

## NZ Company Correspondence from Nelson 1843

Colonial Office 208/85

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Folio 3: Nelson 01 Jan 1842 Captain Wakefield, Resident Agent to Secretary NZ Company  
List of all Despatches received from England to the end of the year 1842.

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Folio 10: Nelson 31 Dec 1842 – Captain Arthur Wakefield to Colonel William Wakefield  
I beg to inform you that the *Bombay* arrived here on the 14<sup>th</sup> instant and the *Prince of Wales* on the 22<sup>nd</sup>. The passengers by the former vessel were landed the day after, those by the latter not until the Monday after their arrival. Captain Thom's mill has been all safely landed at the Port, as he has not yet decided in which district he will erect it. I fear nearly the whole of the labourers by these two ships will be added to the Road parties. I regret to inform you that about twelve mechanics went to Hobart Town during the last week owing to not being able to find employment. I have written to the Bishop to request he will consider of the advantages of now undertaking the building of the Church, as it might be erected at English prices, and am in hopes he will agree with me in thinking it a favourable opportunity for its commencement, which will give great relief to the surplus labour.

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Folio 19: Nelson 12 Jan 1843 Captain Wakefield to Colonel Wakefield  
I beg to forward herewith a complete Plan of all the Accommodation land including the town of Nelson consisting of eight districts – viz Suburban North, Maitai and Brook Street Valleys, Suburban South, Waimea East, Waimea West, Waimea South, Moutere and Motueka. From these Districts the whole of the accommodation land has been duly selected as per enclosed list and that which has already been promised with the exception of 13 late choices in the hands of Mr W. B. Patchett as agent for the proprietors, who has deferred them with a view to take them on some of the Islands in the Waimea which the Chief Surveyor did not think sufficiently eligible to lay out in accommodation sections. However, I have offered to have them conveyed whenever he shall point out those from which he intends to select. I shall endeavour to describe generally the above districts for the information of the Court:- Suburban North consists of hilly land generally covered with fern, but interspersed with wooded valleys frequently containing good land. The fern land is also of a fair description. The Maitai and Brook Street Valleys contain 11 sections in each, of similar land but from their proximity to the town possessing an increased value. Some of these sections as some in suburban north comprise very pretty spots for building. Suburban South is composed of similar land to suburban north, with the exception of some of the sections being on a plain at the foot of the hills which contains some good land. Some of the sections are stony, and some consist of flax swamps. Waimea East is composed of a similar mixture – the stony land and the flax swamps prevailing. However, we have already ascertained that there is a fall of three feet into the Waimea and that the land consequently can be drained and it is the opinion of many that the stony land will produce good crops of barley. It is now covered with a varied rich vegetation – fern, tutu, European flax, aniseed, wild geranium &c and in places with good grass. This district is bounded on the West by the Waimea and on the South by the Wairoa. Waimea West comprises what may be properly called the valley of the Waimea. This district is more or less timbered, and contains land of an excellent description. The lower part, which has been formed by deposits from the river, is somewhat stony, and has no timber, but is usually covered with very good pasture. Cattle thrive in this district in a surprising degree. The middle part of the district affords some beautiful sites for building and farms. The Moutere Valley runs in a south direction from the river's mouth which is within three miles of the Motueka, until it reaches within four or five miles of the plain of the Waimea. It consists of a finely timbered valley of about nine miles in length with numerous branches from it more or less timbered, with small streams tributary to the river which runs through the centre. The soil in this district is different from that of the other wooded lands in the country, being a yellow clay, with less upper soil – but the timber is similar to that in the Waimea, and the fern and sow-thistle grow to a great height wherever the timber has been destroyed. The difference is probably owing to the surface water not finding an outlet to the river. There are also in this district some pretty spots for

location, and some practical farmers who have visited it and are about to locate there are of opinion that they will have as good crops of grain as in any of the other districts. The Motueka district contains two valleys – that of the Motueka itself and that of the Rewaka. Both of these valleys are partially timbered with the best pine, and the soil is of the richest description, and produces the best potatoes I have seen in New Zealand. The only drawback is the difficulty of getting at it, as the river has several months which cut the country up and are at times difficult to crop, and not at all easily bridged, owing to the freshets. This is the only district where there are any natives resident, and up to this time I may say we have been all but entirely free from any interference on their part with the regular settlement of the district. The communication between the Motueka and Nelson is at present by boat. The distance is about 16 miles, and the sea and land breezes are peculiarly adapted to a rapid intercourse. A road by land however need not be despaired of connecting Nelson with it through the Waimea and Moutere. There is no mountain or hill to prevent it. Thus the Court of Directors will perceive that nearly 60,000 acres have been surveyed within an average distance of about 16 miles of Nelson – which does not fall so far short of my original estimate of the land contiguous to the site of the town – although at that time I did not mean to include the Motueka or Moutere; but I expect it will generally be found that eye estimate will fall far short of actual survey. I must take this opportunity of stating to you for the information of the Court that infinite credit is due to Mr Tuckett for his judgment in defining the Districts, and his zeal and energy in prosecuting the survey, as well as for the uniform facility he has given to proprietors and their agents to make selections according to their due right of choice. The greater part of the survey force will now be directed to Massacre Bay, and I hope we shall have 200 or 300 sections ready for selection before the end of the summer. I have despatched Mr Cotterell the surveyor to the East Coast to ascertain whether there exists a pass into a plain in a south west direction from the spot where he struck on the Wairoa in his former journey. Upon his return I shall be able to decide upon where the remainder of the country land shall be taken.

