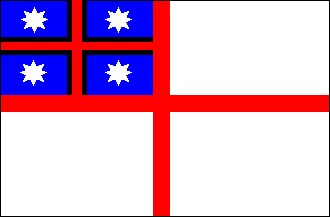
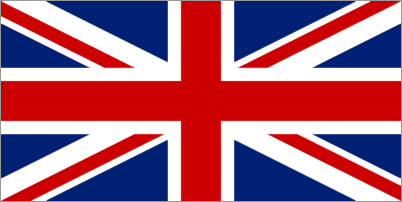
**BRITAIN BECOMES MORE INVOLVED**

**The 1830s**

** **

**Flag of the United Tribes of New Zealand 1834 Union Jack created 1801**

**   **

**Edward Gibbon Wakefield Henry Williams Carved face James Busby**

**CONTENTS**

1. **Captain Stewart and the *Elizabeth* - a frontier of chaos?**
2. **The 1931 Petition**
3. **James Busby, British Resident 1833–40**
4. **The First Flag**
5. **The Declaration of Independence 1835**
6. **The *Harriet* affair - a frontier of chaos?**
7. **Baron Charles de Thierry**
8. **Kororāreka - ‘The scourge of the Pacific’?**
9. **The French arrive in the Bay of Islands**
10. **Wakefield and the New Zealand Company**
11. **Some thoughts for analysis**

**These sources are drawn from:**

**'NZ in the 19th century - NCEA 3 History', URL: http://www.nzhistory.net.nz/classroom/ncea3/19th-century-history-introduction, (Ministry for Culture and Heritage), updated 15-Apr-2011**

**And**

**Naumann, Ruth, Lyn Harrison, and Te Kaponga Winiata. *Te mana o te tiriti = the living treaty*. Auckland, N.Z.: New House Publishers, 1990. Print**

1. **Captain Stewart and the *Elizabeth* - a frontier of chaos?**



[Te Rauparaha](http://www.nzhistory.net.nz/?q=node/1245)

In 1830 Captain John Stewart of the brig *Elizabeth* made an arrangement with Ngāti Toa leader Te Rauparaha to ferry a taua (war party) of 100 warriors from his base on Kapiti Island to Banks Peninsula. Te Rauparaha wanted to surprise his Ngāi Tahu enemies and avenge the killing and eating of several Ngāti Toa chiefs at Kaiapoi in 1829. Te Pehi Kupe had suffered the ultimate insult when his bones were made into fish-hooks. Te Rauparaha was keen to reassert his mana over his southern rivals.

In return for his services, Stewart would receive a cargo of flax. Although a business partner had been killed by Ngāi Tahu in 1824, Stewart’s motivation in 1830 was primarily economic.

**A southern Trojan Horse**

The arrival of a European trading ship would not have raised any particular alarm among Ngāi Tahu. Stewart lured the chief Te Maiharanui (Tama-i-hara-nui) aboard by offering to trade flax for muskets. Once they were aboard, Te Rauparaha and his men seized the chief, his wife and daughter. Ngāti Toa warriors attacked and destroyed Te Maiharanui’s settlement, Takapuneke. Several hundred were killed and dozens enslaved.

The brig returned to Kapiti with Te Maiharanui and his family held captive. Rather than see his daughter enslaved, Te Maiharanui strangled her and threw her overboard. Once on Kapiti, Te Maiharanui suffered death by slow torture at the hands of the widows of the Ngāti Toa chiefs slain at Kaiapoi; his wife met the same fate.

**British law and order**

Captain Stewart’s actions caused great concern among the missionaries, who were struggling to make progress in New Zealand. They felt that his participation in an ongoing dispute between tribes sent all the wrong messages to Māori about the effects of European contact.

The incident also highlighted the fact that New Zealand was a kind of judicial black hole. Governor Ralph Darling of New South Wales put Stewart on trial in Sydney as an accomplice to murder. In keeping with contemporary European attitudes, however, Ngāi Tahu were deemed ‘incompetent’ to act as witnesses because they were ‘heathens’. As a result, Stewart and his crew escaped punishment despite subsequent efforts to bring them before English courts.

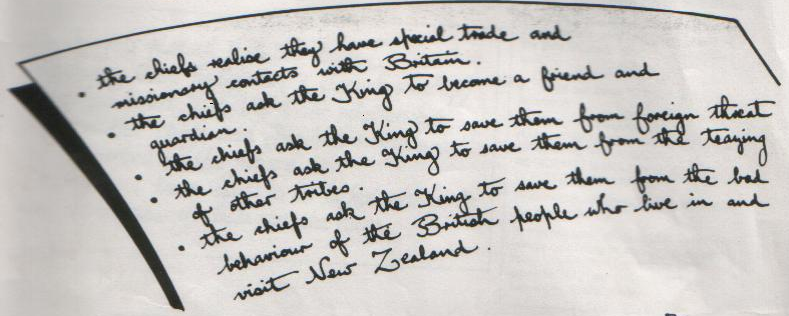
Church Missionary Society for the The fact that no Europeans were killed in this incident meant that most Europeans took little interest in it. It did intensify demands, though, from humanitarian groups such as the British Colonial Office to intervene in New Zealand.

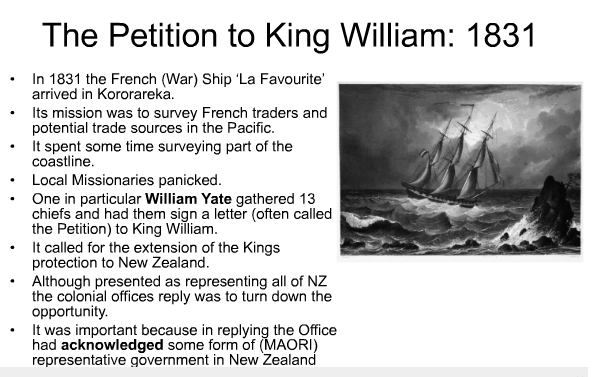
**Answer the following questions?**

1. ***In what ways would the Elizabeth Incident be of concern to the British Government?***
2. ***If you had to put this incident into context, would you categorise it as an incident or as an example of lawlessness?***
3. ***Give reasons for both answers***

**2.The invitation of 1831**

In 1831, an invitation (petition) was sent from some Maori chiefs to Britain. It came about when 13 northern chiefs met at Kerikeri and signed a petition to King William IV. The petition said:





The first recorded meeting between Maori and European had resulted in four Europeans being killed. History books have spoken of the massacres of European by Maori but Maori estimate that as many as two thousand Maori may have been killed by Europeans, before 1840. By 1831 a lot of Maori and Europeans, like traders and missionaries, were complaining of the **lawlessness,** largely British, in New Zealand.

