law unto himself. His nature is narrow, obstinate, and autocratic. ...What law, we ask has made Mr. Bryce the controller of human liberties and lives? ... It is fortunate for the good name and for the welfare of the colony, that the selfish and aggressive instincts of Messrs Bryce and Atkinson, have been for a time at least overruled by Te Whiti's higher and nobler qualities.²⁴⁰

²³⁷ *Star*, Issue 4269, 27 December 1881, p. 3.

²³⁸ Rusden, p.299.

²³⁹ *New Zealand Herald*, Volume XVIII, Issue 6232, 7 November 1881, p. 4.

²⁴⁰ *Lyttelton Times*, 17 November 1881.

Rolleston in an election speech made at the end of November had the *Lyttelton Times* 'in chancery' for its hypocrisy. He drew attention to a leading article in that newspaper on 6 July 1879 which said 'One of the rumors that has reached us speaks of the planning of a raid on Parihaka, and another mentions that the Government hope soon to bag Te Whiti and Titokowaru. We can only hope that these rumors are true. ... and effectually secure the peace of the colony'.²⁴¹

Bryce's last act in the Parihaka saga was the introduction of a further two pieces of legislation, The West Coast Peace Preservation Bill, which Riseborough describes as the Te Whiti and Tohu Detention Bill,²⁴² and the Indemnity Bill. The Peace Preservation Bill included a clause whereby Te Whiti and Tohu would not be tried but kept in custody at the Governor's pleasure for as long and in such a place as he sees fit. To prevent Maori attending meetings at Parihaka the Act provided that an assembly of more than 20 Maori would be deemed illegal,²⁴³ and could be apprehended if they refused to disperse. The Indemnity Bill set out that as the proceedings at Parihaka may have been in excess of legal power, persons who acted outside the law should be indemnified.²⁴⁴

The Act passed through both Houses unquestioned, but the passage of the Peace Preservation Bill resulted in heated debate. At its second reading on 28 May, Grey congratulated Bryce for 'his action under circumstances of great trial and anxiety' but objected to the Preamble to the Bill that adjudged Te Whiti to be guilty of certain offences. However he agreed with the main provisions of the Bill as 'it would be dangerous to the peace of the colony to release Te Whiti and Tohu now'.²⁴⁵ Bryce expressed his pleasure at Grey's generous words and thanked Sheehan for his support of the government policy since he had become Native Minister. Grey urged that the Bill be altered in several respects in committee. The second reading was carried.²⁴⁶

²⁴¹ *Timaru Herald*, Volume XXXV, Issue 2244, 30 November 1881, p. 2.

²⁴² Riseborough, *Days of Darkness*, p.191.

²⁴³ In Committee Clause 7 of the Bill was altered to read 50 natives instead of 20.

²⁴⁴ *Hawera & Normanby Star*, Volume III, Issue 254, 29 May 1882, p. 2.

²⁴⁵ *Hawera & Normanby Star*, Volume III, Issue 254, 29 May 1882, p. 3.

²⁴⁶ *Wanganui Herald*, Volume XVI, Issue 4685, 3 June 1882, p. 2.

At the third reading of the Bill on 9 June, MacAndrew, member for Port Chalmers gave an impassioned speech against it. He referred to the bill as 'one of the foulest blots that had ever appeared on our Statute Book' and fervently hoped that the Governor would interpose 'to save us from ourselves'. However when the Bill was put to the vote the government had a majority of thirty-five, though Grey and several members of the Opposition walked out.²⁴⁷

The *Timaru Herald* reported on 14 June that the Governor had been granted six months leave to visit England and it was expected he would depart shortly, and the *Auckland Star* confirmed that: 'Sir Arthur Gordon went away and did not assent to the Peace Preservation nor the Indemnity Bill, leaving Sir James Prendergast to do so'... 'to avoid giving his assent to these (to him) distasteful bills.'²⁴⁸

Parihaka is a divisive topic in New Zealand today, but in 1880 it was a concern that had the potential to lead to conflict and highlighted many different issues, with the future of three groups dependent on the outcome.

Maori grievances on the West Coast were genuine, the product of over fifteen years of promises, prevarication and procrastination, and the abject failure of successive governments to honour their commitments. This was acknowledged through their successive reports of the West Coast Commission.

Te Whiti, likewise, is central to the Parihaka story, and must bear some culpability for the destruction of his dream and the opportunity for Taranaki Maori to realise claims to part of their birthright. His intransigence, his refusal to communicate with the West Coast commissioners, the Governor and other government agents, his increasingly inflammatory speeches, and his protest actions which intimidated settlers, all combined to provide a cultural disconnect and ultimately the pretext for the conflict which followed.

In spite of the Hall Ministry's avowed intention to follow the Commission's recommendations, over the next fifteen months because of more failures to communicate, partly caused by the abortive attempt to arrange a meeting

²⁴⁷ *Star*, Issue 4408, 10 June 1882, p. 3.

²⁴⁸ *Thames Advertiser*, Volume XIV, Issue 4362, 30 June 1882, p. 2.

between Te Whiti and the Governor and Te Whiti's treatment of Parris when he visited Parihaka, the government neglected to implement, or even officially advise, the recommended reserves, and certainly did not treat their claims with generosity. This left the Parihaka community in an invidious position, the road making and delineating of land for sale was encroaching on the land on which they had lived for many years, without either the assurance that they could remain *in situ*, or the offer of an alternative. Therefore, the stalemate continued, as did the daily fencing duel between Maori and Armed Constabulary, with the attendant arrest and imprisonment of many. These protest actions, together with what the government considered illegal use of land and what were seen as aggressive speeches, provided the pretext for immediate retaliation.

At the same time the actions of ploughmen and fencers created tension within the settler population on the Plains. Many of these settlers had been affected by previous experiences of Maori 'prophets' of peace. Te Ua Haumene's Pai Marire, Good and Peaceful, movement founded in 1862 at the foot of Taranaki Mountain, ended up being subverted by violent elements and the Hauhau faction very quickly became synonymous with violence and many settlers, including Bryce, lost friends and property to their depredations. One of the Pai Marire warriors at the battle of Sentry Hill was Titokowaru, who declared 1867 as 'the year of the daughters, the year of the lamb' as he took his message of peace and reconciliation around Taranaki. However, by the end of 1868, reacting to the 'creeping confiscation' of his tribal land, he launched what became Titokowaru's war, which, though in short duration, was extremely violent as Titokowaru proved himself a skilled tactician, winning several major victories that almost brought the colony to its knees,²⁴⁹ and Titokowaru was now prominent at Parihaka.

With these precedents it was not surprising that the settlers on the Plains would regard Maori 'prophets' with suspicion. Therefore, when Te Whiti's September speech at Parihaka was reported as being laced with references to

²⁴⁹ 'Titokowaru's war', URL: <http://www.nzhistory.net.nz/war/titokowarus-war>, (Ministry for Culture and Heritage), updated 7-Feb-2013.

‘pakanga’, fighting, with phrases such as ‘All our talk today is of fighting, and nothing is now left but to fight. The peace that existed has passed away; there is no peace now; ... and all the talk will be of fighting, for nothing but fighting will put what is wrong right. ... It is only talk to-day, but I send forth pakanga on the land today, on to the land sold by the Government’,²⁵⁰ it revived memories of past conflicts, and heightened their demands for a resolution.

The Government too had its own reasons to resolve the ‘west coast difficulty’. Riseborough argues that the raid on Parihaka was the result of a determination on the part of Europeans to force Maori to submit to European law and supremacy, rather than the need for land. In an effort to contain Maori self-determination and separatism, the government proposed to settle a close European population on the plains, a view Bryce had often voiced, and in that context Parihaka, and particularly Te Whiti posed a threat.²⁵¹ Belgrave considered that the government was faced with a difficult choice ‘either break Parihaka or abandon the implementation of the remaining confiscations. Parihaka was far too successful as a model of resistance for the government to allow it to remain unchallenged.’²⁵²

The government’s treatment of Te Whiti therefore was a response to settler pressure for security and the unfettered use of their land, the European belief in the superiority of their culture, and a government who recognised that while Te Whiti held sway at Parihaka his mana diminished that supremacy.²⁵³ Economic factors also entered the government’s reckoning, by 1880 the colony’s finances were in a parlous state and the opportunity to sell productive land to the influx of settlers who had arrived in New Zealand was an attractive prospect.

In the end it was a combination of three factors: timing, motive and opportunity that precipitated the action on 5 November 1881.

The fact that Governor Gordon was out of the country removed one obstacle. Secondly, Te Whiti’s injudicious and out-of-character September speech

²⁵⁰ *New Zealand Herald*, Volume XVIII, Issue 6191, 20 September 1881, p.5.

²⁵¹ Hazel Riseborough, *Policies and Prophecies: Aspects of Government Native Policy in Taranaki 1878-1884*, PhD Thesis, Massey University, 1987, p.viii.

²⁵² Belgrave, p. 254.

²⁵³ Riseborough, *Policies and Prophecies*, p.281.

provided a pretext, and lastly a numerically superior force was already in place and could easily be re-enforced. With all these considerations in their favour, the government recalled Bryce and what followed was inevitable.

Twenty years later Bryce justified the outcome saying: 'But whether it was just or unjust, cruel or benevolent, wicked or righteous (on all of which points I hold a satisfactory opinion), at all events it was completely successful and a successful 'fiasco' seems to me to be a contradiction of terms.'²⁵⁴

²⁵⁴ *Press*, Volume LX, Issue 11494, 29 January 1903, p. 5.

Chapter 7

RIDING ROUGHSHOD CROSS COUNTRY: Tawhiao and the King Country

As most contemporary newspaper editorials showed, the majority of settlers approved of the action taken at Parihaka by the Hall government and this provided Bryce with the justification for continuing his policy of harsh measures to force Maori to submit to European law and supremacy. This was most evident in his dealings with Tawhiao and his followers, the Kingites, as he moved to 'open up' the King Country and further his often-repeated belief in the stability provided by European settlement.

Bryce's negotiations and dealings with Tawhiao, Rewi and other Kingite chiefs have been scrutinised in the comprehensive 2011 Waitangi Tribunal Report written by the Tribunal's Principal Research Analyst, Cathy Marr, on the Te Rohe Potae district inquiry, and by David McCan as part of his PhD research undertaken through the Centre for Maaori (sic) Studies and Research at the University of Waikato. This traced the origins and history of the Waikato Raupatu claim, including the negotiations with King Tawhiao and the Kingites at Whatiwhatihoe in November 1882 and the thesis was subsequently published in 2001 as *Whatiwhatihoe: The Waikato Raupatu Claim*.²⁵⁵ Additional secondary sources relating to Bryce's involvement with the King Country include a 1953 report by a distinguished scholar and parliamentary historian,²⁵⁶ A.H. McIntock, and an article *Behold, a Kite Flies Towards You*, published in the New Zealand Journal of History by Tui Adams, Ngahinaturae te Uira and Ann Parsinson. An interesting primary source is Mrs Rolleston's diary, a record of the journey Bryce took, in company with the Rollestons and their daughter, from Kawhia to Waitara in 1883.

Marr is very critical of Bryce; as a Waitangi Tribunal Research Report it has its own agenda and reflects a 21st century perspective and mores, whereas McCan's

²⁵⁵ David McCan, *Whatiwhatihoe: The Waikato Raupatu Claim*, Wellington: Huia Publishers, 2001.

²⁵⁶ R.P. Boast, *Treaties Nobody Counted On*, www.victoria.ac.nz/law/research/publications/vulwr/.../03-Boast.pdf.

was 'to present the history of the claim very directly'. McIntock's report examines whether a 'sacred or solemn pact' was entered into between the 'Government of New Zealand and the Maori Chiefs of the King Country' on the supply of liquor and, in Section II, whether the negotiations conducted by Bryce on the railways involved such a pact. He found that 'In all these meetings there was no suggestion of "pact" or "bargain"'.²⁵⁷

Behold, A Kite flies Towards You is subtitled *The Kingitanga and the 'Opening' of the King Country*, and is a resumé of the efforts to 'open' the King Country to development, and of the different government personalities involved. It describes McLean as 'respected', Grey, causing them problems and Bryce 'most difficult of all'.²⁵⁸

With the events at Parihaka still large in the colony's consciousness, the press had their own interpretation of the 'remarkable change which has come over the aspect of Native affairs':²⁵⁹

Mr Bryce adopted a policy diametrically opposed to that of his numerous predecessors, or rather, he dispensed with a policy altogether, and just left the King Natives entirely to themselves, making no distinction whatever between them and any other class of the Queen's subjects. The effects of this sound and statesmanlike system are now abundantly visible.²⁶⁰

Despite Hall's assurance that Bryce would soon visit when 'Tawhiao could speak more fully',²⁶¹ Bryce continued with his policy of side-lining the Maori King and chose to meet first with the Ngatimaniapoto leader Rewi.²⁶² Rewi told Bryce that if he did not have to consider Tawhiao he would have settled the matter long ago and that he had counselled Tawhiao to allow Europeans to occupy the land instead of listening to opponents of occupation.²⁶³

²⁵⁷ A.H. McIntock, *An Examination of the Facts concerning a Sacred or Solemn Pact, Covenant, Pledge or Treaty said to have been made between the Government of New Zealand and the Maori Chiefs of the King Country*, 1953, ATL, MS-Papers 2470, p. 13.

²⁵⁸ Tui Adams, Ngahinaturae te Uira and Ann Parsonson, 'Behold a Kite Flies Towards You' in *New Zealand Journal of History*, Volume 31:1, 1997: pp.99-116

²⁵⁹ *Evening Post*, Volume XXIII, Issue 14, 18 January 1882, p. 2

²⁶⁰ *Otago Daily Times*, Issue 6225, 23 January 1882, p. 2.

²⁶¹ *Bay Of Plenty Times*, Volume XI, Issue 1232, 7 March 1882, p. 2.

²⁶² *Evening Post*, Volume XXIII, Issue 45, 24 February 1882, p. 2.

²⁶³ *Grey River Argus*, Volume XXVI, Issue 4207, 24 February 1882, p. 2

With issues like these to settle with Rewi and Maniapoto, Tawhiao called for a meeting of Kingites at Whatiwhatihoe in May 1882, and extended a general invitation to Europeans to attend. Bryce made it clear that he would not come unless he received a direct invitation, which Tawhiao declined to issue, and Bryce continued with his policy of ignoring the King until he considered the time was right.

For many reasons Tawhiao's May meeting was not the great success he sought. Hall wrote that the Whatiwhatihoe meeting had been a great failure, he referred to much drunkenness at it and said he was delighted that, 'instead of consolidating the King's influence, he was sure this meeting would have diminished it'.²⁶⁴ It was originally planned to begin on 1 May but because constant rain and flooding delayed the arrival of several tribes, the meeting did not get underway until two weeks later. In their frustration, the Europeans who were waiting in Alexandra wrote to tell Tawhiao they were 'returning to their homes, having become weary of the delay'.²⁶⁵

Finally on 12 May the Europeans were summoned to attend the start of the meeting to be told by Te Ngakau, Tawhiao's secretary and chief orator:²⁶⁶

It is true that an invitation was sent by Tawhiao that you should be here this morning, and now that you are here, let me say that the Native Lands Court puts forward its notification that the Court will be opened on a certain day, and when the tribes gather to the Court, it is proclaimed that the business will be proceeded with on the morrow. So, in accordance with your European customs, I have to announce that the speeches will be delivered tomorrow.²⁶⁷

Robert Bush, Resident Magistrate, attended as the government representative and made a comprehensive report of the proceedings to Bryce.

Opening the public forum on 15th May Tawhiao called for a prohibition on leases, surveys, sales, roads, and the operation of the Land Court in the district

²⁶⁴ Cathy Marr, 'Te Rohe Potae Political Engagement 1864-1886', *Waitangi Tribunal Report WAI 898, 2011*, p. 605

²⁶⁵ *Waikato Times*, Volume XVIII, Issue 1555, 6 May, 1882, p. 2.

²⁶⁶ James Cowan, 'Famous New Zealanders: No. 23: Wahanui', *New Zealand Railways Magazine*, Volume 8, Issue 11, Wellington: 1953, p. 18.

²⁶⁷ *New Zealand Herald*, Volume XIX, Issue 6392, 13 May 1882, p. 5.

until Maori could be involved in the process. He urged that no one claim land at Kawhia or interfere with Mokau, forbade the mining of gold on Maori land and asked that Parliament move to Auckland so that he could attend.

Bush reported to Bryce that the meeting endorsed that Tawhaio be the only person responsible for managing negotiations and affairs. With reference to Kawhia, Bush explained that the Kingitanga people saw Kawhia as theirs by right and occupation as it had never been confiscated and Europeans who had left during the wars had not re-occupied their land.²⁶⁸ He recommended the government co-operate with the Kingites in the protection of their lands, as he knew this was in line with the policy Bryce was developing to create reserves to provide Maori with protection against speculators, while providing some income by leasing.