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Folio 29: Statement of all Bills drawn upon the New Zealand Company in London by the Resident Agent here for all salaries of officers or otherwise since 24 Oct 1842 – dated 16 Jan 1843. Mentions Thomas Duffey, William Budge (assistant surveyor), Samuel Stephens (1<sup>st</sup> assistant surveyor), Alexander McShane (Company's Medical Officer and Emigration Agent), Francis Jollie (Clerk to Company's Agent), Thomas Musgrave (assistant surveyor), Frederick Tuckett (Chief surveyor), James Howard (Deputy Storekeeper), Messrs Nathan & Joseph (for provisions for use of settlement)

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Folio 30: Wellington 28 Jan 1843 Colonel Wakefield to Secretary NZ Company  
Sir, I take advantage of the *Clydeside* loading in part at this port for England, to forward... one ton of coals procured at Massacre Bay and brought to this port for sale. The price of this single ton was £3 and the rest of the cargo of 25 tons sold by auction at 44s per ton. It is generally bought for blacksmith's forges. I am happy to say that the Company possesses some very valuable coal fields in its territory. Massacre Bay and Wanganui near Cape Farewell have been found to contain very large veins capable of easy working. Captain Wakefield will no doubt secure some portion of these fields for the Company when the distribution of rural sections takes place. I also send specimens of coal and limestone lately discovered at Mokau forty miles northward of New Plymouth. The river offers facilities for exporting these materials by admitting vessels of 150 tons burthen. This is the only specimen of coal I have seen found in the Northern Island of New Zealand, although lignite abounds in the neighbourhood of the Thames. I send you also to be presented to the Court of Directors on the part of Mr Commissioner Spain some specimens of copper ore collected by himself on the Great Barrier Island at the mouth of the Gulf of Hauraki. The seam of copper lately discovered there is now in process of working by a Sydney Company and promises to be profitable. The Sulphur that was sent to England in the *Planter* last year was collected on Sulphur or White Island in the Bay of Plenty, where it is found in parts on the surface, to the depth of six inches. There is also sulphur at Mount Edgecumbe in the Bay of Plenty, but it has not hitherto been turned to account, and, I believe, is not very pure...

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Folio 40: Nelson 04 March 1843 Captain Arthur Wakefield to John Ward, Secretary NZ Company  
I regret having to state that owing to an oversight of the fact that an advance was made in England to Mr Matthew Kearns on his remuneration as surgeon of the *Prince of Wales* he received from me the full amount – viz £91 16s 8d instead of only that minus the £20 advanced. The ship had left Wellington with Mr Kearns before my letter requesting an application to him upon the subject reached Colonel Wakefield.

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Folio 46: Nelson 04 Mar 1843 Statement of Bills drawn upon the Secretary of the New Zealand Company by the Resident Agent here since 16 Jan 1843.  
03 Feb 1843 Bishop of New Zealand £200 as a loan on the security of the Native reserves  
23 Feb 1843 Joseph Boulcott £330 for flour  
27 Feb 1843 William Morgan £81 18s for stores  
03 Mar 1843 Morrison & Schlanders £120 15s for stores

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Folio 49: Nelson 04 Mar 1843 Captain Wakefield to Colonel Wakefield  
I beg to inform you of the safe arrival at this port of the *Indus* and *Thomas Sparks* – the former on the 5<sup>th</sup> ultimo, the latter from Wellington on the 26<sup>th</sup>. The *Indus* left for Wellington on the 22<sup>nd</sup> having been detained several days beyond her time by a strong breeze of unusual continuance from the South West.

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Folio 51: Nelson 07 Mar 1843 Captain Wakefield to Colonel Wakefield  
I have the honor to inform you that I made over the sum of £200 to Mr H. A. Thompson the Agent appointed by the Bishop in the name of the trust for the Native Reserves on the 4<sup>th</sup> ultimo – in fulfilment of a promise made by me to his Lordship previous to my receiving the documents announcing the negotiation between the Government and the Company having been broken off. I explained in my former letter (No.16 of last year) the reasons I had for complying with the Bishop's request – viz his earnestness in the progress of the settlement and willingness to commence at once letting the Native reserves on long leases as well as his good inclination towards the settlement of the titles and by being convinced that any aid which could be afforded in order to make a commencement in the application of the system of the Native reserves adopted by the Company would have a beneficial result.

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Folio 53: Nelson 07 Mar 1843 Captain Wakefield to Colonel Wakefield  
I have the honor to inform you that 20½ adults were landed from the *Thomas Sparks* on the 27<sup>th</sup> ultimo and I find that the Surgeon drew a bill on the New Zealand Company for £124 13s 6d at the Cape in order to defray the expences of the Emigrants whilst on shore in consequence of the ship having been damaged. I have therefore deducted the sum, less £1 11s which the surgeon did not account for, from the residue of the freight due to the Charterers by certificate. It does not appear that any arrangement had been made by the Charterers to meet such an occurrence.