* Maori chiefs travelled to England and some met the King, Hongi Hika, the Ngapuhi warrior chief, visited George IV in 1820, for example.
* The early missionaries were from the established church in England. They helped to spread the idea that the British Crown had a fatherly and motherly interest in Maon affairs. Maori were keen to learn about the Royal Family and their kainga of London.
* 1820s and 1830s American, Canadian, Danish, German, French, Portuguese and Norwegian ships came to New Zealand. When a French warship arrived in the early 1830s, a rumour went around that it was going to annex New Zealand to France and avenge (take utu for) the killing of Marion du Fresne and his crew in 1772 by Maori. Maori people were concerned as they did not want to be taken over by France.
* Maori were impressed with British ships and power on the ocean. Britain had defeated France and earned the title of “Ruler of the Seas”.

1. **James Busby, British Resident 1833–40**

In 1832, with the agreement of the British government, New South Wales appointed James Busby as British Resident, a position equivalent to a consular officer. Busby arrived in New Zealand in May 1833 to watch over British interests. It was an impossible task, with virtually no budget and no real authority; even the New South Wales government sometimes took action in New Zealand without consulting him. Busby rarely went far from the Bay of Islands and was on bad terms with New South Wales Governor Sir Richard Bourke and some of the missionaries. The Colonial Office looked forward to replacing him with someone more able.

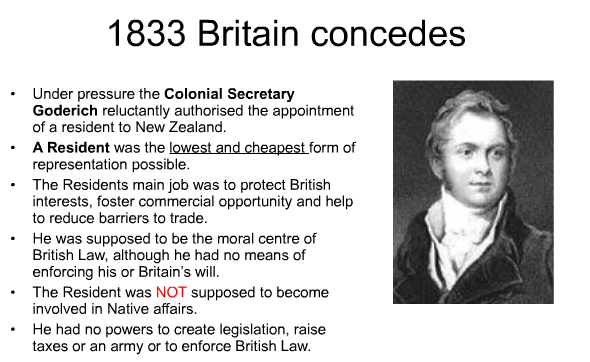
His role was to act as a go-between between Māori and European, and to [deal](http://christchurchcitylibraries.com/Society/Politics/New-Zealand/Treaty-Of-Waitangi/) with the growing number of crimes such as stealing, murder, assault and arguments over land.

At the time of Busby’s appointment as British Resident, Britain saw New Zealand as an independent territory. New South Wales Governor Richard Bourke instructed him to protect ‘well-disposed settlers and traders’, prevent ‘outrages’ against Māori by Europeans, and apprehend escaped convicts.

As New Zealand was not British territory, Busby could not hold magisterial office and had no powers of arrest. Bourke disliked Busby and his council resented having to fund him. Responses to requests for money always fell short of Busby’s needs. Bourke advised Busby to utilise chiefly authority and guide Māori towards a settled form of government. Bourke hoped that chiefs would develop a sense of collective responsibility for the behaviour of both Māori and Europeans. Busby was provided with no means of coercion apart from an occasional naval visit.

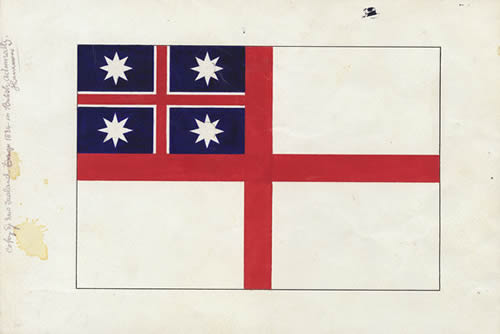
**James Busby biography**

* Edinburgh-born James Busby (1802-1871) was British Resident, a consular representative, in New Zealand from 1833.
* By the early 1830s there were perhaps only a couple of hundred permanent European residents in New Zealand. The reputation of the principal settlement of [Kororareka](http://www.nzhistory.net.nz/node/2631) as the 'hell-hole of the Pacific' led Busby to conclude that New Zealand was an example of 'extreme frontier chaos'. Busby’s main duties, as outlined in instructions from Governor Richard Bourke of New South Wales, were to protect the more orderly British settlers and traders and prevent 'outrages' by the less orderly Europeans against Maori.
* Based at Waitangi in the Bay of Islands, Busby was given little material support with which to achieve these aims; he had no troops or police and no legal power to make arrests. Maori derided him as a ‘Man-o-War without guns’. Busby was well aware of the shortcomings of his position. He was eventually assisted by the unpaid Lieutenant Thomas McDonnell, a retired naval officer who had established himself as a trader in the Hokianga.
* In 1834 Busby gained official recognition for a New Zealand flag, under which locally built ships could sail to Australia without fear of being impounded. In 1835 he used Charles de Thierry’s attempt to declare a sovereign state in the Hokianga to persuade chiefs to sign a [Declaration of Independence](http://www.nzhistory.net.nz/node/3716) asserting their own sovereignty over New Zealand. While there was considerable doubt that the 'confederation' actually existed, the British Government recognised the Declaration.
* In early 1840 Busby helped William Hobson draft the Treaty of Waitangi. The document was explained, debated and signed at the great gathering at Busby's Waitangi home – now the 'Treaty House'. His influence was seen in Article 2 ([Read The Treaty](http://www.nzhistory.net.nz/node/2642)), which guaranteed Maori chiefs 'tino rangatiratanga' (Maori version) or 'full, exclusive and undisturbed possession' (English version) of their lands and other resources.
* Busby also has a claim to fame as our first winemaker. He trained in Europe as a viticulturalist, and brought a collection of grapevines that helped to found the Australian wine industry. In the late 1830s he established a vineyard at Waitangi.
* Declining a position in William Hobson's new colonial government, Busby tried to expand his farming interests in the 1840s, but became entangled in litigation over his land titles. He also edited a newspaper and served as a member of the Auckland Provincial Council. He died in 1871 while visiting England for an eye operation.
* See also: [biography of James Busby on DNZB website](http://www.dnzb.govt.nz/dnzb/default.asp?Find_Quick.asp?PersonEssay=1B54)
* Busby was in effect a race relations conciliator in disputes between Māori and Pākehā, and a mediator in matters affecting British subjects alone. He was not very successful in either role



1. **The First Flag**

The idea of a flag to represent New Zealand was first broached in 1830, when the Hokianga-built trading ship *Sir George Murray* was seized in Sydney by Customs officials for sailing without a flag or register. Australia, New Zealand's major trading market, was subject to British navigation laws which ruled that every ship must carry an official certificate detailing construction, ownership and nationality of the ship. At that time, New Zealand was not yet a British colony and New Zealand-built ships could not sail under a British flag or register. Without a flag to represent the new nation, trading ships and their valuable cargoes were liable to be seized.

 [United Tribes flag](http://www.nzhistory.net.nz/node/1863)

**Busby takes up the cause**

Upon arriving in the Bay of Islands in 1833 to take up the position of British Resident, [James Busby](http://www.nzhistory.net.nz/node/5708) almost immediately wrote to the Colonial Secretary in New South Wales suggesting that a New Zealand flag be adopted.