Tawhiao did not appear until the afternoon on the last day by which time he was 'nearly free from the effects of drink'. He then closed the meeting saying that nothing evil would be tolerated or approved by him in the future; a reference to his conversation with Whitaker in Auckland.

To monitor Bryce's instructions against dispensing liquor at Whatiwhatihoe, extra constabulary were in attendance, which provided the opportunity to obtain information on Maori fugitives in the King Country, the arrest of whom was a priority for Bryce. Two chiefs present at the meeting, Pakara and Epiha, who had been involved in the shooting and wounding of a surveyor, McWilliams, were identified and Sergeant McGovern and Constable Gillies were instructed by Bryce to arrest them. The two men were covertly followed by constabulary on horseback as they left Whatiwhatihoe, and arrested in an ambush after a 'rough and tumble scrimmage' resembling 'a maul in gaol'.²⁶⁹

A month later Bryce's fugitive offensive was rewarded with another arrest as a result of information gained at the May meeting when McGovern and Gillies arrested the long-sought Winiata. Winiata, who was a relative of Tawhiao, was suspected of killing a fellow worker, Packer in 1876, and made for the King

²⁶⁸ 'Lands Purchased from Natives in North Island', *AJHR*, 1992 Session I, G-04, pp. 1-4.

²⁶⁹ *New Zealand Herald*, Volume XIX, Issue 6399, 22 May 1882, p. 5.

Country where he took sanctuary under the protection of the Kingites. Over the intervening six years no effort had been made to send forces into the King Country to arrest him.

McGovern and Gillies knew they would have to lure Winiata outside the protection of the autaki so they developed a friendship with a half-caste, Barlow who, with the lure of the £500 reward agreed to become an accomplice. The plan involved Barlow arranging to buy some pigs from Winiata providing he delivered them to Barlow's land. The officers provided Barlow with money to buy the pigs, and also grog with which to ply Winiata. As arranged Winiata, with four friends, delivered the pigs on 26 June. The whole party drank to excess and when Winiata was unconscious Barlow tied him to a horse and, after riding all night, handed him over to Gillies at Te Awamutu. Bryce was advised of the capture by Major Jackson, and the settler press attributed the success of the 'heroic and clever capture' to his 'significant change of government policy'.²⁷⁰

A postscript to the affair, which showed Bryce's increasing irrationality was that he refused to sanction the re-imbursement of the £37.10 of what he referred to as 'unauthorised expenses' incurred by McGovern and Gillies. He was chastised by the *Auckland Star* for his 'harsh and unjust decision' which is an example of 'that obstinacy and harshness in small things which has made his rule unnecessarily irritating and unpopular, both among natives and Europeans.'²⁷¹

The question of amnesties was becoming a topic of discussion and it was brought sharply into focus for Bryce and the government, when, encouraged by the climate of arrest and trial which had occupied the public imagination for the last few months, a private individual attempted to arrest Wetere Te Rerenga, who many people considered had been an accomplice in the killing of Rev Whiteley and others at the White Cliffs in 1869. Te Rerenga, who claimed to hold a letter from Donald McLean written in 1875 giving him an assurance that

²⁷⁰ Marr, pp. 628-9.

²⁷¹ *Auckland Star*, Volume XXVI, Issue 4449, 18 August 1884, p. 2.

the past would be forgotten, had been employed by Bryce as a Maori assessor and was a key figure in King Country negotiations. However when it became known that he was visiting Wellington to discuss Mokau affairs, a relative of Rev Whiteley took the opportunity to have him arrested. The *New Zealand Herald* warned: 'We should think that unless an amnesty is published including Te Wetere, Mokau and the King Country will still remain closed.'²⁷²

When questions were asked in the Legislative Council, Whitaker, the Attorney-General, maintained that the government 'neither brought Te Rerenga here nor sent him away'; but later admitted that 'desiring to prevent all trouble, Mr Bryce communicated with a friend' of Te Rerenga, and advised him it would be judicious 'to make himself scarce'.²⁷³

Responding to these events Bryce gave notice in the House on 28 August that he would ask leave to introduce an Amnesty Bill. This entitled the Governor to declare an amnesty for specified offences 'more or less of a political character'. It was emphasised that 'the Bill is not a pardon or amnesty in itself but enables the Government to issue a proclamation of pardon with exceptions or without exceptions' and would not affect the West Coast Peace Preservation Act, 1882, therefore ensuring that it would not apply to Te Whiti or Tohu. The response to the Bill was generally positive with the newspapers reporting 'Mr Bryce goes to the King country in the recess and this Bill is necessary to prevent his being hampered by the irresponsible actions of private individuals and his policy thwarted'.²⁷⁴

Though the government would not agree to all of the demands made following Tawhiao's May meeting, Bryce proposed a Bill to protect Maori ownership of their land, while making it available for settlement or development. The Natives Reserves Act 1882 provided the option of creating significant reserves to protect Maori from the pressure exerted by private speculators and set up a Board, under the Public Trustee, to act as agent or

²⁷² *New Zealand Herald*, Volume XIX, Issue 6475, 18 August 1882, p. 5.

²⁷³ *New Zealand Herald*, Volume XIX, Issue 6475, 18 August 1882, p. 3.

²⁷⁴ *Nelson Evening Mail*, Volume XVII, Issue 193, 30 August 1882, p. 2.

administrator in the interests of the owners. This was in line with the proposal Bryce had tentatively outlined in his Statement made on becoming Native Minister in 1879.

There was significant opposition to the Act in the House from 'that numerous class who have made money out of Native lands and Native reserves in the past, and who hope to make more in the future' and also those who opposed the proposed constitution of the Board basing their objection on the danger of patronage, particularly targeting the influence exercised by the Colonial Treasurer, instead recommending the introduction of an independent element to the Board.²⁷⁵

The *Wanganui Chronicle* maintained there was a large and influential body of Maori who supported the Bill as it would provide the security of tenure which they required. This, however, was not the feeling of all Maori. Wairarapa natives held a meeting at which they protested against the passing of the Native Reserves and Crown and Native Lands Rating Bills and issued a manifesto to the effect: "We are going to send delegates to all the native tribes of New Zealand to petition the Government to have the Bills thrown out. We will resist them to the death whatever the consequences may be."²⁷⁶ Opposition to the Bill also came from the four Maori representatives who expressed the fear that while the measures would principally work for the benefit of the settlement of the colony and Pakeha, it 'would take from the natives the control of their own estate, and might prejudicially affect their pecuniary interests'.²⁷⁷

Bryce was annoyed that the Bill was opposed by some government supporters in particular Captain Morris, the Ministerial whip, who spoke against the Bill, and warned that he reserved the right to vote as he thought fit on all amendments during the committee stage.²⁷⁸ He did not record a vote in the division, but notwithstanding this, the second reading was carried by a majority of forty to

²⁷⁵ *Wanganui Chronicle*, Volume XXIV, Issue 9662, 2 August 1882, p. 2.

²⁷⁶ *Daily Telegraph*, Issue 3480, 1 September 1882, p. 2

²⁷⁷ *Wanganui Chronicle*, Volume XXIV, Issue 9662, 3 August 1882, p. 2.

²⁷⁸ *New Zealand Herald*, Volume XIX, Issue 6436, 4 July 1882, p. 4.

thirty-four²⁷⁹ and Bryce was praised for acting with firmness and spirit in the face of opposition from his own supporters, as the bill was considered one of the most important introduced for many years.²⁸⁰ The passing of this legislation gave Bryce the legislative authority, the tools and the will to negotiate a settlement with Tawhiao and there was optimism that during the Parliamentary recess he would achieve this aim.

However, Bryce was becoming increasingly unpopular on several fronts as his egotism and parsimony infuriated his colleagues and the public. He was also under attack for his insistence on moving the Native Land Court to Wellington and it was reported that Atkinson was ready to 'pitch' Bryce over as there seemed little chance of Whitaker and Bryce working together.²⁸¹



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²⁷⁹ *New Zealand Herald*, Volume XIX, Issue 6458, 29 July 1882, p. 4.

²⁸⁰ *Wanganui Herald*, Volume XVI, Issue 4753, 23 August 1882, p. 2.

²⁸¹ *Thames Star*, Volume XIII, 4270, 7 September 1882, p. 2.

²⁸² Whitaker on left as a cat, Bryce in the centre as a dog with his front paw on a bone marked Native Lands Office, Cabinet Minister Dick slinking away from scene. Whitaker and Bryce fighting over control of Native Lands Office. ATL A-095-027.

When Bryce received a long letter from Tawhiao asking when his promised visit would take place, he was ready and sent his secretary, Butler, to prepare the ground. The interview with Butler was 'of the friendliest character', and Tawhiao expressed a wish to see Bryce as soon as possible. It was agreed they would meet in Alexandra on Friday, 29 October, with the ceremony of the opening of the new bridge planned for Saturday.²⁸³ At this first meeting the King said, "At last I have seen you, and I welcome you to Whatiwhatihoe to meet the children, the women, and the old people". Bryce invited Tawhiao to come to Alexandra the next morning to drive over the bridge together, but in accord with Maori etiquette, which requires *tangata whenua* to meet the visitor on his own soil, Tawhiao declined.²⁸⁴

The next morning, Bryce and his party crossed the bridge to Whatiwhatihoe to be formally welcomed on to the marae. Tawhiao's speech explained that the day was to be a day of greetings and getting to know one another, rather than speaking business, which would wait until it was 'a fine day, when it is warm, so that I may not be as I am now, clothed with blankets'. Bryce replied in the same vein, adding 'When we come to speak of matters concerning Tawhiao and the tribes, then I shall speak plainly, as I always do, and I express the hope today that Tawhiao also will speak plainly to me ... I stand here ready to be your friend if you choose to accept me as such'. Tawhiao moved to sit beside Bryce saying: 'I will go and sit beside you, because we have been apart for a long time and now we are together'. Marr makes an assumption that this meeting was awkward for Bryce and that 'he may have been furious', as 'he and his officials appeared to have been comprehensively out-manoeuvred'²⁸⁵ over the bridge crossing, but in no contemporary reports of the day was there any suggestion that this was the case, and in fact, Maori expressed their surprise 'at the quiet and unostentatious manner of the Native Minister'²⁸⁶.

When Bryce returned to Whatiwhatihoe on Monday 30th there were about 400 Maori present, and several Europeans as it was expected that substantive talks

²⁸³ *New Zealand Herald*, Volume XIX, Issue 6534, 26 October 1882, p. 5.

²⁸⁴ *Auckland Star*, Volume XVI, Issue 3813, 28 October 1882, p. 2.

²⁸⁵ Marr, p. 651.

²⁸⁶ *New Zealand Herald*, Volume XIX, Issue 6537, 30 October 1882, p. 6.

with Tawhiao would begin. Tawhiao began the proceedings by referring to his arrangement with McLean, particularly with regard to his personal authority over the land of his ancestors, saying 'My word about these townships is that they are all with me. I do not interfere with what is yours, and I have the control of what is my own'.²⁸⁷

In reply, Bryce touched on Tawhiao's reference to McLean suggesting they look to the future rather than go back into the 'dark and stormy day' of the past, he said that he was ready to begin negotiations in the spirit of 'first fruits' the name given to the bridge, to which Tawhiao replied that this was his first experience of building 'bridges of co-operation'. Bryce told the meeting that in the interests of fairness he would indicate what the Government was prepared to do, as it was important that rather than telling Tawhiao what was pleasant to him he would say what was in his mind, and the details would be discussed later with the chiefs. However he did say publicly as a Minister of the Queen, that the country was not large enough to support two authorities, and the sovereignty of the Queen must extend over the whole colony. He concluded by impressing on Maori that the government were motivated by a wish for their welfare, and promised to return to hear their reply.²⁸⁸

By the time Bryce returned to Whatiwhatihoe, having consulted with Whitaker in the interim, Te Wheoro had presented the Kingites with Bryce's proposals. These included the return of the bulk of the land confiscated west of the Waipa and Waikato Rivers, the land Tawhiao had requested in Kaipara, and an offer to press Ngatimaniapoto to provide some land for the Waikato people. The Government also undertook to build and furnish a house for Tawhiao, pay him a salary of £400 and appoint him as an assessor of the Resident Magistrate's Court and the Native Land Court, make him a Justice of the Peace and a member of the Legislative Council.²⁸⁹

Tawhiao instantly approved of the three land proposals, but wanted the remainder of the terms to be held in abeyance until they could be considered

²⁸⁷ *Waikato Times*, Volume XIX, Issue 1611, 31 October, 1882, p. 2.

²⁸⁸ *Waikato Times*, Volume XIX, Issue 1611, 31 October, 1882, p. 2.

²⁸⁹ *New Zealand Herald*, Volume XIX, Issue 6541, 2 November 1882, p. 5.

more fully. Bryce explained that the proposals were made to finally settle the 'troubles between us, and not to have some question as trouble outstanding for another day', and that everything had to be accepted or declined as a whole. Tawhiao asked for time to consider the proposition with his chiefs, saying he would have a reply by Saturday. Bryce agreed but said at that time he would insist on a decisive answer or he would leave for Auckland that afternoon and take his 'good and liberal' proposals with him, though it would be in deep sorrow. On his return it was plain that a stalemate had been reached in spite of the chiefs having spent long hours in deliberations, and Bryce invited any man of influence, 'a friend of Tawhiao', to speak. Wahanui rose to his feet and in a series of exchanges with Bryce it became obvious that the issue of the loss of the King's mana and the exclusive sovereignty of the Queen was an insurmountable obstacle to the Kingites accepting the proposed package. Tawhiao confirmed that the responsibility of accepting or rejecting the proposals rested with Wahanui, and they were rejected. Bryce, bidding all good day, left for Alexandra.²⁹⁰

The decision at Whatiwhatihoe caught many commentators by surprise, as the negotiations had been entered into with such confidence. The consensus was that Bryce had acted too hastily and that a different outcome could have been achieved if he had allowed more time and shown more patience. On a visit to Kawhia in early December, Tawhiao said: 'I do not think any the worse of Mr Bryce for his straightforward speaking, for he spoke as one man to the other, the only thing I felt grieved about was his leaving me in the manner he did, for I think the least he could have done was to have shaken hands with me. Perhaps, however, this eccentricity is due to his European breeding'.²⁹¹

One of the consequences of the Whatiwhatihoe meeting was that Bryce considered Tawhiao an ineffectual leader and thereafter resolved to bypass him in future negotiations.²⁹² Therefore, in his determination to 'open' the King Country, he initiated direct talks with the leaders of Ngatimaniapoto, aimed a

²⁹⁰ *Waikato Times*, Volume XIX, Issue 1614, 7 November 1882, p. 2.

²⁹¹ *New Zealand Herald*, Volume XIX, Issue 6571, 8 December 1882, p. 5.

²⁹² McCan, p. 137.

particularly painful blow at Tawhiao by moving on his beloved Kawhia,²⁹³ sent surveyors into the King Country and undertook his own journey through the rohe.

While Tawhiao was on a tour of Taupo and the south, Bryce moved to open up Kawhia harbour. A despatch written in 1873 by the Officer Administering the Government, G.A. Arney to the Secretary of State for the Colonies said 'this exclusive arbitrary control of an extensive and commodious harbour forms perhaps the most real, if not the only symbol of true sovereignty held by Tawhiao'.²⁹⁴ Therefore, the Government's interest in founding a township at Kawhia was political rather than practical, to impress on Tawhiao and his people the power of the State, and was an expression of Bryce's frustration.

In February 1883, Bryce sailed to Kawhia on the government steamer *Stella*, with Rolleston, his wife, Mary, and seventeen-year-old daughter, Rosamond, and surveyors, Hursthouse, and Percy Smith. The Kawhia chief Hone Wetere provided food for the party, and 'professed himself very friendly – and disposed to throw no obstacles in the way of the Government'.²⁹⁵ During the time in Kawhia, Captain Fairchild, the master of the *Stella*, marked the channel with buoys and Smith planned the township. To demonstrate to settlers that the inland route to Kawhia, through the King Country was open, Bryce, the Rolleston family, and the party of surveyors, rode overland to Alexandra, despite challenging conditions.²⁹⁶ Bryce and his party did not immediately continue the journey with Rolleston and the reason became apparent when it was reported by the *New Zealand Herald* on 13 February, the day that the 1882 Amnesty Act came into effect, that Bryce had met and pardoned Te Kooti. This was done at the insistence of Rewi, and it was clear that the meeting and the pardon were political gestures to satisfy Maniapoto.

Te Kooti was nervous in spite of assurances about his safety and refused to leave the Rohe Potae, meaning that Bryce had to go to him at Mango-o-rongo.