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Folio 57: Wellington 19 Jun 1843 James Kelham to Secretary NZ Company  
The enclosed copy of a note from Col. Wakefield will explain to the Court, the cause of his temporary absence from this Settlement. The particulars of the unfortunate event, which has rendered this step necessary, as far as I am able to collect them, are as follows – It appears that Mr Cotterell having been interrupted at the Surveyors Station at the Wairoa, by a Party of Natives, headed by Raupero, and his Hut burnt down, he dispatched information of the Event to Captain Wakefield, who proceeded with Mr Thompson, the Police Magistrate, and a party of about 50, by the Government Brig *Victoria* to Cloudy Bay, and arrived on Friday last at the Scene of the Outrage, Mr Thompson having a Warrant for the apprehension of Raupero; they found the Natives encamped near the spot, and all armed, in number about 200. They were posted on a hill, and Mr Thompson shewed his Warrant, and attempted an explanation of its Nature, which they either did not, or would not understand, but continued to remain together in a body; there was a small stream or Gully separating the two parties, over which Mr Thompson and his party made a Movement to pass in a Canoe, while this was taking place a Gun from one of the Europeans accidentally went off, which the Natives mistaking for a signal of attack, immediately replied to by a general Volley, this was returned... and several fell on both sides; the natives

being in greater numbers, and concealed by the Fern, in which they lied down and reloaded, had the advantage and after a while the English party were obliged to retreat up a steep hill, exposed to the fire of their opponents. Mr Tuckett with about 12 others, and two men severely wounded (one, whose arm has been since amputated) made their Escape back to Cloudy Bay, and embarked on board the Government Brig, which arrived here on Saturday night at 12 o'clock: a Meeting of the Inhabitants took place at 9 o'clock on Sunday morning, and about 70 individuals readily volunteered to accompany Mr McDonough, our Police Magistrate and Col. Wakefield in the Brig to Cloudy Bay: they embarked yesterday about 12 o'clock, but remain still in the Harbour, having been obliged to put back by a Violent Gale from the S.E. which continues. It is much to be feared that both Captain Wakefield and Mr Thompson have fallen into the hands of the Natives, altho' not clearly ascertained as the Brig put off immediately Mr Tuckett and those who escaped with him got on board, nor am I able to communicate with certainty the name of any individual on our side who has been actually killed, although several must have been severely wounded & anxiously awaiting some further intelligence to communicate to the Court... James Kelham.

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Folio 61: Sunday 18 Jun 1843 Colonel Wakefield to James Kelham

Dear Sir, I am obliged to start to Cloudy Bay to try to rescue my brother and others who are in the hands of the natives after an irregular engagement. I wish the despatches that are ready to be sent by the *Vanguard* and of you are well enough that you would write shortly to the Court of Directors telling them of my absence and the cause of it. Act for me in everything as usual...

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Folio 66: Statement of the Bills drawn upon the Secretary of the New Zealand Company by the Resident Agent here since 29 Apr 1843.

02 May 1843 Messrs Charles Empson & Co. £534 4s for stores purchased

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Folio 68: Nelson 25 May 1843 Captain Wakefield to Colonel Wakefield

I have the honor to inform you that I have received a letter from the Rev John Aldred the Wesleyan Minister and Missionary resident at Nelson applying for a portion of the fund set apart for religious uses, and forwarding a list of persons desirous for the establishment of a Wesleyan Ministry. I beg to enclose copies of the same and my reply to Mr Aldred. I have only to remark that the Wesleyans are the first of any regularly established denomination who have applied for a portion of the fund, and although I think Mr Aldred has not been supplied with correct data whereon to found his comparison between the numbers of the Church of England and the Wesleyans, I have little doubt but his congregation will increase in the absence of other ministers not of the Church of England. He has undertaken to build a temporary Chapel which shall form part of a considerable building, which will not be otherwise than an ornament to the Town – anticipating considerable assistance from the fund. My opinion is that £500 would enable the Wesleyans to complete their building – which might be granted them by the Court on account, reserving the right to make advances for the future in proportion to their own contributions. Mr Aldred's statement with reference to the Natives is perfectly correct, as all those at the Motueka, a large portion of them at Coal Bay, and nearly all in Cloudy Bay and Queen Charlotte's Sound, consider Mr Ironsides the Wesleyan Missionary resident at Cloudy Bay as their pastor.

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Folio 70: Nelson 22 Mar 1843 Rev Aldred to Captain Wakefield

As £15,000 have been set apart for the religious interests of all denominations of Christians of this Town, and having been appointed as the Wesleyan Minister or Missionary for this place, in which we have a considerable number of Members of Society and many friends, and form already as I am informed a congregation equal to the Church of England I embrace an opportunity in behalf of the Wesleyan Methodist Society of making application for a share in the benefits of that Fund. I beg also to inform you that we are taking steps for the immediate erection of a Chapel, the bricks for which are ordered, which place we hope on the erection of a more commodious Chapel to make a Schoolroom and vestries of. The accompanying is a list of Names of these individuals desirous of a Wesleyan Ministry. It may be right for me just to inform you that the principal part of the surrounding Natives are connected with and receiving instruction from the Wesleyan Missionary Society.