Aside from solving the problems with trans-Tasman trade, Busby also saw the flag as a way of encouraging Maori chiefs to work together, paving the way for some form of collective government. The Australian authorities agreed wholeheartedly with his proposal for a flag, and some months later forwarded a possible design, consisting of a white background with four blue horizontal bands across it and the [Union Jack](http://www.nzhistory.net.nz/node/14411) in the top left-hand corner. This design was, however, deemed unsuitable by Busby as it contained no red, 'a colour to which the New Zealanders are particularly partial, and which they are accustomed to consider as indicative of rank'.

The senior missionary of the Church Missionary Society, [Rev. Henry Williams](http://www.nzhistory.net.nz/node/5768), was enlisted to design an alternative flag, drawing on his experience as a lieutenant in the Royal Navy. The three flag designs he produced were then sent to Governor Bourke in New South Wales, who had the designs sewn up and forwarded to Busby by way of HMS *Alligator*.

**Maori chiefs choose a flag**

On 20 March 1834, 25 chiefs from the Far North and their followers gathered at Waitangi to choose a flag to represent New Zealand. A number of missionaries, settlers and the commanders of 10 British and 3 American ships were also in attendance at the occasion.

Following Busby's address, each chief was called forward in turn to select a flag, while the son of one of the chiefs recorded the votes. The preferred design, a flag already used by the Church Missionary Society, received 12 out of the 25 votes, with the other two designs receiving 10 and 3 votes respectively. Busby declared the chosen flag the national flag of New Zealand and had it hoisted on a central flagpole, accompanied by a 21 gun salute from HMS *Alligator*.

The new flag was then sent back to New South Wales for passage to King William IV. The King approved the flag, and a drawing of it was circulated through the Admiralty with instructions to recognise it as New Zealand's flag. It came to be known as the Flag of the United Tribes of New Zealand in recognition of the title used by the same chiefs when they met again.

[United Tribes flag on Sth African War medal](http://www.nzhistory.net.nz/node/14438)

Busby's hope that the flag would provide a means for encouraging Maori to act collectively was partially fulfilled when many of the chiefs involved went on to sign the [Declaration of Independence](http://www.nzhistory.net.nz/node/2635) in 1835. To Maori, the United Tribes flag was significant in that Britain had recognised New Zealand as an independent nation with its own flag, and in doing so, had acknowledged the mana of the Maori chiefs. As only northern chiefs were involved in choosing the flag, it became particularly significant to northern Maori.

By way of oral history and tradition, the flag remains important to successive generations of northern Maori today. The flag could be sighted flying in various locations around the Bay of Islands, as well as on ships plying their trade to Sydney. Ships calling at other ports in New Zealand led to the flag's use in other parts of the country as well.

1. **The Declaration of Independence 1835**

On 28 October 1835, James Busby called a hui (meeting) at Waitangi. Thirty-four northern chiefs who became known as the Confederation of United Tribes signed ‘A Declaration of the Independence of New Zealand’ and called upon King William IV of Britain to become their ‘parent’ and ‘Protector’. They also thanked the King for acknowledging [their flag](http://www.nzhistory.net.nz/node/1863).

The handwritten Declaration consisting of four articles was later printed by a mission printery. It asserted the independence of Nu Tirene (New Zealand) under the rule of the ‘United Tribes of New Zealand’, which planned to ‘meet in Congress’ at Waitangi each autumn to frame laws.

Māori had no say in the preparation of this document. Nevertheless, by 1839, 52 chiefs had signed the declaration, which was acknowledged by the British government. Busby saw it as a significant mark of Māori national identity and believed it would prevent other countries from making formal deals with Māori.

Maori did have some degree of unity prior to the arrival of pakeha, this being a common genealogical link with Maui. There were other features of unity too:

* unity through peacemaking (maunga-a-rongo)
* unity through kinship (whakawhanaungatanga)
* alliances through marriage (tatu pounamu)

Maori now though had to adapt to new ideas of unity - those of nationhood and sovereignty, the first encounter they had with these concepts were in the Declaration of Independence.

Busby persuaded 34 Northern chiefs to sign this Declaration of Independence of New Zealand in 1835. On this Declaration they signed themselves the Confederation of United Tribes and they asked the British government to recognise the country's independence and to extend the protection of the Crown to New Zealand. This Declaration ultimately proclaimed the idea of an independent state in the notion 'he whenua rangitira' - a chiefly land.

Busby had acted partly in response to Frenchman Charles Philippe de Thierry, who had announced plans to proclaim an independent state in Hokianga. The self-declared nobleman’s claims were in the end easily dismissed, but the fact remained that if Britain did not intervene in New Zealand, another country might do so.

**What did the Declaration say?**

The handwritten Declaration (it was later printed by the missionary press) consisted of four articles. It asserted the independence of Nu Tirene (New Zealand) under the rule of the ‘United Tribes of New Zealand’. All sovereign power and authority in the land (‘Ko te Kingitanga ko te mana i te w[h]enua’) resided with the chiefs ‘in their collective capacity’. The chiefs present agreed to meet annually at Waitangi to make laws. In return for the ‘friendship and protection’ that Māori were to give British subjects in New Zealand, the chiefs entreated King William IV ‘to continue to be the parent [matua] of their infant State’, and asked him to ‘become its Protector from all attempts upon its independence’. Thirty-four northern chiefs signed the declaration on 28 October 1835. Busby sent it to the King, and it was formally acknowledged by the Crown in 1836. By 22 July 1839 another 18 chiefs had signed, including Te Wherowhero, the Waikato Tainui ariki who was to become the first Māori king in 1858.

Busby saw the declaration as a step towards making New Zealand a British possession. It was also an opportunity for him to boost his reputation with Māori. He had not enjoyed great success as the British Resident. While capable, he was argumentative and had few friends. The Sydney press mocked him as ‘Mr Borer Busby Junior’ and maintained that he was not up to the task. In 1835 Busby’s superiors decided to appoint Hokianga-based Thomas McDonnell, as Honorary Additional British Resident. They felt that McDonnell, a trader, would have greater influence with Māori. He succeeded in banning liquor sales in the Hokianga, something Busby had been unable to achieve in the Bay of Islands. For Busby, the Declaration was an opportunity to reassert himself at the expense of McDonnell.

Māori who signed saw the Declaration as a guarantee of their independence. They believed it strengthened their relationship with the British and welcomed the promise of protection.

**Reactions to the Declaration**

Governor Bourke of New South Wales referred to the Declaration as ‘a paper pellet fired off at Baron de Thierry’. Although a Colonial Office official called it ‘silly and unauthorised’, Lord Glenelg, the secretary of state for the colonies, was more enthusiastic, advising the King that it showed ‘a due regard to the just rights of others and to the interests of His Majesty’s subjects’.

**Interpretations of the Declaration**

The significance of the Declaration of Independence as a step towards the signing of the Treaty of Waitangi in 1840 has been widely debated by historians in recent years. Its signatories did not speak for all Māori. Gavin McLean described New Zealand at the time as ‘a fragmented, war-weary land where tiny hapu, as often as iwi, claimed most people’s loyalties’. Claudia Orange noted that ‘there was no indigenous political structure upon which to base a united congress’. This interpretation was echoed by another historian, Michael King, who maintained that the Declaration ‘had no reality, since there was … no national indigenous power structure within New Zealand’.