²⁹³ Adams, Te Uira and Parsonson, p. 116.

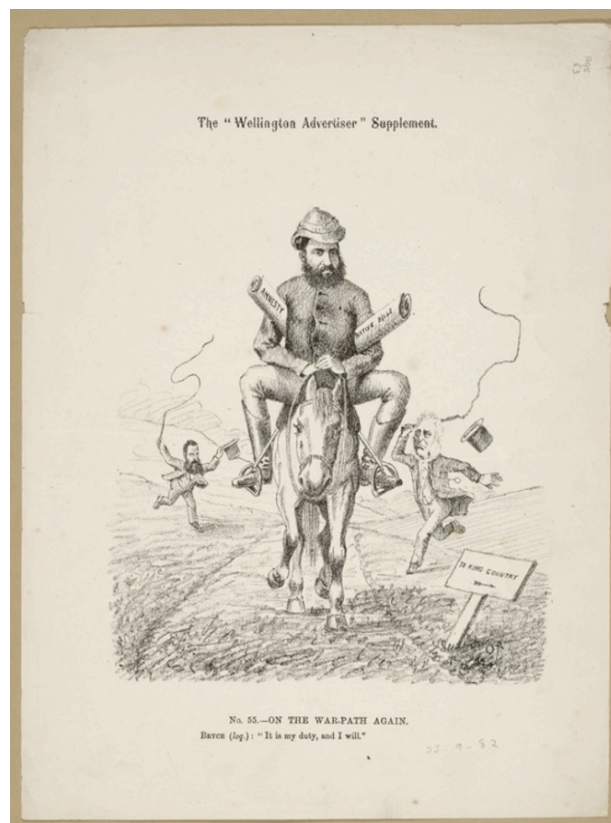
²⁹⁴ 'Despatches from the Governor and the Secretary for State', *AJHR*, 1873 Session 1, A-01a, p. 16

²⁹⁵ The Diary of Elizabeth Mary Rolleston, A.T.L., MS-1827, pp. 2-8.

²⁹⁶ Rolleston, pp. 11-15.

After shaking hands Te Kooti said 'Mercy and truth have met together; righteousness and peace have kissed each other' but Bryce asked for evidence of 'repentance' and a guarantee of future peaceful intentions. To which Te Kooti replied:

This is the 10th year that has gone by since I ceased holding the sword which I laid at the feet of the King. ... Today you have only just [spoken] of something which I had already ceased speaking about long ago, that I would not return to that occupation, to killing men. But today I repeat for the second time my statement that I will not return to that occupation²⁹⁷.



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Like so many of Bryce's actions Te Kooti's pardon polarised popular settler opinion. Whereas the *Waikato Times* saw it as a pragmatic condition for the opening up of the Maniapoto lands, the residents of Napier burnt an effigy of Bryce, astride his white charger.²⁹⁹ The government justified its action by

²⁹⁷ Translation from 'Native Affairs and the Amnesty', *AJHR*, 1883 Session I, A-8, p.5.

²⁹⁸ Bryce on horseback plodding towards the King Country with rolls of paper on the left and Frederick Whittaker on the right. The cartoon suggests Bryce is reluctant to grant an amnesty to Te Kooti, though his reported speech 'it is my duty and I will' suggests he is aware it has to be done. ATL A-095-053.

²⁹⁹ Judith Binney, *Redemption Songs: a life of Te Kooti Arikirangi Te Turiki*, Wellington: Bridget Williams Books, 2012, pp. 308-311.

saying that Te Kooti was not being given a separate pardon, but was included in a general amnesty.³⁰⁰

On the same day that he met Te Kooti, Bryce sent a telegram to Wetere advising that he planned to travel overland from the Waikato to Mokau, but he was asked to delay this until after a planned meeting later that month. In the meantime Bryce instructed Hursthouse to begin an exploratory survey for a route for the railway from Alexandra, through Mokau to Taranaki. On three occasions Hursthouse and his party were turned back, but eventually they were stopped by a large party of mounted Ngati Maniapoto and forced to accompany them to Wahanui at Whatiwhatihoe. Wahanui refused to meet Hursthouse, and after trying unsuccessfully to contact Bryce for further instructions, he returned to Alexandra.

Bryce telegraphed Rewi for help. The following day, 16 March, Bryce went with his officials to meet Wahanui and the other chiefs at Whatihatihoe. It was at this meeting that what Marr refers to as a sacred pact, or compact, was said to have been agreed between Bryce and the chiefs.³⁰¹ It was agreed that Hursthouse could continue through to Mokau to assess the possibility of a suitable railway route, Bryce verbally assured the chiefs that there would be 'plenty of time' to finalise matters before the survey started and that Hursthouse would not go until the chiefs had advised communities along the route. Letters to this effect were signed by both parties, (see Appendix 2) and Bryce left. The information was passed to the *Herald* who reported 'The result of the meeting was, that the natives signed an agreement to allow the exploration and survey of the railway route to proceed'.³⁰² 'There was no indication that the agreement of 16 March involved any kind of reciprocal agreement or government undertakings in return for the written permission'.³⁰³

A few weeks later newspapers were questioning whether concessions had been

³⁰⁰ John Carr, *A Study of European Responses to the Pardon of Te Kooti in 1883 and to his intended return to Poverty Bay in 1889*, a Research Exercise, B.A. Honours, Massey University, 1975.

³⁰¹ Marr, pp. 759-781.

³⁰² *New Zealand Herald*, Volume XX, Issue 6655, 17 March 1883, p. 5.

³⁰³ Marr, p. 762.

made to the chiefs in return for their permission for Hursthouse to proceed, as the chiefs seemed to believe. Marr refers to an article in the *Wanganui Herald* of 12 May, sub-headed 'Strange Revelations, A Curious Compact', but there is no mention of the word 'compact' in the piece, it is instead an account by the chief Hataraka, of the discussion of 16 March and apart from agreeing that 'the feet only go along the road, and go neither to one side or the other; keep straight on to the end, and look not to the right or to the left',³⁰⁴ no other agreements were referred to. Hataraka gave his account of the proceedings when he was angry that Bryce had failed to keep one of his conditions by dispatching Hursthouse before the time arranged.³⁰⁵

McLintock whose report was focused specifically on any pacts between the Government and the Kingite chiefs found:

Much, however has been made of Wahanui's statement to Ballance that – 'When Mr Bryce took office, he made a compact with me which was signed, that a search for the railway was to be made'. But a moment's reflection should convince anyone that the arrangements on that occasion were simply what they purported to be and that no hidden or sacred clause, pledging the Government to a certain policy in return for the desired concession was contained herein. No Minister, no matter how powerful, would, on his own responsibility, have dared to enter into such a commitment, and no Government would have upheld him.³⁰⁶

Loveridge in his Waitangi Tribunal report on the opening up the King Country made 'it obvious that there was no single 'pact' between Maori and the Crown which led to the opening up of the King Country'.³⁰⁷

Hursthouse and party set off again from Alexandra on 20 March and had breakfast with Wahanui who expressed his satisfaction that the journey was in progress, before they carried on with Wetere and twenty-five others to Otorohanga. When they reached Te Uira they saw a gathering of

³⁰⁴ *Wanganui Herald*, Volume XVII, Issue 5060, 12 May 1883, p. 2.

³⁰⁵ Marr, p. 762.

³⁰⁶ McIntock, p. 15.

³⁰⁷ Donald M. Loveridge, 'The Crown and the Opening of the King Country 1882-1885,' *Waitangi Tribunal Report WAI #A76*, 2006, p. 207.

Tekaumarua³⁰⁸³⁰⁹ whose leader, Te Mahuki, instructed his men to stop the party and Hursthouse, Wetere, his brother Te Rangi, Newsham and Te Haere, were dragged off their horses. The Europeans were taken to a cookhouse and chained with their hands behind their back and their feet held together, Te Haere who was injured was also held prisoner. On the second morning the prisoners heard the welcome sounds of rescuers arriving in the form of a party of Ngatimaniapoto, and the voice of Te Kooti saying “It is I, it is I my children’. Te Kooti took the prisoners to Te Kuiti, about two and a half miles away, and gave them food and clothing’.³¹⁰

Wahanui and the chiefs left the responsibility of arresting Te Mahuki and his men to Bryce and the colonial authorities. Bryce lost no time in completing the arrangements, the Governor was aroused out of his sleep to sign a proclamation calling out the Te Awamutu Cavalry, and when Mahuki crossed into Alexandra, he was promptly arrested.³¹¹

Bryce now turned his attention to the aborted Hursthouse trip to Mokau, which he was keen to complete before Tawhiao returned from his southern tour and before Parliament resumed for the year. As time was running short he discussed accompanying the surveyors on their journey ‘as a sign of friendship’. Towards the end of March he had meetings with Te Kooti, Wahanui, Rewi and Taonui, to arrange that the trip could go ahead without delay, which the chiefs confirmed under the previously agreed conditions, though the issue of trig surveys was still contentious.³¹² Bad weather held up the start of the expedition, but on 16 April, Bryce and his party of Butler, Wilkinson and Lewis, surveyors, Hursthouse, Newsham and Cussen, two armed constabulary troopers

³⁰⁸ The Tekaumarua (The Twelve) was based on the life and religion of Parihaka. Te Mahuki was one of the arrested ploughmen ordered to return to Te Kumi and the rough treatment of Hursthouse suggests that his work as a surveyor and his evidence as a key prosecution witness in the trials of Te Whiti and Tohu had not been forgotten.

³⁰⁹ Chris Koroheke, ‘Te Muhuki’ from the *Dictionary of New Zealand Biography*, *Te Ara – The Encyclopedia of New Zealand*, updated 20 October 2012
<http://www.TeAra.govt.nz/en/biographies/2t22/te-mahuki>.

³¹⁰ *Star*, Issue 4653, 29 March 1883, p. 3.

³¹¹ *Otago Witness*, Issue 1636, 31 March 1883, p. 10.

³¹² Marr, pp. 837-839.

and two reporters set off, before Wetere Te Rerenga and some of his men³¹³ joined the party the next day. The first night was spent at Otorohanga, from where the party proceeded to Te Kuiti, where they visited Te Kooti who provided them with tea and doughnuts. On the main marae they were formally greeted by Toanui who reminded Bryce of his obligation to 'look neither to the right, left, not behind him', to which Bryce replied that he had no hidden motive for his journey.

The trip to Totara on the Upper Mokau, was arduous. The party forded the river twice before the group of eight Pakeha and seventeen Maori got in two canoes and went down the river towards the river mouth fifty miles away. Bryce acknowledged that the journey would be almost impossible without Maori help.³¹⁴ It was reported 'that unless a better route for the railway could be discovered it would be 'a work of enormous labour and expense'.³¹⁵

When Bryce and his party arrived at New Plymouth Railway Station late at night, the town band welcomed them with a rendition of "Johnny comes Marching Home", and he was presented with an address. In his reply Bryce praised Te Wetere and said he was the first representative of the Crown to pass through the King Country, which was now opened. He also cabled the Premier telling him that he had reached Waitara with 'no misadventure of any kind', and the natives say that 'Ngatimaniapoto and I are now one'.³¹⁶ At a banquet in New Plymouth he referred to Rusden's recently published account of the Handley's Woolshed affair and branded the author as 'a liar, a slanderer and a coward' and said he would take action against him.³¹⁷

As promised the Kingite petition signalled by Wahanui in his letter of 16 March and signed by 412 Maori was presented by Bryce to the House in June. The petition related in part to the expense incurred in native land transfers due to the actions of lawyers and speculators, and asked that legislation be passed to

³¹³ Marr, p. 848.

³¹⁴ *Press*, Volume XXXIX, Issue 5488, 21 April 1883, p. 5.

³¹⁵ *New Zealand Herald*, Volume XX, Issue 6686, 23 April 1883, p. 5.

³¹⁶ *Nelson Evening Mail*, Volume XVIII, Issue 94, 21 April 1883, p. 2.

³¹⁷ *Wanganui Herald*, Volume XVII, Issue 5045, 25 April 1883, p. 2.

resolve this. The petitioners asked that they be protected from the corruption and fraud of the Land Court and have their land secured to them and their descendants by law, to enable them to release land for the use of Europeans and the building of roads and public works. The petition was received with acclamation and ordered to be printed.³¹⁸

At the end of July Bryce introduced the Native Land Laws Amendment Bill the fourth clause of which restricted the use of 'any counsel, solicitor, agent, or other representative' to infirm or incompetent applicants, thus limiting the influence of speculators and lawyers. Section five directed the Court to determine ownership 'by the best ways and means, without reference to legal formalities' and the remainder of the Act focused on preventing negotiations for land before it had passed the Court, and made considerations payable under several Acts relating to Maori real estate payable to the Public Trustee.³¹⁹

In the past, as Maori saw their land, their legacy, disappear, often through fraud, they felt aggrieved about their impotence and sought to protect themselves by isolation or by violence. In the past the Government had often been as much a part of the problem as the land-sharks, but Maori now acknowledged the efforts Bryce had made through the Native Land Laws Amendment Bill to address the concerns expressed by the Kingites during his meetings with them.³²⁰

Wahanui in an open letter to the press gave part of the Native Lands Laws Amendment Bill his qualified approval. He was particularly in favour of the section excluding lawyers and land agents from involvement with their land claims and welcomed penalties being applied on persons who bought or leased land before settlement of claims. However, he was disappointed that there was no provision for the delineation of the boundaries of their land, as asked for in their petition, as he regarded this as the most important of their requests. Wahanui also referred to the Native Committees Bill which did not meet their requirements as he considered the Bill impinged on their authority, the letter

³¹⁸ *Timaru Herald*, Volume XXXVIII, Issue 2733, 27 June 1883, p. 3.

³¹⁹ *New Zealand Herald*, Volume XX, Issue 6772, 1 August 1883, p. 4.

³²⁰ *Evening Post*, Volume XXVI, Issue, 35, 10 August 1883, p. 2.

finished with: 'Our lands are still under our customs, and so are the people; therefore, we say, leave the management of our lands to us and abolish the Land Court altogether'.³²¹

Loveridge in his Waitangi Tribunal Report on opening up the King Country says that Bryce was one of the pioneers of the land legislation system eventually adopted in the 1909 Act of "assembled owners" operating through Maori Land Boards and goes on to say that 'the Crown consistently lived up to the promises and undertakings made by its representatives during the course of the King Country negotiations.'³²²

An event in late September disturbed the forward momentum which had been building when two Ngatimahuta chiefs of Tawhiao's tribe removed all the newly laid buoys in Kawhia Harbour and issued an order to Pakeha living there to leave within days.³²³ Cabinet decided that a strong force of Armed Constabulary would be dispatched to Kawhia to establish a permanent post.³²⁴ Bryce travelled with the force on board the *Hinemoa* and met with Tawhiao who did not deny that the beacons had been destroyed on his instructions, and took responsibility for 'bringing down the Constabulary upon him'.³²⁵

However, momentum was soon restored and by early December the *New Zealand Herald* headlined 'Settlement of the Native Difficulty' and in a lengthy, ostensibly verbatim, account of a meeting between Bryce, Rewi, Wahanui, Taonui, Hopa Te Rangianini and Taromoa, the leaders of the Four Tribes group which was acting independently of Tawhiao, (attached as Appendix 3) reported:

Mr Bryce's proposals have been accepted by the natives. The application for external survey of the whole of what has been known as the King Country is signed by Rewi, Hitiri, Taonui, Wahanui and Hopa te Rangianini – altogether thirty names in a body. ... The native difficulty is now practically at an end. Mr Bryce is highly pleased at the result of the interview ... The natives express the fullest confidence in him.³²⁶

³²¹ *New Zealand Herald*, Volume XX, Issue 6794, 28 August 1883, p. 5.

³²² Loveridge, pp. 207-208.

³²³ *Auckland Star*, Volume XXI, Issue 4124, 22 September 1883, p. 2.

³²⁴ *Otago Witness*, Issue 1668, 6 October 1883, p. 22.

³²⁵ *Thames Star*, Volume XIV, Issue 4606, 9 October 1883, p. 2.

³²⁶ *New Zealand Herald*, Volume XX, Issue 6884, 10 December 1883, p. 3.