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Folio 71: We the undersigned Members and Friends of the Wesleyan Methodist society of Port Nelson New Zealand are desirous of a Wesleyan Ministry in this Town. Signed by John Aldred, Preacher and 116 others.

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Folio 72: Nelson 27 Mar 1843 Captain Wakefield to Rev Aldred

I beg to acknowledge the receipt of your letter of the 22<sup>nd</sup> inst. making application for a portion of the fund set apart in the scheme of the settlement of Nelson for religious uses. I shall take the earliest opportunity of forwarding your request to the Court of directors and would suggest to you that it would be advisable that your society in England should put themselves in communication with the New Zealand Company as I believe it is the intention of the Court to distribute the fund for religious purposes in proportion to the amount raised by voluntary contributions by each denomination. In the meantime I am without instructions relative to the distribution of the fund.

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Folio 74: Return of all Bills on the New Zealand Company drawn or approved by the Resident Agent at Nelson from the commencement to 02 May 1843

21 May 1841 Captain Wakefield £100 in favour of Brown Hamilton & Co of Teneriffe

22 Sep 1841 Captain Wakefield £500 in favour of Union Bank of Australia

22 Sep 1841 Samuel Stephens £30 in favour of John Brooks

22 Sep 1841 Frederick Tuckett £50

22 Sep 1841 Thomas Duffey £30

22 Sep 1841 Thomas Musgrave £25

22 Sep 1841 David Browne £25

22 Sep 1841 William Budge £25

22 Sep 1841 William Hughes £25

30 Sep 1841 Captain Wakefield £58 18s 4d

30 Sep 1841 Alexander McShane £21 17s 4d

01 Oct 1841 Captain Wakefield £2000 in favour of Union Bank of Australia

01 Dec 1841 Captain Wakefield £99 10s 9d in favour of W. A. Harrison

02 Dec 1841 Thomas Duffey £75

13 Dec 1841 Captain Wakefield £87 10s in favour of Frederick Walker

31 Dec 1841 Captain Wakefield £125 in favour of self

31 Dec 1841 Alexander McShane £25

31 Dec 1841 Frederick Tuckett £132 12s

31 Dec 1841 Samuel Stephens £91 4s 6d in favour of Harford Arnold

31 Dec 1841 Thomas Duffey £24 9s in favour of Harford Arnold

31 Dec 1841 David Browne £45 12s

31 Dec 1841 Thomas Musgrave £45 12s

31 Dec 1841 William Budge £49 14s 6d

31 Dec 1841 J. Y. Bramwell £30 5s

25 Jan 1842 Captain Wakefield £89 in favour of Harford Arnold

26 Jan 1842 Captain Wakefield £20 in favour of John Armstrong

10 Mar 1842 Captain Wakefield £55 in favour of C. J. R. Cooke

16 Mar 1842 Captain Wakefield £383 in favour of Thomas Bolton

24 Mar 1842 Captain Wakefield £40 in favour of George S. Ledbitter

02 Apr 1842 Captain Wakefield £90 in favour of D. McLachlan

16 Apr 1842 William Budge £43 15s 4d

20 Apr 1842 Captain Wakefield £456 1s 6d in favour of Samuel Revans

22 Apr 1842 Captain Wakefield £35 in favour of George Jardine

22 Apr 1842 Alexander McShane £56 10s

23 Apr 1842 David Browne £52 13s 5d

26 Apr 1842 Thomas Musgrave £37 10s

27 Apr 1842 Samuel Stephens £74 18s 7½d

30 Apr 1842 Captain Wakefield £710 in favour of Captain Harford Arnold

11 May 1842 Frederick Tuckett £86 4s 6d

09 Jun 1842 Captain Wakefield £105 in favour of Thomas Hughes  
09 Jun 1842 Captain Wakefield £125 in favour of self  
30 Jun 1842 Frederick Tuckett £73 13s 9d  
30 Jun 1842 Samuel Stephens £75  
02 Jul 1842 Thomas Duffey £75  
02 Jul 1842 William Curling Young £75 15s  
11 Jul 1842 Francis Jollie £44 15s  
11 Jul 1842 A. McShane £52 15s  
15 Jul 1842 William Budge £37 5s  
18 Jul 1842 Captain Wakefield £2000 in favour of Union Bank of Australia  
25 Jul 1842 Captain Wakefield £121 5s 6d in favour of self  
10 Aug 1842 Thomas Musgrave £37 10s  
31 Aug 1842 James Howard £120  
30 Sep 1842 Thomas Duffey £75  
30 Sep 1842 Thomas Musgrave £37 10s  
30 Sep 1842 Captain Wakefield £125  
30 Sep 1842 Francis Jollie £37 10s  
30 Sep 1842 William Budge £41 10s 8d  
30 Sep 1842 Samuel Stephens £75  
30 Sep 1842 Frederick Tuckett £100  
26 Nov 1842 Captain Wakefield £647 10s 8d in favour of Nathan & Joseph  
31 Dec 1842 Captain Wakefield £75 in favour of Thomas Duffey  
31 Dec 1842 Captain Wakefield £50 in favour of William Budge  
31 Dec 1842 Captain Wakefield £75 in favour of Samuel Stephens  
31 Dec 1842 Captain Wakefield £75 in favour of Alexander McShane  
31 Dec 1842 Captain Wakefield £32 17s in favour of Francis Jollie  
31 Dec 1842 Captain Wakefield £52 14s in favour of Thomas Musgrave  
31 Dec 1842 Captain Wakefield £95 2s 8d in favour of Frederick Tuckett  
31 Dec 1842 Captain Wakefield £88 in favour of James Howard  
31 Dec 1842 Captain Wakefield £116 16s 6d in favour of Captain Wakefield