Despite these drawbacks, the Declaration became a foundation for the assertion of indigenous rights and was another step towards a formal constitutional relationship with Britain. Tom Brooking argueed that the Colonial Office accepted the Confederation of United Tribes as bestowing ‘indisputable’ Māori ‘title to the soil and the sovereignty of New Zealand’. For many, though, the Declaration was primarily a matter for Ngāpuhi. Paul Moon saw it as a ‘regional goodwill agreement rather than a national document of truly constitutional significance’.

**The Declaration in practice**

The Declaration seems to have had very little practical effect at the time. The chiefs who attended the hui told Busby not to expect any chief to subordinate his mana to that of the United Tribes. Indeed, as Michael King pointed out, some of the ‘United’ Tribes were at war with one another within a year of signing the document. There is no evidence that the confederation of chiefs was ever reconvened, except at the time of the signing of the Treaty of Waitangi in February 1840.

No functioning New Zealand-wide government came into existence as a result of the Declaration. Effective sovereignty lay not with the United Tribes but with the chiefs of individual iwi and hapū. Local law enforcement, such as it was, was in the hands of the Kororareka Association, a group of local settlers that worked with Busby and some of the local chiefs.

Some historians suggest that the Declaration was taken seriously only in 1840, when it proved to be an impediment to the annexation of New Zealand. Before sovereignty could be transferred to the British crown via the Treaty of Waitangi, the Declaration had to be revoked. This is why the chiefs who had signed the Declaration, or their successors, were the first men to be called up to sign the Treaty.

**Transcript**

*1. KO MATOU, ko nga Tino Rangatira o nga iwi o Nu Tireni i raro mai o Hauraki kua oti nei te huihui i Waitangi i Tokerau i te ra 28 o Oketopa 1835, ka wakaputa i te Rangatiratanga o to matou wenua a ka meatia ka wakaputaia e matou he Wenua Rangatira, kia huaina, Ko te Wakaminenga o nga Hapu o Nu Tireni.*

*2. Ko te Kingitanga ko te mana i te wenua o te wakaminenga o Nu Tireni ka meatia nei kei nga Tino Rangatira anake i to matou huihuinga, a ka mea hoki e kore e tukua e matou te wakarite ture ki te tahi hunga ke atu, me te tahi Kawanatanga hoki kia meatia i te wenua o te wakaminenga o Nu Tireni, ko nga tangata anake e meatia nei e matou e wakarite ana ki te ritenga o o matou ture e meatia nei matou i to matou huihuinga.*

*3. Ko matou ko nga tino Rangatira ka mea nei kia huihui ki te runanga ki Waitangi a te Ngahuru i tenei tau i tenei tau ki te wakarite ture kia tika ai te wakawakanga, kia mau pu te rongo kia mutu te he kia tika te hokohoko, a ka mea hoki ki nga tauiwi o runga, kia wakarerea te wawai, kia mahara ai ki te wakaoranga o to matou wenua, a kia uru ratou ki te wakaminenga o Nu Tireni.*

*4. Ka mea matou kia tuhituhia he pukapuka ki te ritenga o tenei o to matou wakaputanga nei ki te Kingi o Ingarani hei kawe atu i to matou aroha nana hoki i wakaae ki te Kara mo matou. A no te mea ka atawai matou, ka tiaki i nga pakeha e noho nei i uta, e rere mai ana ki te hokohoko, koia ka mea ai matou ki te Kingi kia waiho hei matua ki a matou i to matou Tamarikitanga kei wakakahoretia to matou Rangatiratanga.*

*KUA WAKAAETIA katoatia e matou i tenei ra i te 28 Oketopa, 1835, ki te aroaro o te Reireneti o te Kingi o Ingarani.*

**English Translation**

Declaration of Independence of New Zealand

1. We, the hereditary chiefs and heads of the tribes of the Northern parts of New Zealand, being assembled at Waitangi, in the Bay of Islands, on this 28th day of October, 1835, declare the Independence of our country, which is hereby constituted and declared to be an Independent State, under the designation of The United Tribes of New Zealand.

2. All sovereign power and authority within the territories of the United Tribes of New Zealand is hereby declared to reside entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity, who also declare that they will not permit any legislative authority separate from themselves in their collective capacity to exist, nor any function of government to be exercised within the said territories, unless by persons appointed by them, and acting under the authority of laws regularly enacted by them in Congress assembled.

3. The hereditary chiefs and heads of tribes agree to meet in Congress at Waitangi in the autumn of each year, for the purpose of framing laws for the dispensation of justice, the preservation of peace and good order, and the regulation of trade; and they cordially invite the Southern tribes to lay aside their private animosities and to consult the safety and welfare of our common country, by joining the Confederation of the United Tribes.

4. They also agree to send a copy of this Declaration to His Majesty, the King of England, to thank him for his acknowledgement of their flag; and in return for the friendship and protection they have shown, and are prepared to show, to such of his subjects as have settled in their country, or resorted to its shores for the purposes of trade, they entreat that he will continue to be the parent of their infant State, and that he will become its Protector from all attempts upon its independence.

Agreed to unanimously on this 28 day of October, 1835, in the presence of His Britannic Majesty’s Resident.

(Here follows the signatures or marks of thirty-five Hereditary chiefs or Heads of tribes, which form a fair representation of the tribes of New Zealand from the North Cape to the latitude of the River Thames.)  
English witnesses:  
(Signed) Henry Williams, Missionary, C.M.S.  
George Clarke, C.M.S.  
James C. Clendon, Merchant.  
Gilbert Mair, Merchant.

I certify that the above is a correct copy of the Declaration of the Chiefs, according to the translation of Missionaries who have resided ten years and upwards in the country; and it is transmitted to His Most Gracious Majesty the King of England, at the unanimous request of the chiefs.

(Signed) JAMES BUSBY, British Resident at New Zealand.

The British government agreed to recognise New Zealand's independence and protection, when they heard this Southern chiefs were also invited to join the confederation and annual congress at Waitangi was proposed. Busby continued to collect signatures on this Declaration, including Te Wherowhero of Waikato and Te Hapuku of Ngati Kahungunu. However, continuing competition and the ensuing wars between tribes meant the congress never met.

1. *Why is it significant that the British Government recognized New Zealand’s indendence?*
2. *How would a historian check the evidence that the government did that?*
3. *What is a potential problem with the Declaration?*

The second meeting that Busby called in 1835 was over two issues:

1. firstly, the Harriet/Alligator Affair, and
2. secondly the Baron de Thierry affair.
3. **The *Harriet* affair - a frontier of chaos?**

**Introduction**

The rescue of Betty Guard and her two children from Ngāti Ruanui in the spring of 1834 involved the first action by British troops on New Zealand soil. A British House of Commons inquiry into the affair in 1835 criticised what it described as the use of excessive force by the rescue party.