However, as so often in the past it was not plain sailing, and at a meeting at Whatiwhatihoe on 26 January, after Rewi had listened to speeches by 'the well known agitator, Hirini Taiwhanga' he leapt to his feet and vowed that he did not want to cause any trouble to 'his child (Tawhiao) but in future he would join him in his canoe'.³²⁷ Wilkinson told Bryce that Rewi had stressed that he was acting independently of Ngatimaniapoto, 'all by himself' and he knew there would be 'wrong and trouble' in what he had done. He said he now wished his name to be known as Kopi-kopiko (backward and forward) in acknowledgement of his vacillations.³²⁸ In a letter to Bryce written on the date of the meeting, Rewi said he withdrew his name from the document as:-

We never intended that the lands of the Maori King should be dealt with by the Native Lands Court, ... I am not willing that railways should be made or stations erected on our lands until such time as we have the government and authority of our lands in our own hands. ... You have a great desire for railways. Give us what we want, and what you want shall be given to you in return.³²⁹

Bryce's response was that he would hold the chiefs to their agreement, and punished Rewi by withdrawing his pension of £200. He was universally condemned for this latter action as 'another display of that vindictive temper for which the Minister is famed'.³³⁰

As the Atkinson ministry neared the end of its tenure, Bryce appeared to have achieved what he set out to do in the King Country, confirmed when the Deputy Surveyor General, Percy Smith, received a report stating that his surveyors had completed the 'cutting, of the long line stretched across the country from the White Cliffs to Ruapehu ... the survey of the King Country has now been completed' reported the *New Zealand Herald* and it was 'a great and tangible work which Mr. Bryce can point to as having accomplished during the past summer',³³¹ but it was not until 1908 that the main trunk line through the King Country was finally completed.

³²⁷ *Waikato Times*, Volume XXII, Issue 1804, 29 January, 1884, p. 2.

³²⁸ *Evening Post*, Volume XXVII, Issue 25, 30 January 1884, p. 2.

³²⁹ *Press*, Volume XL, Issue 5730, 30 January 1884, p. 2.

³³⁰ *Thames Advertiser*, Volume XV, Issue 4773, 9 February 1884, p. 2.

³³¹ *New Zealand Herald*, Volume XXI, Issue XXI, 6 May 1884, p. 4.

Chapter 8

JOUSTING: Bryce v Rusden

In 1883 Rusden's *History of Australia* and the *History of New Zealand* were published in London, each in three volumes. Both works were critically received. The *Oxford History of Historical Writing* reflected contemporary reactions when it said 'His criticism of indigenous relations was dismissed in Australia: on the other side of the Tasman Sea it provoked angry denunciation,³³² while the *Spectator* of May 1883 reported 'The book is well written, in a vein of mingled enthusiasm and indignation ... but occasionally leads to what we cannot but think harsh judgments upon various public men'. It was some time before the book was available in New Zealand, as by May 1883 only two copies were available in the country, one privately owned by a Legislative Councillor, with the second one in the Parliamentary Library, which 'hitherto has been so eagerly in demand in high quarters as to be inaccessible generally'. Notwithstanding this, excerpts from the books were published in newspapers and widely discussed, as they contained 'gross attacks on every public man who is not identified with what may be termed the Arthur Gordonian view of the Native question', including Bryce, Fox and Prendergast.³³³ In particular, Rusden's description of the affair at Handley's Woolshed during Titokowaru's War attracted much criticism. Rusden's account of this episode included the offending sentences, 'Some women and young children emerged from a pa to hunt pigs. Lieutenant Bryce and Sergeant Maxwell of the Kai Iwi Cavalry dashed upon them and cut them down gleefully, and with ease'.³³⁴

Bryce received support from many quarters, prominent among which were members of the Kai Iwi Cavalry who sent a letter of support to their former commander. The letter 'emphatically denied' Rusden's description of the affray at Nukumarū which they declared 'grossly untrue in every respect',

³³² Daniel R. Woolf, Andrew, Feldherr, Grant, Hardy, eds. *Oxford History of Historical Writing, Volume 4: 1800-1945*, London: Oxford University Press: 2012, p. 415.

³³³ *Wanganui Chronicle*, Volume XXV, Issue 10205, 22 May 1883, p. 2.

³³⁴ G.W. Rusden, *History of New Zealand*, Volume 2, London: Chapman and Hall, Limited, 1883, pp. 504-5

particularly as they attested to the fact that Bryce 'did not take any part in the skirmish which ensued'.³³⁵ Bryce's reply of 27 July said 'I have received with great gratification the address of sympathy you have been so good as to send me. Whatever may happen to me in the future, it will always be a matter of satisfaction to me that I succeeded in acquiring your confidence under very trying circumstances, and that I have retained it to the end'.³³⁶

Bryce's colleagues in Cabinet also gave him their backing, Whitaker acted as counsel for him during the Commission hearings, and Hall and Ritchie, who were both at 'Home' at the time, gave evidence at the trial, though by July 1884 the *Manawatu Standard* was reporting 'Mr Bryce has made himself so offensive to his colleagues that his presence was only tolerated in the hope of the Rusden case demanding his absence from New Zealand'.³³⁷

A notice of motion was put in the House by J.B. Whyte to request the Governor to make available 'a sufficient sum' to prosecute Rusden for 'gross libel upon the character of the present Native Minister'³³⁸ but Bryce told members that his original intention had been to file a criminal prosecution against Rusden but, as, this would entail considerable delay and prohibitive costs he proposed to take civil action in England. Under this evidence would be taken by Commission in New Zealand, Rusden would have the opportunity of proving his allegation in court and he would voluntarily submit himself to examination. He asked then that Whyte's motion be allowed to lapse as any civil action was his responsibility alone.³³⁹

Bryce was praised that 'for the sake of the colony he has the courage to face the expense and trouble of vindicating his character as a public man',³⁴⁰ as he, in common with many people, considered 'that the calamity was really against the

³³⁵ *Wanganui Herald*, Volume XVII, Issue 5110, 12 July 1883, p. 2.

³³⁶ *Wanganui Chronicle*, Volume XXV, Issue 10238, 31 July 1883, p. 2.

³³⁷ *Manawatu Standard*, Volume IV, Issue 203, 24 July 1884, p. 2.

³³⁸ *Wanganui Chronicle*, Volume XXV, Issue 10238, 21 July 1883, p. 2.

³³⁹ *Auckland Star*, Volume XX, Issue 4054, 18 July 1883, p. 2.

³⁴⁰ *New Zealand Herald*, Volume XXI, Issue 6989, 11 April 1884, p. 4.

colonists generally, rather than on him personally, as Rusden did not know him, and could bear no malice towards him'.³⁴¹

In April 1885 a Commission was constituted by the High Court of Chancery to take evidence in New Zealand from those who wished to give evidence for Bryce or Rusden. At the same time an application was made to the Colonial Secretary for the exhumation of the bodies of the Maori women and children who, Rusden claimed, had been ruthlessly cut down by the Kai Iwi Cavalry under Bryce.³⁴² The Commission interviewed thirty-two witnesses, both Maori and Pakeha, and a further three witnesses: Wiremu Te Wheoro, Topia Turoa and Bishop Octavius Hadfield, gave their evidence before a Special Examiner in the High Court of Justice, London.³⁴³ Much of the defence counsel's questioning of Maori witnesses related to the meaning of the word 'kohuru' or murderer, and when and how it was applied to Bryce, which indicated the line the defence intended to take at the trial. Though an authority to exhume the bodies of the two slain Maori boys was received, the necessary agreement from Titokowaru and Taurua, to 'whom those children belong',^{344, 345} was not forthcoming, so the exhumation did not proceed.

Bryce and the evidence obtained by the Commission both arrived in London on the *RMS Kaikoura* in November 1885 and it was anticipated that the trial would take place the same month, but this was a forlorn hope. In a letter written on 18 December Bryce says: 'Curiously enough, I am in the same state of uncertainty as to when my action is to be tried that I have been for the last two years. It may be tried tomorrow, but if not, and I don't expect it, it cannot come on until after the Christmas vacation. My counsel are Sir Farrer Herschell, Mr. Murphy, and Mr. Paine. Rusden has the Attorney-General, the

³⁴¹ *Wanganui Herald*, Volume XVII, Issue 5111, 13 July 1883, p. 2.

³⁴² *Akaroa Mail and Banks Peninsula Advertiser*, Issue 918, 1 May 1885, p. 2.

³⁴³ *Poverty Bay Herald*, Volume XII, Issue 4301, 29 May 1885, p. 2.

³⁴⁴ John Bryce, *In the High Court of Justice, Queen's Bench Division, Royal Courts of Justice, Thursday, 4th March, 1886, before Baron Huddleston and a special jury, Bryce v. Rusden*, London, Waterlow Bros. & Layton: 1886, p.610.

³⁴⁵ Massey Library's copy of this book, a transcript of the trial and the evidence given to the Commission that Bryce had published in London, is inscribed in his handwriting: 'Lieut Col Edward Gorton from Honble John Bryce 22 October 1907. Lieut Col Edward Gorton commanded the Wanganui Militia during the period this diabolical and untruthful charge was made against Mr Bryce'.

Solicitor-General, and Mr. Edwin Jones. The *Auckland Star* correspondent wrote: 'That the action will go against Mr. Bryce is the opinion of every lawyer to whom I have mentioned the case. Old Rusden would never have engaged such expensive counsel if his lawyers hadn't assured him of winning the action'.³⁴⁶

Bryce kept a diary for the period he was overseas and this gives interesting insights into Bryce the man, illustrating his sense of humour, his humanity, his political acumen and his vulnerability. Money, or the lack of it is clearly a concern to Bryce, and as he told listeners in speeches on his return to New Zealand, if he had lost the case he would have been 'broken in fortune' but not in spirit: rather he said, misquoting Shakespeare, 'Bind up my wounds; give me another horse'.³⁴⁷

An entry in Bryce's diary on 7 February reported that his leading counsel Sir Farrar Hershal had been appointed Lord Chancellor and could no longer act for him. However, 'Sir F.H. had returned the brief, but not the hundred guineas which accompanied it. ... Sir F did not intend to return the brief fees wherever a consultation had taken place. Very unfair and wrong I should say ...'. By 9 February the brief had been offered to Sir Henry James 'at the fee marked for Sir Farrar Herschel, £105' though there was a concern he may not accept the brief 'on account of the moderate nature of the fee'.³⁴⁸

Bryce was frustrated at the delay in his case coming to court. His diary entry for 19 February reads: 'Another disappointment, case not called on today. ... Really I am getting like little Miss Finch in Bleak House who commenced every day with a presentiment that judgment would be given that day. I am afraid if I go silly over it, I shall not be quite so amiable as she was'.³⁴⁹ A week later he was still waiting but things were looking promising as 'Tomorrow there is to be a meeting of all the judges, and it seems they cannot try cases: on Monday my counsel Sir Henry James, goes away somewhere to address his constituents. He might be back on Wednesday by travelling all night, but Murphy, the second

³⁴⁶ *Taranaki Herald*, Volume XXXV, Issue 6982, 4 February 1886, p. 2.

³⁴⁷ *Wanganui Herald*, Volume XX, Issue 5905, 20 May 1886, p. 2.

³⁴⁸ John Bryce, Diary 6 Feb-9 May 1886, ATL, MS-0340, p. 2.

³⁴⁹ *ibid*, p. 7.

counsel, would be away in another case and so Thursday seems fixed',³⁵⁰ but there were further delays as Rusden's lawyers made applications to hold up proceedings including 'asking to have the commission returned, which, if granted, would have involved my going back to New Zealand and then returning to England again, which horrified me. But they failed in that. These things were done solely for delay'.³⁵¹

During this lengthy waiting period Bryce busied himself with meetings and an active social life. At a meeting on 15 February, Sir Henry James 'almost pooh-poohed all defence, said he could see none that would be listened to. He thinks they will ask to settle it by a compromise including an apology', which left Bryce puzzled as he wrote 'One and all of the lawyers on my side look on the defence as perfectly hollow, yet there are able lawyers on the other side who seem determined to go on with this case, and must have expectations of winning'.³⁵² Sir Francis Dillon Bell raised a question when Bryce called on him, asking whether Bryce 'wasn't beginning to feel just a wee bit sorry he had brought the action',³⁵³ and the *Feilding Star* called Bryce's suit ill-advised which would cost him dear.³⁵⁴

Bryce took advantage of his time in London to experience new pursuits, which he recorded in his diary. Highlights among them included dining at the National Liberal Club after which he was taken to see the great Pantomime, 'the greatest display of theatrical effects ever was seen ... at all events I never saw the like'.³⁵⁵ He also had an opportunity to attend the House of Commons and from a seat 'under the Gallery' heard a number of leading politicians speak, including Gladstone, Morley, Chamberlain and Sir R Webster 'of whom I shall hear enough I dare say as he is leading counsel against me', afterwards dining at Bellamys.³⁵⁶ He dined at the Savage Club and commented 'I suppose there is no other club like it' and later met a Member from the North of Ireland who told

³⁵⁰ *ibid*, p. 13.

³⁵¹ *New Zealand Herald*, Volume XXIII, Issue 7633m 10 May 1866, p. 7.

³⁵² *ibid*, p. 7.

³⁵³ *Auckland Star*, Volume XVII, Issue 45, 23 February 1886, p. 2.

³⁵⁴ *Feilding Star*, Volume VII, Issue 96, 23 January 1886, p. 3.

³⁵⁵ Bryce, Diary p. 5.

³⁵⁶ *ibid*, p. 10.

him that if he 'was tired of New Zealand politics to come to them and they would find me a seat in the House of Commons'.³⁵⁷ Adding to his experience was a visit to the Tabernacle to hear 'the great Spurgeon preach. Did not think very much of him or his doctrine',³⁵⁸ which was also his opinion of the 'Private Secretary' a popular comedy, because 'I believe I am harder to please than some folk'.³⁵⁹ The day before the trial began, while coming back from a walk, he saw the carriage in which the Queen was being driven, 'It was snowing and the carriage was in consequence closed, still it was something to see even the outside of the carriage containing her Majesty!!!'³⁶⁰

In the meantime Rusden was engaged in a flurry of letter-writing, mainly to Walter Mantell who had been instrumental in obtaining introductions to significant persons in the administration when Rusden was writing his *History*, and now was helping to co-ordinate his defence. At first Rusden was convinced that Bryce would not bring any action against him, he told Mantell in September 1883 'I don't think that if well-advised the C.B.³⁶¹ and his friends will prosecute me, but I desire earnestly to have the papers I ask for.'³⁶² Rusden's friends in New Zealand should have disabused him of this hope as 'everybody who knows the ex- Minister knows how keenly sensitive he is to everything affecting his personal honour'.³⁶³

From the tenor of the letters to Mantell and others, Rusden's defence appeared to be concentrated on blackening Bryce's character, with the focus on his antecedents, his cow-boy occupation, the 'kohuru' name by which he contended Bryce was called by Maori, and particularly his actions at Parihaka, which in Rusden's opinion showed that Bryce was callous and cruel and 'showed by what considerations he allowed himself to be actuated towards women and children.'³⁶⁴

³⁵⁷ *ibid*, p. 23.

³⁵⁸ *ibid*, p. 13.

³⁵⁹ *ibid*, p. 15.

³⁶⁰ *ibid*, p. 15.

³⁶¹ 'CB' which Rusden used in correspondence with Mantell referred to 'callous Bryce'.

³⁶² Rusden to Mantell, MS-1834-1835, ATL, p. 77.

³⁶³ Timaru Herald, Volume XLII, Issue 3433, 29 September 1885, p.5.

³⁶⁴ Rusden to Mantell, MS-1834-1835, ATL, p. 83.

The 'great New Zealand libel case' finally came to court on 4 March 1886, and attracted more and more attention as the week of the trial progressed as admission had to be limited to the press and 'notabilities' holding special passes. 'Members of the British Parliament looked in from time to time and numerous barristers followed the case, which was seen as unusual in character and interesting technically'.³⁶⁵ The case was heard before Baron Huddleston and a special jury.³⁶⁶ Bryce, in an interview with the *New Zealand Herald*, extolled the virtues of his legal team, he stated 'although I met my legal advisers as strangers, yet I think I left the whole of them my personal friends.'^{367, 368, 369}

After 'a very good speech' by James, Bryce was put in the witness box, but as the Judge was 'rather slow at note-taking'³⁷⁰ he felt he could not describe the events of Handley's Woolshed as fully as he would have liked 'yet my counsel both grumble I am too diffuse' as James' instructions were to keep everything within narrow limits. Bryce felt this injunction would not be followed by the other side as 'they mean to keep within the proper limits just as little as possible and to take me all round the compass outside'. However, he believed he gave his evidence well, and 'although I expected to be nervous I did not feel that way. Let me hope I shall be as free from it under cross-examination'.³⁷¹

Bryce was cross-examined for over two days by Sir John Gorst, well known as a resident magistrate and civil commissioner in Waikato in the early 1860s. He commented that this process was 'a curious one' as Gorst spent a considerable part of it reading speeches of Opposition members from Hansard, letters to newspapers, Governor's dispatches, quotations from Bryce's own speeches 'sometimes garbled in a rather shameful way'. By Monday, after a day and a

³⁶⁵ *Auckland Star*, Volume XVII, Issue 100, 1 May 1886, p. 4.

³⁶⁶ *Citizen*, Wednesday, 15 March 1882.