16 Jan 1843 Captain Wakefield £122 17s in favour of Nathan & Joseph  
03 Feb 1843 Captain Wakefield £200 in favour of Bishop of New Zealand  
23 Feb 1843 Captain Wakefield £330 in favour of Joseph Boulcott  
27 Feb 1843 Captain Wakefield £81 18s in favour of William Morgan  
03 Mar 1843 Captain Wakefield £120 15s in favour of Morrison & Schlanders  
31 Mar 1843 Captain Wakefield £75 in favour of Alexander McShane  
31 Mar 1843 Captain Wakefield £37 10s in favour of Francis Jollie  
31 Mar 1843 Captain Wakefield £100 in favour of Frederick Tuckett  
31 Mar 1843 Captain Wakefield £125 in favour of Captain Wakefield  
31 Mar 1843 Captain Wakefield £30 in favour of James Howard  
31 Mar 1843 Captain Wakefield £75 in favour of Thomas Duffey  
31 Mar 1843 Captain Wakefield £75 in favour of Samuel Stephens  
31 Mar 1843 Captain Wakefield £50 in favour of William Budge  
31 Mar 1843 Captain Wakefield £214 14s in favour of Nathan & Joseph  
02 May 1843 Captain Wakefield £534 4s in favour of Charles Empson & Co.

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Folio 76: Memoranda with reference to Enclosure dated Nelson 03 Jun 1843. This enclosure purports to be a "Return of all Bills on the New Zealand Company drawn or approved by the Resident Agent at Nelson from commencement to 02 May 1843. In it, however, various discrepancies occur, as will be seen by the following comparative statement.

Item	Discrepancy
21 May 1841 Arthur Wakefield £100 to Brown Hamilton & Co	<u>Bruce</u> Hamilton & Co.
22 Sep 1841 Samuel Stephens £30 to John Brooks	Not yet been presented
22 Sep 1841 W. Hughes £25 to Tengecombe & Watkins	£21
30 Sep 1841 A. MacShane £21 17s 4d to A. Macshane	£21 7s 4d
02 Dec 1841 Thomas Duffey £75 to Frederick Walker	09 Dec 1841
Altogether omitted – 14 Dec 1841 Arthur Wakefield £10 to Frederick Walker	

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Folio 77: Nelson 10 Jun 1843 Captain Wakefield to Colonel Wakefield

Sir, I beg to inform you that having received an application for the purchase of the accommodation section No.155 in the Motueka district pursuant to the terms of the advertisement of the sale by auction of the remaining Colonial allotments, the section was put up for sale accordingly on the 2<sup>nd</sup> instant and brought the sum of £200. Mr Thomas Richard Fearon, one of the purchasers, produced a certificate from the court for an allowance of his passage money £31 10s in the event of his becoming a purchaser of land in the Settlement, which sum I accordingly deducted from the purchase money. Mr Edward Fearon, the other purchaser, though it would appear, equally entitled to the same privilege, had no certificate and consequently paid his proportion without any allowance. I understand he purposes applying for it to the Court which I presume upon the requisite proofs will be disposed to grant the same, and so place the purchasers upon a like footing. I have opened an account with the Bank here under the name of Colonial reserves account, and paid thereto the sum of £162 3s 9d being the proceeds of this sale after deducting the expences attending it. I have an application for another Colonial Section – the sale of which I have fixed for the 16<sup>th</sup> instant.

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Folio 81: The New Zealand Company in cash account with J. Greaves

06 Oct 1842 H. A. Thompson £2 3s 4d for timber cut on Town Section No.359 it being supposed to be a Maori Section (since repaid)

*Cash payments made to:*

20 Sep 1842 J. McGregor £2 3s 4d for timber cut on Town Section 359  
 26 Sep 1842 J. McGregor £5 for timber cut on Town Section 348  
 01 Oct 1842 Bageant £3 7s for timber cut on Town Section 576  
 04 Oct 1842 Trustees of Tasman Street Chapel 3s 9d  
 04 Oct 1842 E. J. Ellerm £3 17s 6d  
 04 Oct 1842 J. Saxton £6 5s  
 05 Oct 1842 J. McGregor £2 6s for timber cut on Town Section No.310  
 08 Oct 1842 J. Hoare £14  
 11 Oct 1842 J. McGregor 5s for timber cut on Town Section No.348  
 22 Oct 1842 J. McGregor £2 8s for timber cut on Town Section No.360  
 31 Oct 1842 J. McGregor £1 for timber cut on Town Section No.360  
 05 Nov 1842 Deans £1  
 12 Nov 1842 R. Boddington £1 18s 6d  
 12 Nov 1842 J. McGregor £3 7s for timber cut on Town Section No.401  
 14 Nov 1842 J. McGregor £3 for timber cut on Town Section 310  
 16 Nov 1842 J. H. Thompson £18 17s 6d  
 28 Dec 1842 Trustees Tasman Street Chapel 3s 9d