**The wreck of the *Harriet*** [Betty Guard](http://www.nzhistory.net.nz/node/1248)

In [April](http://www.nzhistory.net.nz/culture/maori-european-contact-pre-1840/the-harriet-affair) 1834 the whaler John (Jacky) Guard, his wife Elizabeth and their two children returned from a trip to Sydney aboard the *Harriet*, commanded by Captain Hall. On the 29th the barque was caught in a gale and driven ashore near Rāhotu on the Taranaki coast.

In true survivor style the castaways made tents from the ship’s sails. Several days later, they were attacked by a group of Taranaki Māori who plundered the wreck. Then Ngāti Ruanui, perhaps aggrieved at the lack of booty, attacked the party. In the ensuing struggle, 12 of the *Harriet*’s crew were killed, including Betty’s brother. Betty herself narrowly escaped death.

The Guards and a number of others were captured. After two weeks Jacky and several other men were released on the understanding that they would return with a cask of gunpowder as ransom for the rest of the party. They eventually reached Sydney, where Guard secured the support of Governor Bourke for the rescue of the captives.

For the four months until Jacky and the rescue party returned, Betty was under the protection of a chief, Oaoiti. According to some accounts she was well treated and lived as Oaoiti’s wife. Eyewitnesses to her rescue described her as calm and collected.

**SETTLER WOMAN SAVAGED IN BRUTAL ATTACK!**

A sensationalised account of Betty’s capture that appeared in the *Sydney Herald* on 17 November 1834 emphasised Māori savagery:

**The Maori] stripped her and her children naked, dragged her to their huts, and would have killed her, had not a Chief’s wife kindly interfered on her behalf, and when the bludgeon was raised with that intention, threw a rug over her person, and saved her life…. They afterwards delivered the youngest child [Louisa] to the mother, and took the other away into the bush, and Mrs. Guard did not see it [John] for two months after.**

**Betty Guard also described how she ‘saw the Natives cut up and eat those they killed belonging to the *Harriet*’.**

**The rescue**

Jacky Guard may have wanted Māori punished not just for this action but also for earlier incidents. The previous year Māori had pillaged his ship *Waterloo* after it ran aground on Waikanae beach. Also, three Māori workers at his station at Kākāpō Bay in Cook Strait had been killed and eaten by a Ngāi Tahu taua. The capture of his family was the last straw, and the [desire](http://www.nzhistory.net.nz/culture/maori-european-contact-pre-1840/the-harriet-affair) to teach Māori a lesson was no doubt uppermost in Guard’s mind when he approached Bourke for support.

The man-of-war HMS *Alligator* and the colonial schooner *Isabella* arrived in Taranaki in September 1834 with a detachment of 60 men from the 50th Regiment. These soldiers were the first British troops to come into armed combat with Māori. Jacky Guard and some of his men accompanied the party.

Ngāti Ruanui assumed that the Europeans had come to negotiate the release of the captives and that, as was customary, they could expect something in exchange. Instead, Oaoiti was bayoneted and captured. Captain Robert Lambert, commander of the *Alligator,* had a firm no-ransom [policy](http://www.nzhistory.net.nz/culture/maori-european-contact-pre-1840/the-harriet-affair).

Four days later, on 25 September, Betty and her baby daughter were located at Te Namu pā. After the pā was attacked and burnt, Betty and Louisa were given up in exchange for Oaoiti. John Guard junior had been taken to the nearby pā of Waimate. The *Alligator* and *Isabella* bombarded this for three hours on 8 October before landing a [strong](http://www.nzhistory.net.nz/culture/maori-european-contact-pre-1840/the-harriet-affair) force with a six-pounder gun. John junior was grabbed from an elderly chief who was then summarily shot. The *Sydney Herald*’s account was slightly different:

One of the sailors reached the boy first and, finding him fastened to the man’s back by an old mat, took out his knife, and securing the boy, deliberately drew his knife across the man’s throat.

John junior’s rescue sparked a full-scale engagement. The *Sydney Herald* continued:

Finding the child safe, [the crew of the *Harriet*] now determined to take full revenge for the murder of their shipmates, and there being about 103 natives on the beach, we fired on them; and the soldiers on the hill supposing that orders had been given for firing commenced a discharge of musketry upon them.

Fighting continued for several days as rough seas delayed the re-embarkation of the troops.

**The aftermath**

In 1835 a Committee of the House of Commons condemned the use of excessive force against Māori during the rescue. Humanitarian groups such as the Church Missionary Society (CMS) protested long and loud about the *Harriet* affair, which they saw as evidence that unrestrained colonisation must be avoided in the interests of Māori. A petition organised by the CMS and the Wesleyan Missionary Society in 1837 asked the British government to do more to protect Māori.

The attitudes of men like Jacky Guard, who had a less-than-flattering reputation before this event, perhaps confirmed the fears of the humanitarian lobby. When asked how he believed Māori could be civilised, Guard is reputed to have said:

”How would I civilise them? Shoot them to be sure! A musket ball for every New Zealander is the only way of civilising their country.”

Louisa Guard died in early 1835, possibly as a result of injuries suffered in the initial skirmish. Betty was said to have given birth to ‘rather dark’ twins, fuelling rumours that Oaoiti was the father. However, she is also recorded as having a second son by Jacky in late 1835. She returned to Kākāpō Bay with her family early the following year, had another six children and lived until 1870.

* ***Which category would you put the Alligator Affair in to? Lawlessness or Incidents?***

1. **Baron Charles de Thierry**

De Thierry was the eldest son of Baron Charles de Thierry de Laville (whose devotion to the royal cause during the French Revolution necessitated the family's withdrawal from France), and is generally said to have been born in London. But though he frequently claimed he was English born, it seems certain that his birth occurred before his parents arrived in London from Europe in November 1794. He may have been born in Brussels; but Grave, Holland, seems most likely to have been his birthplace, probably in January or February 1793.

After attending the Congress of Vienna as secretary to the Portuguese Marquis of Marialva, de Thierry served for a short period in a British cavalry regiment – the 23rd Light Dragoons – and in 1816 became an attaché to the French Ambassador in London. In 1819 he studied theology at Oxford, changing to law at Cambridge about the time of his marriage to Emily, eldest daughter of Archdeacon Thomas Rudge, of Gloucester.

Two months' acquaintance with Hongi Hika, Waikato, and Thomas Kendall at Cambridge in 1820 rekindled de Thierry's boyhood passion to visit the scenes of Cook's discoveries in the South Seas. He arranged for Kendall to purchase land for him in New Zealand, but his assertion that he gave Kendall £800 worth of goods to [buy](http://www.teara.govt.nz/en/1966/thierry-charles-philip-hippolytus-baron-de/1) “all the land from North Cape to Tauranga” and his allegation that the missionary appropriated the major portion of the goods to his own use cannot be accepted unreservedly.