³⁶⁷ *Wanganui Herald*, Volume XX, Issue 5902, 15 May 1886, p.2.

³⁶⁸ Sir Henry James had been Huddleston's best man at his wedding in 1872, and both men had had a close working relationship, most famously in 1884 on the precedent setting maritime case of *T v Dudley and Stephens*, involving murder, cannibalism and the defence of necessity where in the first trial Huddleston was central to 'engineering the judicially approved guilty verdict against the instincts of the jury'.

³⁶⁹ A.W.B. Simpson, *Cannibalism and the Common Law: The Story of the Tragic Last Voyage of the Mignonette and the Strange Legal Proceedings to which it Gave Rise*, Chicago: Chicago University Press, 1984, pp. 46-49.

³⁷⁰ Bryce, *Diary*, p.16.

³⁷¹ *ibid*, p.16.

half of cross-examination, Bryce wrote in his diary 'Sir John Gorst has not left Parihaka yet – a thing which has nothing to do with this case really. However, I fancy they will try and rely more on things which have nothing to do with the case than on the merits of the case itself'.³⁷² During Gorst's cross-examination Huddleston caused something of a stir when he referred to a contemporary of his, a Mr Thompson, who went to New Zealand as a police magistrate in 1842, and 'unfortunately, he was eaten up. ... He was a very thin man indeed. A report came that he was eaten up by Maoris'.^{373, 374} The prosecution's case ended with Sir John Hall and Richard Oliver giving evidence, and cursorily cross-examined, and the reading of the evidence taken by the Commission in New Zealand.

Gorst's opening speech for the Rusden defence included an admission 'that the libel contained more than was true. That it was now evident that there were no women present and that they would have to accept my version as true that I had taken no part in the pursuit but that the thing itself was a cruel and wicked atrocity etc. etc.'³⁷⁵ Apart from the Commission evidence taken for the defence, the only other witness was Rusden himself. The first part of his evidence concerned Parihaka, discussing Bryce's part in it and the treatment of women and children when it came to the dispersal of 'stranger' Maori. When the examination turned to the action at Handley's Woolshed and Rusden was asked about the sources for his allegations, the names of Dr Featherstone, Governor Gordon and Bishop Hadfield were mentioned. But the examination in chief produced no apology or retractions.

James' cross-examination of Rusden was robust and, according to Bryce, Rusden did not show up very well under it. 'His want of candour and his equivocation are producing, I should say, a strong impression against him' though by the following day 'he was a little better in answering. ... I suppose he had been told

³⁷² *ibid*, pp.16-17.

³⁷³ Bryce, *Bryce v Rusden*, p. 147

³⁷⁴ Augustus Thompson, Nelson Police Magistrate and Native Protector was killed during the Wairau affray, in revenge for the death of Te Rangihaeata's wife, who was also Te Rauparaha's daughter.

³⁷⁵ Bryce, *Diary*, p. 18, 19.

not to evade, and fence so much'.³⁷⁶ Bryce found Sir Richard Webster's closing speech 'a more unfair speech than was expected from him' but described it as 'practically a speech in mitigation of damages, accompanied by a threat that a new trial would be moved for on the ground I understand of misdirection by the Judge. The Judge however evidently don't [sic] think there is much in that as he says that as far from curtailing the evidence he has allowed extraordinary latitude'.³⁷⁷

By contrast Bryce described James' closing address as the best speech he had ever heard saying 'His remarks on Sir Arthur Gordon were trenchant to a degree, every word told like the lash of a whip'³⁷⁸ and he revealed that he had a verbatim report of the whole trial, which became the basis for the book he published in 1887. The Judge spent three and a half hours summing up, before the jury retired, returning a quarter of an hour later, delivering the verdict for the plaintiff, and awarding Bryce damages of £5,000. Huddleston made it clear he had no sympathy with Rusden's unyielding attitude, but asked the jury to decide if the disparagements were a personal attack on Bryce or justified comments on a public man.³⁷⁹ Gorst immediately moved to stay judgment though he was not quite sure on what ground, but suggested possibly excessive damages. Huddleston refused the plea, ordered execution and gave a certificate for costs and special jury expenses. And so, says Bryce 'ends the great action, as far at least as this stage is concerned, for the rest I am not very anxious, the money question having never been with me the chief concern'.³⁸⁰

Press comments on the case both in England and New Zealand demonstrated the interest the proceedings had generated. The *Standard* of March 13 considered one of the striking features of the case was that a London jury should have been called upon to adjudicate on the accuracy of the history of the 'most distant part of the globe' and its political animosities, and regretted that the reverse could not be applied to allow English politico-personal disputes to

³⁷⁶ *ibid*, p. 20, 21.

³⁷⁷ *ibid*, p. 20-21.

³⁷⁸ *ibid*, p. 22.

³⁷⁹ *New Zealand Herald*, Volume XXIII, Issue 7633, 10 May 1886, p. 6.

³⁸⁰ *ibid*, p. 22.

be heard by an impartial tribunal at the other side of the world.³⁸¹ The *North-Eastern Daily Gazette* questioned who had come out worst in the case, 'The Colonial Governor, who privately writes libels of one of his own Ministers; the Bishop, who tells one story in public and another in private; ... or the historian, who endeavours to find authentic authority for these libels.' The *Birmingham Daily Post* had some advice for historians saying: 'The moral it points is that historians must be careful in limiting their denunciations of alleged misdeeds to those of persons who are no longer living to read, contradict and resent their assertions'.³⁸²

In New Zealand the response was of pride and relief and the *New Zealand Herald* report on 13 March echoed what most papers in the colony were saying:

The general satisfaction with which the news of the verdict in *Bryce v. Rusden* has been received throughout the colony, marks not only the pleasure caused on learning the vindication of one of our prominent politicians and leading colonists, but also, and in a stronger degree, the sense that in thus clearing himself of the foul aspersions of Mr. Rusden, Mr. Bryce has also vindicated the public character of the colony at large.³⁸³

Bryce travelled back to New Zealand on the *Tainui*, and because of the insecurity of the damages awarded to him was still conscious of costs. The cabin he arranged was a double bunk £70 cabin to himself, for which 'a hundred guineas are generally charged' and he itemised in detail the costs of getting his luggage to the vessel: 'Took luggage to Fenchurch Street Station in a cab, 5/-, Porters 1/- & 1/-. Fare to Royal Dock 4d. Porter at Dock 3/6. Storage as per receipt 4/-, 15/6, back 1/3.' Before leaving London he closed his account with the Bank of New Zealand, drawing a cheque for £99.18.9 saying 'I shall have very few pounds left of it however by the time I reach New Zealand'.³⁸⁴

Bryce arrived in Auckland on 9 May 'looking remarkably well ... and in excellent spirits', spending his first evening at the Northern Club with Whitaker, who had

³⁸¹ *London Standard*, 13 March 1886, p. 5, http://www.britishnewspaperarchive.co.uk/viewer/bl/0000183/18860313/027/0005?brows_e=false, retrieved 26 October 2014.

³⁸² *Birmingham Daily Post*, Saturday, June 18, 1887, http://www.britishnewspaperarchive.co.uk/viewer/bl/0000033/18870618/005/0004?brows_e=false, retrieved 26 October 2014.

³⁸³ *New Zealand Herald*, Volume XXIII, Issue 7633, 10 May 1886, p. 7.

³⁸⁴ Bryce, *Diary*, p. 26.

been his New Zealand legal adviser for the action against Rusden.³⁸⁵ Over the next few weeks he was presented with addresses and attended banquets in his honour at Auckland, Wellington and Wanganui, where many members of the Kai Iwi Cavalry and local volunteers were present, and Bryce rose to speak to 'prolonged and deafening applause'.³⁸⁶ As always, Bryce attracted as much criticism as praise and the *Hawera and Normanby Star* commented 'that the general public are beginning to think that all these banquets and addresses and eulogistic speeches concerning the Bryce-Rusden affair are fast becoming ridiculous ... we cannot see in this any occasion for so much "gush"'.³⁸⁷

The case was not finally settled until over a year later as Rusden had applied for a new trial on the basis of excessive damages, undertaking his own defence. The matter was concluded by Bryce waiving his claim by £1300, as he felt that as his honour had been restored he could afford to be magnanimous, which was applauded by the Bench 'who expressed its admiration for Mr Bryce's generous conduct'.³⁸⁷ As Rusden left the court he is quoted as saying to a friend that never before had he met with so good an illustration of the saying that "the man who conducts his own case has a fool for his client".³⁸⁸

³⁸⁵ *New Zealand Herald*, Volume XXIII, Issue 7633, 10 May 1886, p. 7.

³⁸⁶ *Wanganui Chronicle*, Volume XXIX, Issue 11199, 20 May 1886, p. 2.

³⁸⁷ *New Zealand Herald*, Volume XXIV, Issue 7978, 18 June 1887, p. 4.

³⁸⁸ *Nelson Evening Mail*, Volume XXI, Issue 228, 26 September 1887, p. 3.

Chapter 9

PUT OUT TO PASTURE: Life Changes

After the tension of Parihaka, the unremitting travel, the negotiations and sense of accomplishment in the King Country, and the euphoria of his victory in the Bryce v Rusden case, the next two and a half year saw Bryce marginalised, a position he was not comfortable with. The remnants of Atkinson's Continuous Ministry were in Opposition, and Bryce's frustration was frequently demonstrated by his speeches and fractiousness in the House.

Bryce's long held opposition to Government borrowing was demonstrated in the debates on the Loans Bill, as the *Bay of Plenty Times* reported that the situation was considered precarious if Bryce moved an amendment to limit the sum borrowed to a million when the Bill went into Committee, it continued: 'Attempts are being made to dissuade Mr Bryce from this intention, but so far he has declined to state what his intentions are'.³⁸⁹ Bryce complained that the Premier, Stout, and Treasurer, Vogel, were critical of those who took a despondent view of the future of the colony, and vowed to retire from politics altogether if things did not improve rapidly.³⁹⁰ Bryce was again being his obstreperous self when the Estimates were being debated and it was reported that the Defence and Native votes were scarcely opposed, 'except by Mr Bryce'.³⁹¹

Ballance's Native Lands Administration Bill was another piece of legislation in which Bryce had a particular interest. It was noted that he and Ormond took copious notes during the Second Reading leading to the expectation that they would have their say, however it was reported that they were 'too cunning' for that, agreeing to the second reading on the condition that it would go before the Native Affairs Committee, where it was expected that they would work to 'either

³⁸⁹ *Bay of Plenty Times*, Volume XIV, Issue 1997, 10 May 1886, p. 7.

³⁹⁰ *Press*, Volume XLIII, Issue 6459, 4 June 1886, p. 2.

³⁹¹ *Daily Telegraph*, Issue 4660, 14 July 1886, p. 3.

destroy the measure, or to mutilate it beyond recognition'.³⁹² Nothing happened.

In July Parihaka once again became the focus of colonial attention. For some time there had been signs of unrest in the area and when a skirmish resulted in the arrest of Te Whiti, Titokowaru and other Maori, the press inevitably made comparisons between the approach taken by Bryce and that of his successor.

It is much to be regretted that we should have at this time a revival of agitation and disturbance on the West Coast of this island. Mr. Bryce was then ridiculed as having set on foot an absurd fanfaronade of military force when there was no need for it. He was jeered at for bringing together armed men against a few unarmed and peaceful natives. When the present Ministry came into power they changed all that - it was part of their policy to do so. The constabulary were gradually withdrawn from the district, and Mr. Ballance inaugurated the One-Policeman policy, under which a solitary constable was to be sufficient to enable every settler on the West Coast to till his fields in peace, none daring to make him afraid.

The *Wanganui Chronicle* had some advice for Ballance, saying: 'he'd look well charging through the marae on a piebald horse indicative of the union of the two races! But there's no fear of that! The potato is cooked and John Bryce cooked it! Perhaps it's still hot enough for Ballance to burn his fingers over it'.³⁹³ Many sections of the press agreed Ballance had burnt his fingers.

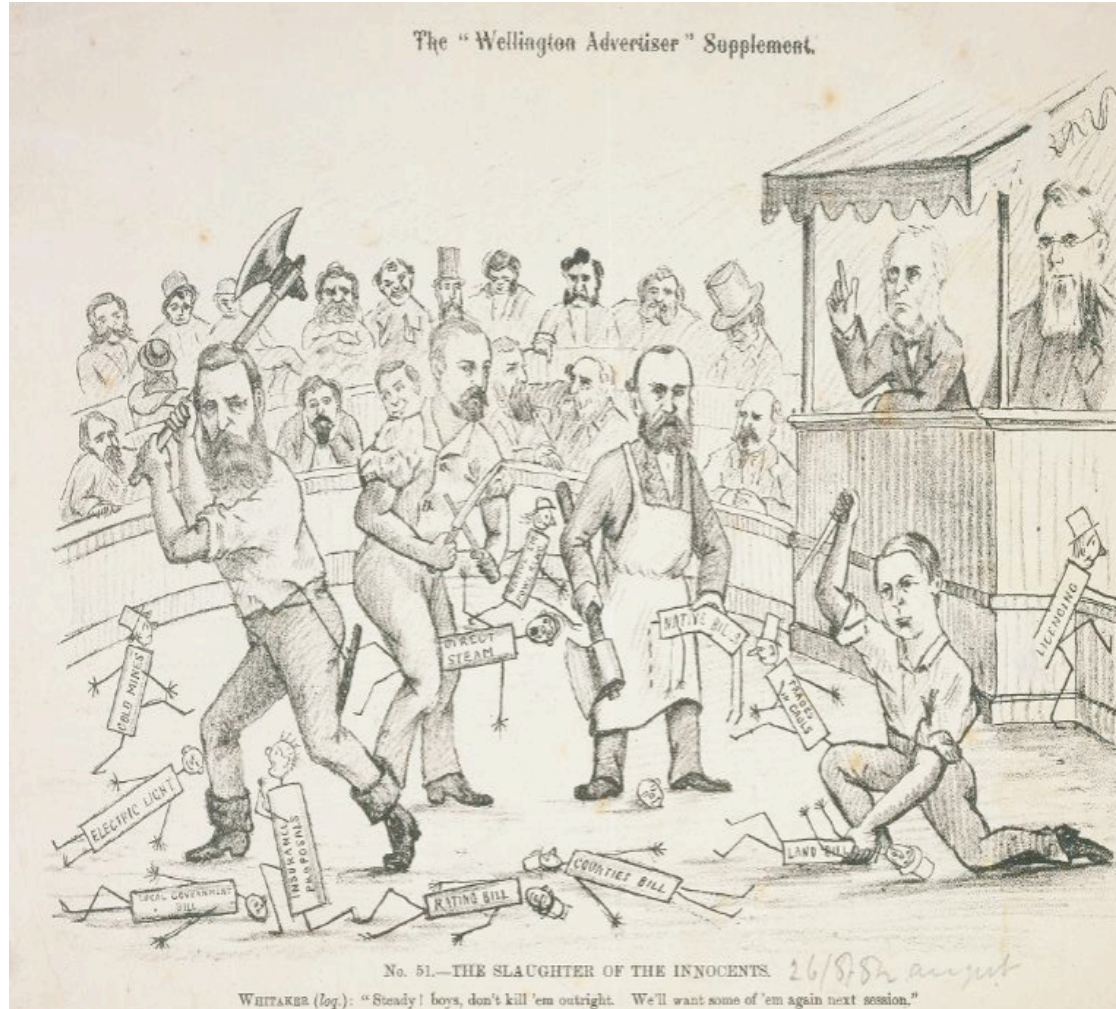
The debate on the Wanganui Harbour Board Bill brought Ballance and Bryce into direct conflict, and was ultimately to have calamitous consequences for Bryce. Opposition to the Bill in 1886 was based on the limits of the rating area, in particular how much of the country surrounding Wanganui should be made liable. The country districts were reluctant to pay to alleviate the Wanganui Harbour Board's financial problems, and in this they were championed by Bryce, who was concerned for the impact on the Rangitikei district, and insisted on its exclusion.³⁹⁴ But it was the measures he took to ensure the Bill could not be passed which raised the ire of Ballance supporters. His newspaper, the *Wanganui Herald*, accused Bryce of having the knowledge and experience of the

³⁹² *Wanganui Herald*, Volume XX, Issue 5926, 16 June 1886, p. 2.

³⁹³ *Wanganui Chronicle*, Volume XXIX, Issue 11243, 14 July 1886, p. 2.

³⁹⁴ Timothy McIvor, *The Rainmaker: A Biography of John Ballance, Journalist and Politician 1839-1893*, Heinemann Reed, Auckland: 1989, p. 153.

rules of the House to force out any private members Bill by “stonewalling”, and complained ‘seldom a member so far abuses the privileges of the House, as to do so would call down on him a sharp volley of sarcasm from the other members’.³⁹⁵



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In September the same newspaper described the process used by Bryce to lose

³⁹⁵ *Wanganui Herald*, Volume XX, Issue 5947, 10 July 1886, p. 2.