01 Jan 1843 J. McGregor £1 Denches Timer  
 03 Jan 1843 J. S. Tytler per Neild £3  
 06 Jan 1843 Boddington £1 18s 6d  
 07 Jan 1843 J. Saxton £6 5s  
 09 Jan 1843 J. McGregor £1 Lyfords Timber

16 Jan 1843 E. J. Ellerm £2 12s 6d  
16 Jan 1843 J. S. Tytler £4  
25 Jan 1843 Anderson £6  
30 Jan 1843 J. McGregor £1 6s 6d Denches timber  
06 Feb 1843 J. Hoare £10  
11 Feb 1843 J. McGregor £1 Lyfords timber  
11 Feb 1843 J. H. Thompson £10 on account  
07 Mar 1843 J. McGregor £2 timber, Deans & Lyford

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Folio 82: Nelson 17 Apr 1843 Captain Wakefield to Colonel Wakefield

I beg to inform you of the arrival of the *Phoebe* at this port on the 29<sup>th</sup> last month. The immigrants and passengers for this place were all safely landed within a few days. I signed the Captains certificate on the 14<sup>th</sup> and the following day the vessel left for Wellington. Only one death had occurred during the voyage, and scarcely any sickness.

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Folio 84: Nelson 27 Apr 1843 Captain Wakefield to Colonel Wakefield

I beg to enclose a Report from Mr Tuckett of his Examination of the Wairoo district – with the Kaipari-te-Kau, which adjoins it, I feel confident we shall have more than sufficient for the preliminary country land. I have entered into contracts for the survey of the District, and the surveyors have left for the purpose of executing them. Several excursions have been made lately with a view to finding a nearer route to the Wairoo than the one followed by Messrs Cotterell and Tuckett – but without success – our best bushmen, one of the surveyor's workmen, is now attempting another route on his way to join one of the surveying parties. At any rate I am in great hopes we shall be able to get a cattle track to the plain, which is not likely to be occupied for some time for other purposes than that of rearing stock, which will be driven to the Waimea district as required. I am happy to say that the accounts of the soil in the Massacre Bay district are excellent – I believe in the Valley of the Takaka alone we shall have 20,000 acres of equal fertility with the Hutt or any of the finest timber districts. The surveyors report having taken up potatoes on a small plot of ground in the proportion of sixteen tons to the acre.

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Folio 88: Statement of the Bills drawn upon the Secretary of the New Zealand Company by the resident Agent here since 04 Mar 1843.

31 Mar 1843 Alexander McShane £75 salary as Company's Immigration Agent and Medical Officer  
31 Mar 1843 Francis Jollie £37 10s salary as Clerk to Agent  
31 Mar 1843 Frederick Tuckett £100 salary as Chief Surveyor  
31 Mar 1843 Captain Arthur Wakefield £125 salary as Company's Resident Agent  
31 Mar 1843 James Howard £30 salary as Deputy Storekeeper  
31 Mar 1843 Thomas Duffey £75 salary as 2<sup>nd</sup> Assistant Surveyor  
31 Mar 1843 Samuel Stephens £75 salary as 1<sup>st</sup> Assistant Surveyor  
31 Mar 1843 William Budge £50 salary as assistant surveyor  
31 Mar 1843 Thomas Musgrave £50 salary as assistant surveyor  
27 Apr 1843 Messrs Nathan & Joseph £214 14s for stores purchased

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Folio 89: Nelson 27 Apr 1843 Captain Wakefield to Colonel Wakefield

I beg to enclose a copy of a letter from Mr Greenwood the Surgeon Superintendent of the *Phoebe* in answer to a request of mine that he would furnish me with his opinion on the working of the cheap cabin passage system in that ship. From what I can learn from other sources Mr Greenwood's opinion is borne out, and I can recommend his letter to the notice of the Court – His suggestion with respect to the additional allowance of flour is obvious as the insisting upon bread being baked would cause very little additional expense, bakers being almost always to be found amongst the emigrants. It appeared to be the general opinion that no objection would have been made to an additional sum for another meal of fresh meat a week. It occurs to me that in these ships great care should be observed to select the best Hamburg beef. The cuddy passengers landed here were Mr Greenwood, the Messrs Wetherell, Hildreth, Healey & Sinclair. Mr Gibson Stubbs took his passage immediately for Van Diemen's land – as also a second-cabin passenger Mr Galhas. In spite of the inducement offered by cheap passages but a small amount of capital

has reached this settlement, nor do I believe any great amount has gone on to Wellington. I fear without some check the new systems will be taken advantage of to procure passages to Van Diemen's Land – our only rival – more owing to the large expenditure of Government money than to any superiority in natural elements. I beg to remark that amongst the immigrants of the *Phoebe* are several engineers, who stand no chance of finding employment, indeed we have a surplus of mechanics of all descriptions, who are of little service in the completion of the roads and necessarily a great expense.