A block of land at Hokianga was purchased by Kendall in August 1822 from the chiefs Muriwai, Patuone, and Nene. According to the deed, 40,000 acres were bought for 36 axes. In December 1823 Thierry requested British protection for the colony that he was then assembling in London, but was rebuffed by the Colonial Office. He next approached the Dutch Ambassador in London in February 1824 with a proposal to purchase Holland's “rights” in New Zealand for £50,000; in April with an offer “to secure to the King of the Netherlands the Sovereignty and possession of New Zealand, which would … ensure His Majesty a yearly revenue of upwards of Five Millions of Pounds Sterling”. He modestly suggested that his appointment as “Viceroy of New Zealand” would be a fitting reward for his services, adding that he was born in Brussels and descended from the Counts of Flanders. These fantastic overtures were terminated by de Thierry's imprisonment for bankruptcy in July; by October, however, he was in France, where he made equally extraordinary proposals to the French Government. In spite of his connections with the Court (Charles X was his godfather) these met with no [success](http://www.teara.govt.nz/en/1966/thierry-charles-philip-hippolytus-baron-de/1), and in the latter half of 1826, finding himself again financially embarrassed, he returned to England. After yet another unsuccessful attempt in London to fit out a colonising expedition he went to the United States, where he remained for several years. Then followed a Caribbean interlude: drifting from one West Indian port to another he was joined by a motley entourage, with whose collaboration he now proposed to cut a canal through the Isthmus of Panama, in addition to founding a colony in New Zealand. As part of this grandiose scheme he assumed the title, “Sovereign Chief of New Zealand”.

On 1 June 1835 he sailed from Panama with his family. A call was made at the Marquesas, where, intoxicated by his first taste of the South Seas, he proclaimed himself king of Nukuhiva. Tarrying in Tahiti for over a year, hopefully waiting for reinforcements which never came from his Panamanian collaborators, he forwarded to New Zealand a bombastic announcement of his intentions. Busby responded with a promise of “the most spirited resistance of the whole population”, and organised his Declaration of Independence. De Thierry retaliated with an accusation of republicanism, and left Tahiti for Sydney. There he engaged a large body of settlers (68 on his own authority) and sailed for New Zealand on the Nimrod. Arriving at Hokianga on 4 November 1837 he was derisively greeted by a royal salute; within a few days, due largely to McDonnell's successful intriguing, the majority of his colonists deserted, and his title to the land, allegedly purchased by Kendall, was repudiated.

Whatever the financial resources that had sustained him throughout his wanderings, de Thierry was now penniless. Settling at Tarawana on the Waihou River on a few hundred acres given him by Patuone and Nene, he assured visitors to Mount Isabel – named after his beloved daughter – that an armed vessel, daily expected, would soon put him in possession of his 40,000 acres. As much of this land was now claimed by other European settlers, such talk was not well received. His courageous championing of Bishop Pompallier (de Thierry himself was a Protestant) and his increasingly open avowal of French sympathies following official British colonisation added to his unpopularity.

In 1845 he settled in Auckland, where for a time he earned a living as a music teacher. In February 1850 he sailed for California, two of his sons having preceded him to the goldfields, but on the way was marooned for a month on Pitcairn Island. After six months at San Francisco he took charge of the French Consulate at Honolulu until March 1853, after which he returned to Auckland and interested himself in the processing of Phormium tenax (q.v.). Shortly before his death (Sir George Grey paid him for it), he wrote his autobiographical Historical Narrative of an Attempt to Form a Settlement in New Zealand. He died in Auckland on 8 July 1864 reputedly at the age of 71. The title of baron was carried on by his eldest son, Charles Thomas Frederick, from whose second marriage (to Marata Te Moananui) many Maori de Thierrys are descended.

Notwithstanding its many Ruritanian absurdities, de Thierry's colonising philosophy was not entirely without merit, and the ridicule and distrust which he aroused during his lifetime to some extent resulted from misinterpretation of his self-bestowed titles. Although he styled himself “Sovereign Chief of New Zealand”, the only sovereignty he claimed was that of his supposed 40,000 acres at Hokianga, contending (to quote Grey) “that within those limits, until a regular Government was set up, he could exercise the rights of a chief”. Ironically, his more unscrupulous stratagems do not appear to have been generally known

[[1]](#endnote-1)

1. **Kororāreka - ‘The scourge of the Pacific’?**

The [missionaries](http://www.nzhistory.net.nz/node/1883) divided the Europeans who came to New Zealand in the early 19th century into two groups: the agents of virtue (themselves) and the agents of vice (almost everyone else). Most Europeans who arrived on these shores in this period were here to exploit the country’s natural resources – seals and whales, then timber, flax and fisheries. The arrival of British and American sperm whalers from the early 1820s saw [Kororāreka](http://www.nzhistory.net.nz/node/2631) (later renamed Russell) in the Bay of Islands become for a time the biggest whaling port in the southern hemisphere. Here men and vessels could ‘refit and refresh’. Sometimes a dozen or more ships would be at anchor, with several hundred men ashore. Kororāreka became a significant point of contact between Europeans and Māori, Ngāpuhi in particular. Some Māori worked on ships and made regular trips across the Tasman, while others supplied crews with pork, potatoes and other goods and services. As both exports and imports grew rapidly, Kororāreka became increasingly important to the merchants and capitalists of New South Wales.

[Looking down on Kororāreka](http://www.nzhistory.net.nz/?q=node/1242)

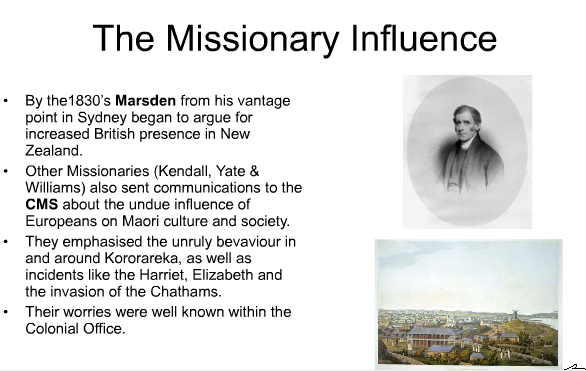
Men of many nationalities and backgrounds were thrown together in Kororāreka. Whalers, other seafarers and merchants mixed with adventurers, deserters and escaped convicts from Australia. Hard men used to hard living were found in all 19th-century frontier societies. In *Adventure in New Zealand* (published in 1845), Edward Jerningham Wakefield presented a relatively sympathetic view of whalers. An admirer of their ‘active, hard-working lifestyle’, he summed up their character as ‘the frankness and manly courage of the sailor mingle[d] with the cunning and reckless daring of the convict’. Though prone to drunkenness (a vice Wakefield shared) and with a ‘general inclination to vice and lawlessness’, they redeemed themselves through their ‘many generous and noble qualities’.