³⁹⁶ Cartoon showing Sir Frederick Whitaker and Richard Oliver in a canopied stand, with other spectators, all Members of Parliament, watching four Ministers slaughtering a group of stick figures, or Bills that have not been passed in the session of Parliament. The four are from left to right, Sir Harry Atkinson, Walter Johnston, John Bryce and William Rolleston. The figures they are killing (with axes and knives) are labelled Electric light, gold mines, local government bill, insurance proposals, rating bill, direct steam, native empowering, counties bill, native bills, trades in gaols, and land bill. ‘Licencing’ is escaping the slaughter by climbing over the fence. ATL Ref. A-095-049.

the Bill:

Slaughters of the Innocents, viz. the bills which have failed to pass all their stages. Many of these measures are of the most vital interest and necessity, but the moment the time for prorogation arrives overboard they go, and are swallowed up in the waste paper baskets of the Houses. ... The member for Waitotara who had the previous session offered no active opposition to the Bill, again showed his hostility to it, and with the able assistance of Colonel Trimble, to whom he acted as bottle-holder, the measure was kept from again rising to the surface. When the Taranaki Bill came on for discussion, Colonel Trimble talked against time, and was attended to by Mr Bryce, whom we are told actually handed the long-winded Colonel champagne during the pauses of his speech in order to keep Colonel Trimble on his feet. Thus refreshed, the latter legislator talked on until the 5 o'clock adjournment once more came to his relief, and for the time relegated both the Taranaki and Wanganui bills to a position from whence they could not be extricated during the last days of the session.

... The electors of Waitotara will no doubt let their member know that he is not representing their views in opposing the measure, and perhaps get him to see the wisdom of ceasing to obstruct its passage through Parliament. We know Mr Bryce repudiates the bare ideal of being bound by the wishes of his constituents, and that he claims to be not the representative of a district, but of the whole colony.³⁹⁷

Rumour was rife that Bryce would assume a leadership position after the election. However, by May the possibility of his not retaining the Waitotara seat was being discussed. As predicted the electorate were unhappy with his actions over the Wanganui Harbour Loan Bill, and in addition believed he had generally neglected their interests. Bryce defended himself against this charge and quoted statistics to show that Waitotara had a fair share of 'the loaves and fishes' pointing out that on a population basis it would only be entitled to £175,000 for public works, whereas it had received £450,000. In a veiled criticism of Ballance who was openly canvassing for his opponent, Hutchison, he told his constituents that they should be allowed to use their unbiased judgment in recording their votes, and said it was not his intention to personally solicit votes 'as he did not consider it a proper thing to do', despite the fact that as a long-serving member he would have some constituents against him, owing to

³⁹⁷ *Wanganui Herald*, Volume XX, Issue 6008, 20 September 1886, p. 2.

grievances, real or imagined.³⁹⁸ The election resulted in Hutchison receiving 665 votes to Bryce's 616 and Morgan's 32.

Bryce thanked the electors for their past support of him and hoped they would 'continue to respect him as a private settler'.³⁹⁹ He went on to say: 'Gentlemen, I have represented this district, with a short interval, for 21 years, and I am sure you will excuse me if I say that there is something painful in this parting. Perhaps some of that feeling is due to mortified vanity. If it be so let me assure you that the feeling of mortification will soon pass away, and I shall only remember your long-continued confidence and kindness'.⁴⁰⁰

The election saw the departure of many other well-known and respected members, foremost of whom was the Premier, Robert Stout, the first sitting Premier to lose his seat, and newspaper comment universally lamented the loss of these statesmen. The *Press* regretted that 'these constituencies have preferred untried, inexperienced politicians to statesmen' and commented that another feature was the number of tenth-rate lawyers - failures in their profession - returned.⁴⁰¹ The *Evening Post* echoed this sentiment finding it 'inconceivable that any constituency could prefer a political tyro of Mr. Hutchison's calibre to an experienced politician of proved ability and integrity like Mr. Bryce', while the *Wanganui Chronicle* called Bryce's defeat a 'colonial calamity' and a disgrace to the Waitotara constituency.⁴⁰² A letter to the paper called Bryce's defeat 'an honourable defeat, as both Mr Bryce and his committee, at least here, left electors pretty much to their own choice'.⁴⁰³

Bryce retired to Waipuna but by the end of October rumours were circulating that he intended to file a petition against Hutchison alleging electoral irregularities'.⁴⁰⁴ The petition presented on 28 October challenged the legality of Hutchison's win on a variety of breaches of the Corrupt Practices Act and the Regulation of Elections Act, alleging inducements in the way of employment,

³⁹⁸ *Wanganui Chronicle*, Volume XXX, Issue 11547, 4 August 1887, p. 2.

³⁹⁹ *Wanganui Herald* Volume XXI, Issue 6332, 3 October 1887, p. 3

⁴⁰⁰ *Hawera & Normanby Star*, Volume IX, Issue 1746, 5 October 1887, p. 2.

⁴⁰¹ *Press*, Volume XLIV, Issue 6868, 28 September 1887, p. 4.

⁴⁰² *Wanganui Chronicle*, Volume XXX, Issue 11606, 3 October, 1887, p. 2.

⁴⁰³ *Wanganui Chronicle*, Volume XXX, Issue 11609, 10 October 1887, p. 2.

⁴⁰⁴ *Timaru Herald*, Volume XLV, Issue 4075, 31 October 1887, p. 2.

money, gifts and loans and supplying food, drink and entertainment on election day. Several newspapers noted that Bryce seldom took up anything unless he was confident of success and reminded readers of the 'punishment which he inflicted on Mr Rusden, of history fame'.⁴⁰⁵

The case was heard at the beginning of December in front of Chief Justice Prendergast and Justice Williams who found against Bryce. The judgment of the Court was that not a single charge had been sustained, and that the charges of treating on polling day and days other than polling day, did not come within the statutes of New Zealand law on treating.⁴⁰⁶ Ballance's *Wanganui Herald* gloated 'the Judges, have inflicted wounds that it will take a considerable quantity of Rusden ointment to heal'⁴⁰⁷ additional wounds were caused by the imposition of costs of £1200 awarded against Bryce.

During 1888 Bryce returned to his farm at Brunswick but kept in touch with his politician friends and colleagues. Banquets were held for him both at Bellamys and in Wanganui prompting the *Star* to question whether 'these junketings and presentations are intended as political advertisements – in vulgar phrase, "to keep Mr Bryce before the country"'.⁴⁰⁸ At the Wanganui banquet in July, Hall proposed the toast to the guest of honour saying that he and the country refused to believe that his non-election marked the end of Bryce's political career, but was merely 'a halting place in that career'. In his reply Bryce told the august gathering that should the time arrive when he felt his services were necessary, 'he did not know that he could decline to be guided by the call of duty, to which he had never yet consciously refused to respond'. Hall presented Bryce with a catalogue of a library, which had been subscribed to, to the value of £400.⁴⁰⁹

Bryce spent a considerable amount of time in correspondence with the government and the Colonial Office on the subject of Sir Arthur Gordon's 'conduct and slanders' in connection with the Rusden case, though he received little satisfaction for his efforts. The closest the British Government came to

⁴⁰⁵ *Tuapeka Times*, Volume XX, Issue 1404, 16 November 1887, p. 5.

⁴⁰⁶ *Taranaki Herald*, Volume XXXVI, Issue 8042, 9 December 1887, p. 3.

⁴⁰⁷ *Wanganui Herald*, Volume XXI, Issue 6396, 19 December 1887, p. 2.

⁴⁰⁸ *Star*, Issue 6279, 2 July 1888, p. 2.

⁴⁰⁹ *Star*, Issue 6279, 2 July 1888, p. 4.

acknowledging Gordon's transgressions was in a letter from Lord Knutsford, Secretary of State for the Colonies to Sir William Jervois, the Governor. The letter dated 8 August included the following:

I desire to express my sympathy with Mr. Bryce, and my satisfaction at finding that he has so entirely cleared his character from the painful charges brought against him and I wish it to be fully understood that Her Majesty's Government has not, as is apparently supposed, at any stage expressed approval of the conduct of Sir A. Gordon in this matter.⁴¹⁰

After just over two years in the political wilderness the electors of Waipa threw Bryce a lifeline when they petitioned him to become their representative on the death of their former member, Major Jackson. Bryce's telegraph replied: "I rather shrink from forcing myself on the district, but if a requisition is got up it would soon appear whether the feeling is general in favour of my being nominated. If such should prove to be the case it would indicate much public spirit on the part of the electors, and I should be proud to represent Waipa."

In their requisition to Bryce, the people of Waipa put the national interest ahead of their parochial interests saying: "We consider that your re-entry into active political life in the present position of public affairs will be of great value to the colony, and we pledge ourselves to use every endeavor to secure your return", an attitude which was applauded by many of the colony's newspapers. Bryce was cautioned on the dangers of accepting the Waipa nomination as the editor of the *Observer* pointed out that it was 'an ill-omened constituency' as three of their five representatives had met with violent deaths, and though he would 'like to see honest John in Parliament but if he is to come to a sudden and violent end soon afterwards, we hope he will stay out, or at any rate seek some other seat than Waipa'.⁴¹¹

In an address to electors before the election, Bryce laid out his stance on issues such as the economy with its 'indulgence in the luxury of borrowed money', the management of the railways, the retention of Property Tax in the present financial crisis, and the reduction in the number of members for the House of

⁴¹⁰ *New Zealand Herald*, Volume XXV, Issue 9223, 28 November 1888, p. 5.

⁴¹¹ *Observer*, Volume IX, Issue 564, 19 October 1889, p. 11.

Representatives.⁴¹² The *Wairarapa Times* in commenting on points of his address said: 'there is no bid for popular support in any of them. ... With Mr Bryce there will be no backing and filling, but straight sailing on the course which he has marked out. In the old Provincial days Mr Bryce was also known by another sobriquet. He was spoken of as "Honest John Bryce" and he happens to be the only Colonial political man to whom that particular adjective has been commonly applied'.

Bryce was returned unopposed for the Waipa seat. In thanking the electors for his selection he told them that when he was rejected by the district he had represented for so many years, he had felt it reflected their feeling that he was not worthy to sit in Parliament, but the people of Waipa had restored his confidence, and if they wanted him to stand for them again at the next election, he would be at their disposal.⁴¹³

With Bryce's election there was conjecture as to when he would be restored to the cabinet, particularly as Atkinson's health was a concern. As Atkinson's health deteriorated further, rumours abounded as to who would replace him, with Bryce's name frequently being mentioned, but it was thought that 'Mr. Bryce would not consent to act as an 'emergency man,' or to head what he would think a 'scratch team'. If he took office he would demand the right of reconstructing the Cabinet, and would insist on bringing down a policy of his own, on which he could, if need be, go to the country. This sort of independence would not at all suit the gentlemen now in office'.⁴¹⁴

However, Atkinson continued as Premier, though under strict instructions from his medical advisers not to attend any major debates, a decision which was supported by his caucus. This left Bryce to take a more independent stance in the House which he showed in his first speech, criticising the government as 'a candid friend' which 'greatly gladdened the hearts of their opponents who are beginning to speak of him as a possible future leader of a new coalition'.⁴¹⁵

⁴¹² *Taranaki Herald*, Volume XXXVIII, Issue 8622, 6 November 1889, p. 2.

⁴¹³ *Waikato Times*, Volume XXXIV, Issue 2744, 13 February 1890, p. 2.

⁴¹⁴ *New Zealand Herald*, Volume XXVII, Issue 8254, 13 May 1890, p. 2.

⁴¹⁵ *Otago Daily Times*, Issue 8848, 4 July 1890, p. 2.

1890 was election year and Bryce, probably with the result of the previous election in mind, started early. In April he promised the Waipa electors that if they wished him to represent them, he would gladly stand, but as the district was now included in the new Waikato electorate, he saw his first duty as seeking its acceptance.⁴¹⁶ Bryce experimented with a new form of electioneering, instead of delivering the same speech at different places in his wide-ranging electorate, he spoke on a different subject in each place, which gave him the opportunity of covering it in depth. The economy and borrowing, raising the quality and the effectiveness of the House, native affairs, retrenchment and education were all covered.⁴¹⁷

Speaking in Alexandra where Bryce was known to many people, he said he felt confident of not being interrupted. However, when two dogs began to scrap Bryce was forced to pause. With the disturbance resolved, Bryce commented 'See how quickly my confidence in not being interrupted while addressing an Alexandra audience has been misplaced, but I can hardly blame anyone for that'.⁴¹⁸

Bryce was returned unopposed for the Waikato seat, which was the fifth time he had achieved that feat 'and he now enjoys a record unequalled by any other politician in New Zealand' said the *Waikato Times*.⁴¹⁹

The election was held on 5 December and the government sustained considerable losses, especially in the major centres where the new labour element in politics was making itself felt, as employment and trade union issues played an important role for the first time. Atkinson, however, refused to resign, in spite of an agreement negotiated by Bryce and Ballance, that the government would resign immediately if the outcome of the election was clear, to avoid having to call a special session of Parliament in January. Before the House met on 23 January Atkinson, urged on by Hall and Bryce and with the full support of the Governor, Lord Onslow, proposed seven new councillors, including Atkinson himself, be appointed to the Legislative Council as a

⁴¹⁶ *Waikato Times*, Volume XXXIV, Issue 2773, 22 April 1890, p. 2.

⁴¹⁷ *Taranaki Herald*, Volume XXXIX, Issue 8946, 1 December 1890, p. 2.

⁴¹⁸ *Waikato Times*, Volume XXXV, Issue 2866, 25 November 1890, p. 2.

⁴¹⁹ *Waikato Times*, Volume XXXV, Issue 2868, 29 November 1890, p. 2.

safeguard to thwart legislation considered too radical or liberal. This caused a constitutional crisis with a petition of five thousand signatures opposing the appointments being handed to Onslow. The crisis took three years to resolve and ultimately led to strengthening the case for the reform of the Legislative Council and undermining the position of the Governor. When Parliament met Rolleston was rejected as the government's nomination as Speaker, Atkinson finally tendered his resignation and Ballance announced he was in the process of forming a ministry.⁴²⁰

Ballance's newspaper the *Wanganui Herald* surprisingly supported Bryce saying it believed he had advised the government not to be appearing to cling to power and though he was 'very hostile to the Liberal party and to its leader' he was an experienced and able tactician.⁴²¹

Before the opening of Parliament in June the Opposition met to choose a leader, with Bryce, Rolleston and Russell being talked about as contenders. The *Press* reported that Bryce expressed extreme reluctance to take up the position and 'it is believed he would positively refuse it unless offered unanimously by the party'.⁴²² Bryce did receive the unanimous endorsement of the opposition members and was congratulated by Ballance, and in his reply he assured the Premier that 'as far as his influence went it would be for the good of the country, and he did not think the House would witness any obstruction from the Opposition for obstruction sake'.⁴²³

These high ideals did not last long as when the debate on the Financial Statement began, a day later than scheduled to enable some members to attend the Governor's Ball, the *New Zealand Herald* reported that the Opposition 'intend to prolong it as much as they can, believing that the destructive and searching criticism to which the proposals of the Government will be subjected

⁴²⁰ McIvor, pp. 177-180.

⁴²¹ *Wanganui Herald*, Volume XXV, Issue 7306, 6 June 1891, p. 2.

⁴²² *Press*, Volume XLVIII, Issue 7891, 16 June 1891, p. 5.

⁴²³ *Wanganui Chronicle*, Volume XXXIII, Issue 11296, 17 June 1891, p. 2.

in the course of the debate will seriously damage their position and open the eyes of the country to the mischievous character of their financial policy'.⁴²⁴

The *New Zealand Herald* two days later had the following comment to make about the leader of the Opposition: 'Mr. Bryce, is very constant in his attendance in the House. It was thought that he would be somewhat gruff and disagreeable as a party leader, and would not get on well with the rank and file of his supporters. I hear no word of such a thing, and it is likely that he will be able to keep his party together'.⁴²⁵

Bryce, however, did not have much time to fulfil this expectation as two months later, in impetuous Bryce style, he resigned. On 27 August during a heated debate on a charge of corruption made by the Minister of Lands against his predecessor some strong language was used. The Premier tried to close down calls for an investigation by using the technical objection 'that as the words complained of had been withdrawn', they no longer existed. Bryce joined the fray and when he said the words "The Premier should be ashamed of himself", he was unable to complete his sentence because of the general uproar, Ballance demanded he withdraw his words. Bryce speaking with unusual emotion replied "I shall not withdraw the words, and I shall take the consequences".