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Folio 92: Nelson 10 Apr 1843

J. D. Greenwood, Surgeon Superintendent of the *Phoebe* to Captain Arthur Wakefield

Dear Sir, I beg to acknowledge the receipt of your letter requesting my opinion as to the working of the plan of reduced Cabin passages on board the *Phoebe*. The general feeling of the Cabin passengers is in its favour; they are satisfied that the Dietary and accommodation provided for them have been as good as could be expected for the very moderate sum paid; at the same time they would have preferred a larger allowance of flour instead of the biscuit; and would have willingly paid a small extra sum for an additional meal of fresh meat per week. I think it would also be advisable that with respect to their children they should have the same liberty as the free Emigrants; viz; that of substituting additional rations of flour, suet, raisins, rice or similar articles for the salt meat which they will not touch. Should the New Zealand Company continue to provide cabin passages, I think it will be desirable that some means should be found of putting the care of their Dietary under the more immediate control of the Company officer. I think the messing of the cabin passengers should be considered and made as much a part of his duty as superintending the rations of the free Emigrants; and if in addition the Company were to pay the Steward or make a gratuity to him dependent on the Surgeons certificate of good conduct, making him in fact the Company's steward, it would relieve both him and the Captain from the false position they at present occupy, where their interest and duty to their passengers are and are known to be in direct opposition to each other. If in addition, the Surgeon's control and superintendence were more clearly understood to extend to the intermediate passengers, it would very much contribute to the maintenance of good order and regularity; as altho' on the passage out of the *Phoebe* I assumed this control and found it necessary to do so. I fet very uncertain how far I was borne out by my instructions. Instead also of making it optional with the Company's Officer to demand an account of the quantities of water, provisions &c which if put in force is regarded as a very unnecessary interference, it might perhaps be made imperative on the Captain to give him an account of the quantities of stores on first sailing, and a monthly return of the expenditure.

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Folio 94: Nelson 02 May 1843 Captain Wakefield to Colonel Wakefield

I beg to enclose a copy of the accounts of expenditure on public works at Nelson to the 31<sup>st</sup> March last, which have been approved of by the Police Magistrate, a copy of which approval is attached to the summary. I have forwarded the originals to the Colonial Secretary for the approval of his Excellency the Officer administering the Government, requesting them to be returned to me in order to their being forwarded to the Court. I have done this in order to avoid the delay which would arise from their going through Wellington to Auckland. The documents are... incomplete – but I forward them for the information of the Court, believing that they might be made use of in the event of their being required previously to the arrival of the regular certified accounts. I have reduced the wages of the people employed on the roads by the day to 16s and 18s without rations – the latter sum for those who have more than two children – I am at the same time offering some contracts for the completion of some of the roads at a price somewhat more remunerating than the above wages, the people giving up any further reliance on the Company after having had a contract for six months. This appears to me to be the most economical mode of laying out the £40,000 for the benefit of the settlement.

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Folio 96: Wellington 28 Jun 1843 Colonel Wakefield to Secretary NZ Company