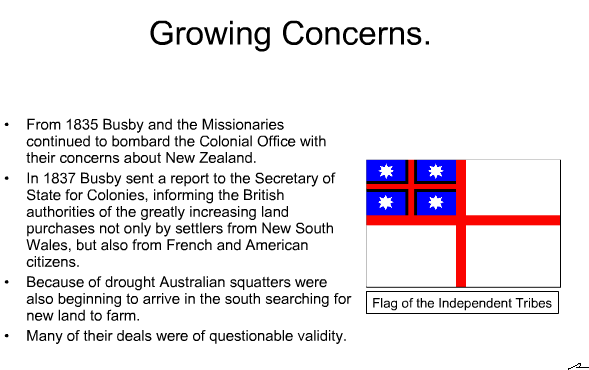
The missionaries, however, were troubled by what they saw in Kororāreka. Prostitution was one of the Bay of Islands’ main industries. Sex paid for the purchase of many things, including muskets. Short-term ‘marriages’ were frequently negotiated, and many local women bore the tattoos of their itinerant lovers.

In 1834 Edward Markham was told that 30 to 35 whaling ships would come in for three weeks to the Bay and 400 to 500 Sailors require as many Women, and they have been out [at sea] one year. … These young Ladies go off to the Ships, and three weeks on board are spent much to their satisfaction as they get from the Sailors a Fowling piece [shotgun], … Blankets, Gowns etc as much as they would from the Missionary in a year.

Another more judgmental visitor described Kororāreka as a ‘Gomorrah, the scourge of the Pacific, which should be struck down by the ravages of disease for its depravity’*.*

The importance of this area was reflected in the choice of nearby Okiato (the original Russell) as New Zealand’s first capital following the signing of the [Treaty of Waitangi](http://www.nzhistory.net.nz/category/tid/133) in 1840. When Hobson moved his capital to Auckland in 1841 the local Ngāpuhi economy was seriously undermined. This was one factor in the outbreak of [the Northern War](http://www.nzhistory.net.nz/war/northern-war) on [11 March 1845](http://www.nzhistory.net.nz/timeline&new_date=11/3), when most of Kororāreka was accidentally destroyed by fire.





**9. The French arrive in the Bay of Islands**

Bishop Jean-Baptiste François Pompallier   
Reproduced with kind permission of Auckland Catholic Diocesan Archives

In 1838 three Frenchmen, a bishop, a priest and a brother of the recently-formed Society of Mary landed at the Hokianga. The arrival of a French Catholic Mission in New Zealand outraged the English Church Missionary Society and Wesleyan missionaries, who despised Catholicism and thought Maori should be Protestant. It also disturbed the British Resident at Waitangi, James Busby, who feared colonisation by France. But despite their hostility Bishop Jean-Baptiste François Pompallier's mission survived.  
  
Reinforced by the arrival of more French Marist recruits, the Bishop moved to the Bay of Islands in 1839 to found the headquarters of his Vicariate of Western Oceania at Kororareka (now Russell). Kororareka, just across the water from the Protestant Church Missionary station at Paihia and James Busby's Residence at Waitangi, was by now the major trading port of the South Seas. New French Catholic recruits and supplies arrived here from France and were despatched around New Zealand and the Western Pacific. From here Bishop Pompallier and his confreres attended Treaty negotiations at Waitangi in February 1840. And they were here when war broke out on the neighbouring hillside five years later.

The narrow site and single, simple building that the Bishop purchased here soon became crowded with a chapel, cookhouse, well house, workshop, houses for Maori visitors and boatmen, and other outhouses. But the Marists knew that to spread Catholicism and to counter the "heresy" of their Protestant rivals they must produce religious texts in Maori. Spurred by the arrival of a printer and printing tools and equipment, they built a printery in 1841-42.

Short of funds, they resorted to the construction traditional to their native Lyon and Rhone Valley in the south of France. The lower storey is made of pise de terre, or rammed earth. The upper storey in pan de bois, or earth panels in a timber frame. The resulting impressive and elegant two-storey French colonial building, completed in 1842, has been a key feature of the town ever since.

**10. Wakefield and the New Zealand Company**

**Edward Gibbon Wakefield**

Edward Gibbon Wakefield, the founder of the New Zealand Company, hoped to make his fortune by settling immigrants in New Zealand. Wakefield had led an exciting life valiantly trying to become wealthy. After the death of his first wife, Wakefield was intent upon marrying an heiress. To this end he abducted Ellen Turner, a schoolgirl and daughter of a wealthy manufacturer. He took her to Gretna Green in Scotland, a place where marriage regulations were not as tight as England and married her. From there he took her to France where eventually Ellen's family caught up with them and Wakefield, together with his brother William, was arrested and later sentenced to three years imprisonment in Newgate Gaol.

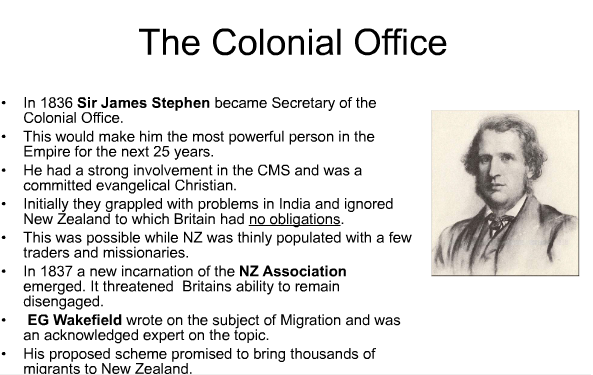
It was while he was incarcerated that Wakefield came up with his plans on the colonisation of new countries. He believed that any new settlement had to be carefully planned and not allowed to occur randomly. Therefore, he believed that if closely settled farming communities were set up then new settlers would not spread out over the entire country, thus making it a lot easier to provide them with schools, churches and community halls.

Wakefield hoped that he would be able to buy land very cheaply from the Maori in order to found this dream. He would then on-sell this land for a very high price to wealthy men and the profits that he received would then be used to finance the fares of very carefully chosen labourers who wanted to emigrate. It was determined that these labourers would then work on the land owned by the wealthy landowners, thus breaking the land in, whilst saving to buy their own small parcels of land.

This scheme was based on the English model of a farming area, landowners were to be people of status and privilege who did not work on their land, the labourers would do this for them. To put these ideas into practice Wakefield founded the New Zealand Company.  
This company offered land in New Zealand for sale in London. Obviously none of the buyers had seen the land they were purchasing and in reality not all the land that the Company was selling had yet been bought, none of the land had been surveyed or even sighted to see if it was indeed, suitable for farming. Wakefield also hoped to make most of his money from selling land in Wellington, the area they expected to become the capital of New Zealand.

With persistent rumours that the British government was about to annex New Zealand, Wakefield was in a hurry to get his new settlers to New Zealand. He was also in a hurry to buy as much land as he could, as with annexation it was feared that the British government would take control of all the land and the ability to buy land could be put at risk. With this in mind the Company sent the Tory to New Zealand, aboard were surveyors and land buyers, all under the control of Captain Arthur Wakefield, another of Edward's brothers.