He left the House saying he would consider whether he ever entered it again. Despite entreaties from his friends and colleagues, and compromises suggested by some government members, as well as almost unanimous sympathy from the press and public, his pride and obstinacy refused to allow him to return to the House with the vote of censure still recorded against him.⁴²⁶ 'Ballance later told his constituents that he regretted the incident "more than anything" that had taken place for years'.⁴²⁷

After nearly thirty years in local and national politics, this was the end of Bryce's public and political life though he lived for another twenty-two years in retirement. John Bryce died on 17 January 1913, and was accorded a semi-

⁴²⁴ *New Zealand Herald*, Volume XVIII, Issue 8601, 24 June 1891, p. 4.

⁴²⁵ *New Zealand Herald*, Volume XVIII, Issue 8603, 26 June 1891, p. 5.

⁴²⁶ *Press*, Volume XLVIII, Issue 7952, 28 August 1891, p. 5.

⁴²⁷ McIvor, p. 195.

military funeral at which the Acting Minister of Defence represented the government, and members of the Kai Iwi Cavalry Corps acted as pall bearers.

Bryce's final resignation encapsulates so many of the characteristics which made him the man he was; single-mindedness, stubbornness, arrogance, a fearsome protectiveness of his reputation, courage, honesty and a determination to hold to his own principles whatever the consequences. These qualities allowed Bryce the successes in his life, but the same qualities also limited his political advancement.

His single-mindedness, stubbornness, arrogance and impatience cost him an agreement with Tawhiao, while his courage was evident when he and the Kai Iwi Cavalry took the fight to Titokowaru. His reputation, and his overweening need to protect it were behind the four occasions when he resigned his position, while Parihaka bore the brunt of his determination to hold to his principles, and do his duty as he saw it.

Bryce had a difficult relationship with Maori, and they in turn with him. Though they respected his straightforward approach and honesty, they referred to him as 'maro' or 'hard man'.⁴²⁸ However, his relationship with many of his Pakeha colleagues was equally fraught, he was not a man to make friends easily, but those who were his lifetime friends spoke of his loyalty. Surprisingly, Bryce seemed most comfortable during his time in London, where although he met and mingled with influential people, he appeared to be quite at ease. This may be a reflection of his sensitivity about his upbringing, which would be a factor in New Zealand, where his past as an assisted immigrant and farm worker was known, whereas overseas he appeared to be accepted as a successful and influential man in his own right.

Bryce was a nineteenth century man and it is important to look at his life in the context of his times. He arrived as a child in a New Zealand that was on the threshold of its colonial life, and, over the next fifty years, as the new colony faced many challenges and forged its identity, Bryce did the same. He did not

⁴²⁸Alan Ward, *A Show of Justice: Racial Amalgamation in Nineteenth Century New Zealand*, Canberra: Australian National University Press, 1974.

have the advantages of an upper middle class, privileged upbringing and education, as so many of his contemporary political colleagues and opponents had, which may have led to his desire to protect the reputation he had built for himself.⁴²⁹ He was highly respected, as evidenced by his unopposed nomination for election on five occasions; known as a strong uncompromising politician; and was not afraid to take controversial action when necessary, which was what the times required.

Parihaka is undoubtedly the best known political event with which Bryce is associated, but taken in the context of the circumstances and the colonial attitudes pertaining at the time, it had an accepted and expected outcome, anything less would have been perceived as a failure and a dereliction of duty, traits to which Bryce did not subscribe. Seen also in the context of his approach elsewhere, particularly in the King Country, the government action at Parihaka was consistent with his belief in the value of 'settlement' as the solution for the long-term peace of the young colony, and a necessary step on the way to its fulfillment, and therefore his duty.

Although as a settler, a soldier, a parliamentarian, a Minister and a citizen John Bryce played an important role in colonial life, a century after his death his legacy is commonly one of distaste and contempt. However, if he had written his own epitaph it might have read: 'he never allowed any consideration, "just or unjust, cruel or benevolent, wicked or righteous (on all of which points I hold a satisfactory opinion)"⁴³⁰ to turn him from what he regarded as the path of duty'.

Maybe Bryce, The White Charger, should have the last word 'I suppose I was riding a "high horse" higher even than the celebrated "white one". Peace to the ashes of both'.⁴³¹

⁴²⁹ As he told Alpers: "If I did not care much for myself I was bound to care for others. I have over 50 grandchildren and many of them are more sensitive for their granddad than their granddad is for himself." 15 February 1903, ATL, MS-Papers-0086.

⁴³⁰ *Press*, Volume LX, Issue 11494, 29 January 1903, p. 5.

⁴³¹ Bryce to Alpers, 15 February 1903.

APPENDIX 1

Appendix to the Journals of the House of Representatives, 'West Coast Affairs (Further respecting), 1882 Session I, A-08b.

Wellington, October 19th, 1881.
Administrator of the Government.

A PROCLAMATION.

For nearly two years past, the Government has been endeavouring to bring about a satisfactory conclusion of difficulties on the West Coast of the North Island, and to affect such a settlement of the lands as would enable Europeans and Maoris to live together in peace. In January, 1880, a Royal Commission was appointed, in accordance with the will of Parliament, to inquire into any claims and grievances which might exist on the part of the Natives in reference to such lands, so that just grounds of complaint might be removed and peace be firmly established. Governor Sir Hercules Robinson, in his Proclamation announcing the appointment of this Commission, said that the confusion then existing could not be allowed to continue, and he called, in the name of the Queen, on all her subjects to assist him in bringing about friendly relations between the two races. The Commissioners proceeded to make their inquiries. They recommended setting aside for the Natives a fair and suitable portion of the land, to be given to them on condition of their loyally accepting the proposals of the Government, and living according to law upon the lands so allotted to them. Parliament approved of the proposals of the Commissioners, and the Government has taken steps to give effect to them in the case of those Natives who frankly accept them. Some have already received Crown grants for the land allotted to them.

Te Whiti, and those who chose to obey his word, have held aloof from this work. They have persistently neglected and caused others to neglect the opportunity offered to them, and have repeatedly rejected proposals made with the hope of a settlement. Mr. Parris was sent to explain to them the desire of the Government for an amicable settlement. Te Whiti would not hear him, or allow his people to listen to Mr. Parris's words. Governor Sir Arthur Gordon himself sent to invite Te Whiti to meet him Te Whiti rejected the invitation. Lastly, he refused to listen to proposals made in person by a Minister of the Crown, and did so in a manner which could leave no doubt as to his intention to resist the law. His action has done great wrong to his own people, as well as to the colony generally. Through his words, numbers of Natives are kept back from obtaining lands which would otherwise be given to them; and numbers of strangers, who never had any interest in the lands at Parihaka, are being brought to Parihaka to the detriment of the people of that place. Month after month, Natives are assembled from a distance. They are making themselves poor by contributing to useless expenditure upon feasts which take them away from their own homes; and they are led to neglect the cultivation of their own lands. At these meetings, Te Whiti has spoken in such a way as to turn aside the people from listening to the proposals of the Government, and the sound of his voice has

unsettled the minds of the people. Recently his words were such as to promote angry feelings and incite open resistance to the law. This was followed, in defiance of the law, and in spite of warnings by officers of the Government, by the erection of fences on land not set apart for Natives; and by Te Whiti's orders his followers assembled in such numbers and under such circumstances as plainly to show their determination to resist the law when the fences should be removed by order of the Government. Thus a great wrong is being done to Natives as well as Europeans, and the confusion which the Governor said must cease is still prevailing. The language used by Te Whiti, and the threatening attitude assumed by his followers, have caused apprehensions among the settlers, and compelled the Government to incur great expense and to increase largely the numbers of the Armed Constabulary.

The Commissioners rightly said, A time must come when the offers and promises of the Crown. must either be accepted or refused once for all. No one would pretend that Te Whiti may on his part keep the whole country-side in turmoil and danger as long as he likes, and that the Government "on its side must be ready to redeem its promises whenever he chooses. If the Native people are to have the promises fulfilled, the English settlers must have some guarantee that they too shall have done with this long suspense, and may live on their land in security and peace." These were the words of the Commissioners and the time has come for their fulfilment.

Te Whiti and his adherents must now accept the proposals of the Government, or all that they might now have under these proposals will be beyond their reach. In the Parihaka Block, 25,000 acres on the Mountain side of the road are, as recommended by the Commissioners, offered as an ample provision for the Parihaka people, besides other reserves on the seaward side of the road. About the latter, the Government has said that it was willing to consider the wishes the Natives might lay before it.

The Government now states plainly that these offers will, after fourteen days, be withdrawn, unless, within that time, Te Whiti and his adherents signify their acceptance of them, and their willingness to submit to the law of the Queen and to bring their claims before the Commission. If they do so, the recommendations of the Commissioners, and the promises made, will be liberally interpreted and fulfilled. Should the Natives be so infatuated as to disregard this warning, the Government will proceed to make roads throughout the Parihaka Block, and to lay off lands for European occupation inland of the main road. The claims of such Natives, under previous promises, will then have passed away, and none of them will be allowed to occupy lands in defiance of the law. The Queen and the law must be supreme at Parihaka as well as elsewhere.

Te Whiti and his people are now called upon to accept the proposals made to them, which would give large and ample reserves to the people. If they do not do this, they alone will be responsible for the passing away from them for ever of the lands which are still proffered by the Government, and for the great evil which must fall on them. In conclusion, the Maoris residing on the West Coast who wish to live at peace with the Europeans are earnestly requested to listen

to a word of great import to them. Te Whiti and those who adhere to him have hitherto refused to listen to the proposals which have been made by the Government, and, at Te Whiti's instance, numbers of Natives are keeping aloof from the work of peace.

The word of the Government now is, that those who wish to accept the offers which have been made, should leave Te Whiti, if he neglects the final opportunity now offered to him. They should go to those lands which have been set aside for them. All visitors should return to their homes, in order that they might not be involved with those who are working confusion, and may not suffer with them. If this warning is neglected, who can distinguish between those who desire peace and those whose work leads to disaster. The innocent and the guilty may suffer together, and this is not the desire of the Government.

Given under the hand of His Excellency Sir James Prendergast, Chief Justice, the Administrator of the Government of Her Majesty's Colony of New Zealand and issued under the Seal of the said Colony, at the Government House, at Wellington, this day of October, in the year of our Lord one thousand eight hundred and eighty-one.

Wm. ROLLESTON. God save the Queen.

APPENDIX 2

Whatiwhatihoe March 16, 1883

Friend John Bryce,

We have agreed to allow your man to go, but let not the hands of your man be spread out. Let him proceed on the duty that you have sent him upon.

We request also that you will not grant applications for surveys within our district, defer them until the question has been discussed by the whole tribe of Ngatimaniapoto.

Secondly, when the talk of the Ngatimaniapoto is over, a petition will be addressed to you praying you and your Parliament to pass a satisfactory law for the lands of the Ngatimaniapoto.

From Wahanui and others.⁴³²

To Wahanui, Manga and others,

Friends your words are good both on account of the work to be done and because they show the friendly relations now established between your tribe and me. Listen, my man is only going on one duty, namely the exploration of railway routes. Enough of that. As to surveys, it will be well for the principal men and the Ngatimaniapoto generally to apply to the Court for surveys and determination of title to land; this is the only way to avoid confusion. In the hope that this will be done shortly, I will keep back minor surveys for a time. This does not refer to trig surveys and stations which have nothing to do with title.

I shall look forward with interest to your petition. Let it state clearly the alteration you want. If it is an improvement in this law I will carefully consider it in your interests.

John Bryce 16/3/83⁴³³

⁴³² Marr, p. 773.

⁴³³ Marr, p. 775.

APPENDIX 3

New Zealand Herald, Volume XX, Issue 6884, 10 December 1883, Page 3 .

SETTLEMENT OF THE NATIVE DIFFICULTY.

Te Awamutu, 30 November, 1884.

Mr, Bryce, Native Minister, met the Ngatimaniapoto tribe at Rewi's house, Kihikihi, to-day. Mr. Bryce said Greetings. I have heard there is an old saying among Maoris, All trouble is caused by land or women." We have nothing to do with women to-day. And for the trouble about land, that will not cease till the title is ascertained. I hope that at least one step will be taken towards the settlement of that trouble. This is not the first time I have expressed, this opinion to you. When I was here before it was urged, and not unreasonably, that time should be allowed to discuss the matter. Applications for hearing had been sent in at the time, and more have been sent in since. Your petition to Parliament was got up stating certain reasons and making certain complaints which I thought had something in them. It was stated that the Land Court was not all that could be desired; speculator and companies were causing trouble. It was also desired to give Maoris power to inquire into their own claims. That was a proper course, and so far as possible the wishes of the petitioners have been carried out. The Native Land Court is improved and simplified. Lawyers and agents have been excluded from the Court. Means have also been arranged for committees to inquire into titles. When you want a committee 1 there will be no difficulty in obtaining it. All difficulties are now removed. The Government provide money for surveys. The law has stopped land from being bought before adjudication; there are heavy penalties for so doing. I told you on a former occasion that I was willing to help you, and I have kept my word. This is a representative meeting of the Ngatimaniapotos. There could be no better time for sending applications for hearing for the whole of your territory. I advise you not to sell all the land. Sell a small portion and invest the proceeds. Lease large blocks; keep sufficient for yourselves to live on. I will undertake to send two Judges to this district, to remain two years if necessary, and move about from place to place. Now that is really the subject on which everything turns. There is, of course, exploration for roads and railways. As I told you when here before, what is being done is to search for the best routes. There was also another and smaller subject, which I will only allude to now, because the Maoris attach some importance to it. I had ordered a trig, survey, to be made when I was at Te Kuiti last year. Wahanui asked me to stop it, as the Maori did not understand it. Taonui asked the same, so that the Maoris could discuss it. They will remember I did not reply, because it would have been said I agreed to what they asked because I was in a Maori settlement, but when I reached Waitara, I ordered it to stop until I came here again. Everything comes back to what I said at first—investigation of title. Therefore, I advise you, the

Ngatimaniopoto, to have your titles investigated. That action will be followed by the appointment of a committee to assist the Court. But it is my duty to add one more remark by way of explanation, and that is, that if you decide to take this course, well, but if not, I cannot hold back the Court any longer, when people ask to have their title to land investigated to which they have a claim. I recognise it as reasonable, and it can be no longer delayed. You will recognise that I have spoken plainly to-day, as I always do.

Wahanui said: Mr. Bryce spoke on many subjects, but though many, they may be summed up in one. I have only one word to say. Mr. Bryce's words are clear. I have agreed to your words. I shall refer to one remark you made about paying for surveys—leave that to me. If I need assistance I will go to you. Let there be only one survey. When that is finished make the subdivision surveys, so that each one may know his own piece. Let the survey be an external one. That is all.

Rewi Ngatimaniapoto said: In reply to your speech I agree with Wahanui in regards to carrying out these matters. I will first despatch Wahanui to mark off the boundaries. If those fixed are correct then the survey can go on afterwards. When that is done then a day can be fixed further to discuss the matter. After the tribal boundary is determined subdivision surveys can go on afterwards.

Mr. Bryce said: It is very satisfactory to me to know you have agreed to what I said. Now, let me try and put your two speeches in one or two words. I understand what you want is that the tribal boundary should first be fixed, after that the subdivisions. I see nothing to object to in the proposal, nor need there be much delay in completing that work. I understand that you agree with me that there should be subdivisions to the different hapus of Ngatimaniapoto. We are, therefore, at one. It only remains for you to decide who will sign the applications. As for the question of expense, my only reason for speaking of that is to prevent you falling into the hands of speculators. If you find money yourselves, so much the better. All I have to add is that the work should be expedited, so that the hapus desirous of having their titles proved may have no delay in doing so.

Hopa Te Rangianini said to Wahanui: Your words are good, or I should not pay attention to you or anyone else. I am an old man. No one knows when I might fall off my horse and be killed. My children would not know what to do after I had gone. Had you taken a different position I would have carried out my intentions (meaning have the land surveyed.) To Mr. Bryce: I had nothing to do with companies. I only spoke to Major Jackson on the matter. As all have agreed to survey, we can work together, but must not be like those who have come to grief by the action of lawyers and companies' agents. I have no opposition. We can refer back to the terms of the Queen's treaty of Waitangi. Be merciful to the Maoris; maintain the principles of the treaty. Let us all be as one —Europeans and Maoris —so that we can resist the common enemy.

Wahanui said Rangianini is right. He has said we are one. Do not agree to the survey asked for Kawhia. A portion of their land overlaps ours. Let each have his own price.

Mr. Bryce: I understand you mean to answer to the application at the Ngatihikairo. Your reason is, that their land encroaches on your claim. It will be for you to determine where the boundary is. The evidence of Wahanui and friends will be heard as well as others. Boundaries in that way will be fixed, but I do not understand he or others should prevent them having their claims decided by the Court. That will be the means of hearing the boundary defined. The applications of the Ngatimaniapotos will be simultaneous with the Ngatihikairos. There need be no difficulty in the matter.