The Wakefields' start of colonisation in New Zealand coincided with the release in Britain of a report damning British dealings with native people, therefore the government wanted to do better in New Zealand. The release of this report and its contents saw the British government decide to establish a British colony in New Zealand. The government, however, could not just take power over New Zealand, as they had recognised the country as independent. This taking of power, it was recognised, would be met with resistance and resentment from the Maori chiefs. The British Government therefore decided that the chiefs would need to be persuaded to transfer the 'sovereignty' to the British Crown. It was the job of the newly appointed consul to New Zealand, Captain William Hobson, to persuade the chiefs.



1. **Some thoughts for analysis**



**The Contact Period Essay Writing Activity**

QUESTION: ***Describe Maori and Pakeha contact in relation to trade, religion, settlement, and the British Crown by 1840. To what extent was this contact ‘fatal’ for the Maori people of Aotearoa/New Zealand?***

1. Use the information given here plus your own notes/research to write an essay to answer the above question.
2. To write your **introduction** and **conclusion** simply sum up the topic sentences from each box below in one-two sentences.
3. **YOU MUST INCLUDE REFERENCE TO HISTORIOGRAPHY** (not included in the information here)
4. Think in terms of 5W, 2H for variations over time and place to any generalisations you may make:

* **W**hat happened? **W**hereabouts in NZ did it happen? **W**hy did it happen? **W**ho did it happen to (was the experience of all groups the same)? **W**hen did it happen (did the experience change over time)?
* **H**ow did it happen (did the nature of the experience change)?
* **H**istoriography…

1. REMEMBER THE ESSAY RULES. ALWAYS THINK: "AM I ANSWERING THE QUESTION? . MAKE SURE TOPIC SENTENCES AND PARAGRAPHS ARE ALWAYS DIRECTED TO ANSWERING THE QUESTION.
2. *Choose the paragraph topic sentence from each of the four left hand boxes that best introduces the information given in each of the four right hand boxes by circling the Topic Sentence number.*

|  |  |
| --- | --- |
| **‘Selection’ of Topic Sentences** | **Paragraph information** |
| 1. Realising the advantages of literacy, Maori were quick to learn to both read and write. 2. English culture upon contact was superior to Maori culture. 3. Maori society was characterised by competition for mana and an oral culture. 4. The contact period was generally peaceful as both sides sought a ‘workable accord’. 5. Differences in Maori and English culture in the contact period had the potential for cultural misunderstandings and violence. 6. Maori and English society in the early nineteenth century were different in a number of significant ways. | * The basic unit of Maori society was the hapu or sub-tribe living in the same community. The basic unit of English society was the nuclear family. * Whereas English society was governed by a single central political unit (parliament/the monarchy) Maori society was characterised by multiple political units (usually hapu). * English society of the early 19th century was characterised by a rigid social hierarchy (order) while Maori society was characterised by the competition amongst hapu or tribes for mana. * English society was based on literacy (even though many English people were illiterate) while Maori society was an oral culture. |

|  |  |
| --- | --- |
| **‘Selection’ of Topic Sentences** | **Paragraph information** |
| 1. Whale oil was required primarily to provide lubrication for Britain’s industry and lighting for its lamps. 2. Seal skins were taken in vast numbers causing rapid depletion of seal stocks. 3. Maori-Pakeha interaction was generally peaceful in the sealing and whaling phase of the contact period. 4. Contact in the sealing and whaling phase was primarily in coastal regions and at the re-provisioning station of Kororareka. 5. Sealers and whalers were the first large group of Europeans to visit New Zealand. 6. Sealers and whalers arrived in New Zealand from the late eighteenth century to exploit the country’s natural resources. 7. Many Maori were exposed to European culture by crewing on whaling boats and visiting other European settlements. | * Sealing stations were located primarily in the South Island, particularly around Southland and Otago. * Over-exploitation of the seals by Europeans resulted in both and rapid decline and increased tension with Maori who also regarded the seals as a resource. * Early whalers operated from deep-sea vessels, calling into Kororareka for re-provisioning and recreation. * Shore-based whaling stations soon sprung up around Cook Strait and other areas, and this furthered cultural interaction. * Mostly British but also significant numbers of American and French boats operated in New Zealand waters. * Maori whaling crew members were not uncommon. |

|  |  |
| --- | --- |
| **‘Selection’ of Topic Sentences** | **Paragraph information** |
| 1. Traders arrived also to exploit New Zealand's resources and, due to Maori enthusiasm for trade, interaction increased and a 'workable accord' quickly developed. 2. Trade increased contact between the two cultures. 3. Intermediaries from both sides helped develop what Claudia Orange has called a 'workable accord'. 4. In the 'competition for mana' many tribes were keen to engage in the pakeha economy, some even fighting their way to the coast to access trade goods. 5. Belich has argued that the 'currency of mana' changed as different aspects of what the pakeha could offer became important to Maori through the early 19th century. 6. Marriages served the tribe by securing access to pakeha trade while Maori wives benefited their husbands by looking after their affairs in their absence. | * European traders arrived to exploit the resources of kauri (suitable for ship masts) and flax (used for making rope) * Traders often lived amongst tribes in coastal regions, and chiefs secured access to trade by giving ‘their’ pakeha a wife. Some of these pakeha thus acted as intermediaries between the two cultures. * Shore-based whaling stations often doubled as trading stations in the whaling off-season. * Access to trade items gave tribes an advantage in the ‘competition for mana’. The ‘currency of mana’ changed from iron tools and nails in the late eighteenth century to pigs and potatoes by the early 1810s, muskets in the late 1810s, and literacy and Christianity by the 1830s. * Maori quickly learned that acts of violence against pakeha resulted in the loss of trade to their area and thus, in Claudia Orange’s words, a ‘workable accord’ was established. |

|  |  |
| --- | --- |
| **‘Selection’ of Topic Sentences** | **Paragraph information** |
| 1. When Maori began to convert tribal rivalries were often renewed by the adoption of rival religions. 2. Samuel Marsden of the Church Missionary Society celebrated the first Christian mass on shore in NZ in 1814. 3. Samuel Marsden of the Church Missionary Society was invited by Nga Puhi chief Ruatara to establish the first mission station in New Zealand. 4. The missionaries who came to NZ set out to change Maori society, but until the late 1830s their efforts produced few conversions. 5. War weariness, the impact of disease, the desire for peace and literacy were some of the factors leading to Maori conversion to Christianity. 6. Missionaries were required to have specialist skills such as blacksmithing or ropemaking in order to ‘addict’ Maori to European ways, thus making them more receptive to conversion. | * The Anglican Church Missionary Society was the first of the three missionary groups (including Wesleyan and Roman Catholic) to establish stations in New Zealand. * Missionaries initially relied on the patronage of Maori chiefs for survival in terms of protection and food supplies. * Unlike previous Europeans in NZ, the missionaries set out to change Maori by ‘first civilising, then Christianising’ them. * Conversions were at first slow because of the language barrier and the missionary reliance on Maori, which made their religion seem ineffectual. * Acculturation is evidenced by cases of the synthesis of traditional Maori beliefs and Christian teachings. * Conversions were estimated at about 30,000 by 1840 due to a number of factors including war weariness, missionary effectiveness and a Maori desire for literacy. |

1. [↑](#endnote-ref-1)