Rewi: The Ngatimaniapotos and Ngatihikairos are one people. Their interests should not clash. Let the matter between them be deferred, and one survey made of the whole country.

Mr. Bryce Then may I regard the matter as that the application you now propose to make will be considered on the same footing as theirs. It does not matter by which application the boundary is fixed. We want such application as will enable us to decide the Ngatimaniapoto boundary.

Rewi: I would like the Court held at Kihikihi, so that Maoris and Europeans can be heard.

Taromoa: I agree with Manga (Rewi) and Wahanui. I am half Ngatihikairo and Ngatimaniapoto. The first application was from the former; the latter then joined issue. The Ngatihikairos will agree when they hear to-day's proceedings.

Taonui: I wish to speak in connection with Wahanui. Let there be only one survey; the subdivisions to stand back; tribal boundaries to be arranged first; no other survey to take place till authorised by the natives. A committee will arrange all these matters.

Mr Bryce: I understand there is one thing now to do; that is, ascertain the boundary of Ngatimaniapoto. What is required to give effect that is sufficient to be done to-day. The subdivisions among the hapus can be left till another day. We all agree to this. It has been suggested to me that the Maoris may consider the petition to Parliament sufficient application. That is not the case. That was a document drawing public attention to the desire of the natives to fix the boundary. The application must be made in form to the Court.

Rewi: When Wahanui and others return from the journey to fix the boundaries among themselves, the minds of people will be known. Those not willing for survey can be put aside. I do not look on the petition to Parliament as sufficient application.

Mr. Bryce: I do not think it necessary or desirable that the whole tribe should sign the application. Three or four could do it, and then as many as desirable brought forward to give evidence. Let us see now where we are. We want the boundaries defined. How is it to be done? It must be by formal application. I do not think it possible a meeting can be got together more influential than this—that is, of Ngatimaniapotos. What you should do is to apply for yourselves, but forms of application in blank could be sent to other tribes. No

doubt, after hearing to-day's proceedings, all will agree.

A chief who was formerly an obstructionist congratulated Wahanui and friends for their unanimity, also Mr. Bryce for his straightforward dealing with them.

Mr. W. H. Grace: Listen to me, oh chiefs. What Mr. Bryce says is true. If you put off agreeing to his terms you put off till an evil day. If old men die, knowledge dies with them. Children in confusion do not know anything about their claims. There are hawks flying about. When a hawk sees a living animal he will not attack, but if he sees a carcass he will feed on it. If you do not agree to Mr. Bryce's proposals your children when you die will be as a carcass. Hawks pounce on them and devour. Therefore I say come to terms this day.

Mr. Bryce: What Wahanui says about subdivisions is good, but the matter before us is external surveys. Let us stick to this point. Never mind about Ngatihikairo and other matters. What we want is to get this work done. Let three or four of you sign an application. Get it done.

Rewi: Is it proposed we sign at once.

Mr. Bryce: Yes.

Rewi: If it is decided that we sign an application for a portion of the land about here, and there is no dispute among ourselves as to the ownership; it is good.

Mr. Bryce: I recommend, rather, that a survey be arranged by a few of the chiefs, and would recommend the following five: Wahanui, Rewi, Taonui, Wharo, and Hope Te Rangianini.

Wahanui: Let it remain give us tonight to consider over it. Come and see us tomorrow morning.

Mr. Bryce: Agree to this. I would not have been here but I heard all had been settled. I am quite willing you should talk the matter over among yourselves.

December 1.

Mr. Bryce's proposals have been accepted by the natives. The application for external survey of the whole of what has been known as the King Country is signed by Rewi, Hitiri, Taonui, Wahanui, and Hopa to Rangianini—altogether thirty names in a body. The application is representing four tribes. The survey will be proceeded with as soon as possible. Mr. Bryce was closeted with the natives for a long time this morning. After dinner Mr. John Ormsby read to the natives reasons for agreeing. Mr. Bryce's proposals were satisfactory to all. Mr. Grace assisted by talking to the natives last night in regard to signing the application.

The native difficulty is now practically at an end. Mr. Bryce is highly pleased at the result of the interview, and will probably return in the middle of the month to further discuss other matters. The natives express the fullest confidence in him. All exhibit a disposition not to sell their land.

BIBLIOGRAPHY

PRIMARY SOURCES

Unpublished Correspondence and Papers

Alpers Papers: MS-Papers-0086, Alexander Turnbull Library.
Bryce, John, Diary 6 Feb-9 May 1886, MS-0340, Alexander Turnbull Library.
Hall Mss., MS-Copy-Micro-0694-43, Alexander Turnbull Library.
Rolleston Diary, 1881, qMS-1716, Alexander Turnbull Library.
Rolleston, Elizabeth Mary, Diary MS-1827, Alexander Turnbull Library.

Official Published

Appendix to the House of Representatives.

- 'Correspondence relative to Grant of Land for the Industrial School at Wanganui', 1866 Session 1, D-15.
- 'Despatches from the Novernor of New Zealand and the Secretary of State', 1873, Session I, A-01a.
- 'Despatches from the Governor of New Zealand to the Secretary of State', 1881, Session I, A-01.
- 'Electoral Roll of Mongonui and Bay of Islands District', 1879, Session I, H-8.
- 'Lands Purchased and Leased from Natives in North Island', 1892, Session I, G-02.
- 'Native Affairs and the Amnesty', 1883, Session I, A-08.
- 'Native Statement by the Native Minister, the Honourable Mr. Bryce', 1879, Session II, G-1.
- 'Ngai Tahu Land Report Volume 2.3, The Princes Street Reserve Summary, 1877, Session I, I-03b.
- 'Papers Relative to the Operations against the Rebel Natives', 1869, Session I, A-03.
- 'Reports of the Royal Commission: The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879', 1880, Session I, G-02.
- 'Report on Confiscated Native Lands and other Grievances', 29 June 1927, 1928.
- 'Report on petition of Six Hundred and Seventy Inhabitants of Wanganui, 1875, Session I, I-05.
- 'The Maori Prisoners, Their Detention, Treatment, Etc.', 1881, Session I, G-07.
- 'West Coast Native Affairs', 1883, Session I, A-04.

Reports of the Native Affairs Committee.

'Report on Petition of Wiremu Parata and 18 Others', 1876,
nzetc.victoria.ac.nz/tm/scholarly/tei-Nat1876Repo-t1-g1-t1.html
'Petition of Rahera Tiwaia', 1878, nzetc.ac.nz.

Wanganui Harbour and River Conservators Board Act 1876,
www.legislation.co.nz/act/public/1876/0086/4.0/DLM131925.html.

Newspapers

*Akaroa Mail and Banks Peninsula
Advertiser.*
Auckland Star.
Bay Of Plenty Times.
Birmingham Daily Post.
Citizen.
Clutha Leader.
Colonist.
Daily Southern Cross.
Daily Telegraph.
Ellesmere Guardian.
Evening Post.
Feilding Star.
Grey River Argus.
Hawera & Normanby Star.
Hawkes Bay Herald.
London Standard.
Lyttleton Times.
Manawatu Standard.
Marlborough Express.

Mercury Hobart.
Nelson Evening Mail.
New Zealand Herald.
Oamaru Mail.
Observer.
Otago Daily Times
Otago Witness.
Poverty Bay Herald.
Press.
Star.
Taranaki Herald.
Thames Advertiser.
Thames Star.
Timaru Herald.
Tuapeka Times.
Waikato Times.
Wanganui Chronicle.
Wanganui Herald.
West Coast Times.

SECONDARY SOURCES

Articles

Adams, Tui, Te Uira, Ngahinaturae and Parsinson, Ann, 'Behold a Kite Flies
Towards You' in *New Zealand Journal of History*, Vol. 31:1, 1997

Boast, R.P., *Treaties Nobody Counted On*,
www.victoria.ac.nz/law/research/publications/vuwlr/.../03-Boast.pdf.

Bolton, Kerry, 'The Parihaka Cult' in *Antrocom Online Journal of Anthropology*
2011, vol 7. n. 1, www.coxon.com/.../the-parihaka-cult-antrocom-online-journal.

Cowan, James, 'Famous New Zealanders: No. 23: Wahanui', *New Zealand
Railways Magazine, Volume 8, Issue 11*, Wellington: 1953.

Church, Ian, 'Te Rei Hanataua, Hone Pihama', *The Turbulent Years, 1879-1900: The Maori Biographies from the Dictionary of New Zealand Biography, Volume Two*, Wellington: Bridget Williams Books and Department of Internal Affairs, 1994. pp. 174, 175.

Gardner, W.J., 'Hall, John', from the *Dictionary of New Zealand Biography*, Volume One, Wellington: Bridget Williams Books Limited and the Department of Internal Affairs, Reprinted 1990.

Koroheke, Chris 'Te Muhuki' from the *Dictionary of New Zealand Biography, Te Ara – The Encyclopedia of New Zealand*, updated 20 October 2012
<http://www.TeAra.govt.nz/en/biographies/2t22/te-mahuki>.

Lower Hutt Borough Council, *Lower Hutt Past and Present: A Centennial and Jubilee Publication*, Lower Hutt: 1941.

Murray, J letter in *The New Zealand Journal*, Saturday, December 19 (1840)

O'Leary, John, "Too Good to be True? – Race, Class, Massacre and the Bryce v Rusden Libel Case" in

Oliver, Steven, 'Te Rangi Paetahi, Mete Kingi', from the *Dictionary of New Zealand Biography. Te Ara - the Encyclopedia of New Zealand*, updated 30-Oct-2012 URL: <http://www.TeAra.govt.nz/en/biographies/1t62/te-rangi-paetahi-mete-kingi>.

Riseborough, Hazel, 'Bryce, John', *Dictionary of New Zealand Biography*, Volume Two, Wellington: Bridget Williams Books Limited and the Department of Internal Affairs, Reprinted 1993.

Riseborough, Hazel, 'Parihaka and the Historians', *The 1993 Parihaka Seminars*, Taranaki Museum.

Stone, R.S., 'The Maori Lands Question and the Fall of the Grey Ministry, 1879' *New Zealand Journal of History*, Vol.01, 1967, No. 1.

'Tītōkōwaru's war', Ministry for Culture and Heritage, URL:
<http://www.nzhistory.net.nz/war/titokowarus-war>, updated 7-Feb-2013.

Wikipedia, 'New Zealand General Election, 1875-76'.

'Waipuna,' *Journal of Whanganui Historical Society*, Vol 5, n.1, May 1974.

Winder, Virginia, *Dick Scott. outlines own Parihaka Journey*, 2003: accessed 28 July 2014, pukeariki.com/Learning-Research/Taranaki-Research-Centre/Taranaki-Stories/Taranaki-Story/id/90/title/dick-scott-outlines-own-parihaka-journey.

Books

Binney, Judith, *Redemption Songs: a life of Te Kooti Arikirangi Te Turiki*, Wellington: Bridget Williams Books, 2012.

Belich, James, *I Shall Not die: Titokowaru's War, 1868-1869*, Wellington: Bridget Williams Books, 2010.

Belgrave, Michael, *Historical Frictions: Maori Claims and Reinvented Histories*, Auckland, Auckland University Press, 2005.

John Bryce, *In the High Court of Justice, Queen's Bench Division, Royal Courts of Justice, Thursday, 4th March, 1886, before Baron Huddleston and a special jury, Bryce v. Rusden*, London: Waterlow Bros. & Layton, 1886.

Burdon, R.M. *New Zealand Notables*, Christchurch: Caxton Press, 1941.

Condliffe, J.B. and Airey, W.T.G., *A Short History of New Zealand*, Auckland, 7th ed. 1953.

Cowan, James, *New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period: Volume I: 1845–1864*, Wellington: R.E. Owen, 1955.

Cowan, James, *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period: Volume II: The Hau Hau Wars, 1864-72*, Wellington: R. E. Owen, 1956.

Dickson, J, *History of the Presbyterian Church of New Zealand*, Dunedin: J. Wilkie & Co., 1899.

Friends of the Turnbull Library, *Edward Gibbon Wakefield and the Colonial Dream: A Reconsideration*, Wellington: GP Publications, 1997

Hewett, Ellen Anne, *Looking Back, or Personal Reminiscences*, Hamilton: 4th Edition, Rice Print, 1978.

McCan, David, *Whatiwhatihoe: The Waikato Raupatu Claim*, Wellington: Huia Publishers, 2001.

McIlroy, Ian, 'Journal of John Henery' reproduced in *The Voyage of the Emigrant ship Bengal Merchant from Scotland to New Zealand, October 1839 to February 1840*, Christchurch: 2002.

McIvor, Timothy, *The Rainmaker: A Biography of John Ballance, Journalist and Politician 1839-1893*, Auckland: Heinemann Reed, 1989.

Marjoribanks, Archibald, *Travels In New Zealand*, Reprint, Christchurch: Capper Press: 1973.

Morris, Grant, *Prendergast Legal Villain?*, Wellington: Victoria University Press, 2014.

Newbury, Colin, *Patronage and Politics in the Victorian Empire: The Personal Governance of Sir Arthur Hamilton Gordon (Lord Stanmore)*, New York: Cambria Press, 2010.

Riseborough, Hazel, *Days of Darkness: Taranaki 1878-1884*, Auckland: Allen & Unwin, 2002.

Rusden, G.W. ed. *Aureretanga: Groans of the Maoris*, Christchurch, New Zealand: Capper Press, 1975.

Rusden, G.W., *History of New Zealand, Vol. III*, Melbourne: Melville, Mullen and Slade, 1883.

Rusden, G.W. *Notes on the "History of New Zealand." [An examination of the career of the Hon. John Bryce, Minister for Native Affairs, 1879-84]*, London" British Library, Historical Print Editions, 1885.

Scott, Dick, *Ask That Mountain: the Story of Parihaka*, Auckland: Heinemann, 1975.

Simpson, Tony, *The Immigrants: The Great Migration from Britain to New Zealand, 1830-1890*, Auckland: Godwit Publishing, 1997.

Temple, Philip, *A Sort of Conscience: The Wakefields*, Auckland, Auckland University Press, 2002.

Walker, Peter *The Fox Boy: The Story of an Abducted Child*, London: Bloomsbury Publishing Plc., 2001.

Ward, Alan, *A Show of Justice: Racial Amalgamation in Nineteenth Century New Zealand*, Canberra: Australian National University Press, 1974

Ward, Louis, E, *Early Wellington*, Auckland: Whitcombe & Tombs Ltd., 1928.

Williams, David. V., *A Simple Nullity?: The Wi Parata Case in New Zealand Law and History*, Auckland: Auckland University Press, 2011.

Wilson, James G, *Early Rangitikei*, Christchurch: Cadsonbury Publications, 2012.

Woolf, Daniel R. Feldherr, Andrew, Hardy, Grant, ed. *Oxford History of Historical Writing, Volume 4: 1800-1945*, London: Oxford University Press: 2012.

Reports

Gilling, Bryan D., 'The Purchase of the Patetere Block 1873-1991: An Exploratory Report', *Waitangi Tribunal Report WAI 255*, 1992.

Hearn, T.J., 'Raukawa, land, and the Crown: a review and assessment of land purchasing in the Raukawa Rohe, 1865 to 1971, *Waitangi Tribunal Report WAI #A12*, 2008.

McLintock, A.H., *An Examination of the Facts concerning a Sacred or Solemn Pact, Covenant, Pledge or Treaty said to have been made between the Government of New Zealand and the Maori Chiefs of the King Country*, 1953, ATL, MS-Papers 2470.

Loveridge, Donald M., 'The Crown and the Opening of the King Country 1882-1885', *Waitangi Tribunal Report WAI903 #A76*, 2006.

Marr, Cathy, 'Te Rohe Potae Political Engagement 1864-1886', *Waitangi Tribunal Report WAI 898 #A78*, 2011.

Theses

Carr, John, *A Study of European Responses to the Pardon of Te Kooti in 1883 and to his intended return to Poverty Bay in 1889*, a Research Exercise, B.A. Honours, Massey University, 1975.

Finny, Guy, *New Zealand's Forgotten Appellate Court? The Native Affairs Committee, Petitions and Maori Land: 1871 to 1900*, LLB (Honours) Degree, University of Wellington, 2013.

Pearless, Harawira Craig, *State as Terrorist Kawanranga te Kaiwhakatuma. Parihaka 1881, Maungapohatu 1916, Ruatoki 2007*, M.A. Maori Studies, Massey University, 2009.

Riseborough, *Policies and Prophecies: Aspects of Government Native Policy in Taranaki 1878-1884*, PhD Thesis, Massey University, 1987.