Sir, Mr Kelham's letter of the 19<sup>th</sup> instant will have prepared you for the disastrous intelligence which it is now my painful duty to convey to you for the information of the Court of Directors of the New Zealand Company. The district of Wairoo in Cloudy Bay communicating with the Nelson Settlement (of which it will form a part) at about ten miles from the head of the valley of the Waimea had been for some months under survey. The work would have been completed by next September and would have laid open for selection the whole of the rural lands offered for sale in the scheme of what was called the Company's Second Colony. No opposition had been offered to the surveyors by the natives until lately, when upon the sitting of the Court of Land Claims at Porerua, Rauperaha and Rangihaiata informed Mr Commissioner Spain that they intended to interrupt the operations at Wairoo. That gentlemen induced them to promise to defer that intention till he should go over to Cloudy Bay to investigate the titles in the middle island and it is thought that they would have adhered to their promise but for the influence and instigation of some Europeans who, in consequence of cohabitation with women of Rauperaha's tribe, set up claims to portions of the land in question. Mr Spain's Court was to have closed here on the 19<sup>th</sup> instant when he proposed to adjourn it to Cloudy Bay or Nelson. The promise he had with difficulty procured from the chiefs to postpone their interruption of the Surveys was made on the 12<sup>th</sup> of last month and did not come to my knowledge till after the events I have to relate. In the meantime Rauperaha and Rangihaiata with their followers amounting to some twenty men were conveyed across Cook's Strait from Porerua to Queen Charlotte's Sound and from thence, after a stay there of a few days, to Cloudy Bay in a schooner of 30 tons belonging to and commanded by Mr Joseph Thoms, who formerly cohabited with the daughter of Nohoroa, the brother of Rauperaha, by whom he has several children and in whose right he is a claimant of land at Wairoo and elsewhere. I have been informed on credible authority that on the arrival of the schooner in Cloudy Bay the chiefs on board were regaled with spirits, to the use of which Rauperaha and Rangihaiata are addicted and that much inflammatory conversation took place and great excitement prevailed amongst the party respecting the object of their visit to Wairoo. But no evidence has yet been taken on this point. The native party being strengthened by the addition of the resident natives at Cloudy Bay and amounting in all to about 80 men, forty of whom carried firearms and the remainder tomahawks, proceeded in their canoes to the Wairoo when they immediately commenced the obstruction of the survey and finally burned down the reed house of one of the Contractors. Mr Tuckett, the Company's chief surveyor arrived at this time in order to inspect the survey and having despatched information to Nelson of the interruption of the works afterwards went himself to report the circumstances. But before he arrived at Nelson the Magistrates there had issued a warrant, upon the information of Mr Cotterell the contractor, whose house had been destroyed and Her Majesty's Colonial Brig was met by Mr Tuckett at the entrance of Tasman's Gulf conveying the Police Magistrate, Mr Thompson, Captains Wakefield and England with volunteers and working men to the number of 40 persons to put in execution the warrant against Rauperaha and Rangihaiata. The brig anchored at the mouth of the Wairoo river on Thursday the 15<sup>th</sup> instant and disembarked some of her passengers. The remainder landed on the 16<sup>th</sup> and the whole party ascended the river in search of the natives. The depositions, a copy of which I forward, will more particularly explain the movements of both parties. Suffice it for me to state that on the morning of the 17<sup>th</sup> they formed themselves in presence of each other – the native encamped on an open space of ground backed by low bush and having a deep creek and steep hill in their front. The Police Magistrate, Mr Thompson, Captain Wakefield, Mr Richardson, Mr Howard, Mr Brooks the interpreter and three constables crossed the creek over a canoe which was laid across it. Mr Thompson then explained through the interpreter the object of his visit to the native chiefs and called on Rauperaha to go with him on board the Brig, which the latter positively refused to do. After some urgent threats by Mr Thompson a party of 16 armed natives sprung up in a hostile attitude and the interpreter informed Mr Thompson that there were many more hidden in the bush. Upon this Mr Thompson pointed to the Europeans who were armed and amounted to thirty five men and threatened to order them to fire on the natives. The English party who had crossed the creek endeavoured to rejoin the main body, some of whom advanced towards the creek. An accidental discharge from a musket carried by one of these then took place and a moment afterwards a volley from both parties ensued. The depositions will again give you the particulars.

No arrangements for resistance by the Europeans seem to have been made further than drawing up the armed men in line. No reserve force supported them and it appears that it was never contemplated that they would have more to do, to execute the warrant, than to shew themselves. Three natives fell wounded by the first volley and the rest wavered and were on the point of falling back when Rauperaha called out to his followers to advance. The party of armed workmen totally unacquainted with the use of firearms and discipline dispersed at the yells which the natives raised on advancing across the creek and heedless of the orders of their superiors fled up the hill. The rest of the sad story is soon told. Repeated attempts to rally the fugitives proving ineffectual, Captain Wakefield called on them to throw down their arms and surrender, displaying a white handkerchief as a signal of peace, but those men who had gained the summit of the hill continued to fire over the heads of those who gave themselves up. The pursuit by the natives was not arrested till all their opponents were in their power when Puaha a Christian chief, attempted to save the lives of Captain Wakefield and some few others but without avail – for, Rangihaiata, whose wife had been killed by an accidental shot in the affray, came forward to the party of prisoners, who were surrounded by natives, and, calling upon Rauperaha to assist him, with his own hand and tomahawk despatched all those who had not fallen before his followers. Mr Tuckett with some others instead of mounting the hill descended a gorge and gained the sea shore where they procured a whale boat and got on board the Government Brig about the middle of the day. In the evening some attempt was made to communicate with the shore, but no indications of any of the party having escaped to the coast appearing Mr Tuckett thought it advisable to bring the Brig to Port Nicholson for advice and assistance. Meetings of the Magistrates and of the inhabitants took place and numerous volunteers offered to accompany me to the scene of the contest. We accordingly embarked about 80 in number including all the young and enterprising settlers of all conditions in the settlement who could be spared from their avocations; but a gale of wind setting in prevented the Brig sailing for forty eight hours. At its termination we relanded the armed force, the use of which must have been rendered unnecessary by the delay, and proceeded as a quorum of Magistrates only to Wairao. On arriving at Cloudy Bay we found our worst fears realized and heard the particulars which I have given you above. The Rev Mr Ironsides of the Wesleyan Missionary Society had with praiseworthy humanity visited the spot where the fatal occurrences took place and interred the remains of nineteen of our countrymen. The natives had quitted the scene of action the same evening, the 17<sup>th</sup>, and collecting all their women, children and property had entirely abandoned Cloudy Bay and its neighbourhood. We found only two natives, one wounded, who had been present at the affair and whose evidence will be found in the depositions. Rauperaha and his tribe have taken up their residence at Otaki where they profess their intention of remaining quiet unless retaliatory measures be undertaken against them in which case they threaten an attack on the white settlers along the coast and at Wellington and propose afterwards to take up a strong position on an almost inaccessible position on the banks of the Manawatu river at 80 miles from its mouth. Much alarm has been created by these events amongst the population of this settlement and great fears are entertained that they will lead to such an unsettled state of the natives as to prevent the colonisation of the country. It is certain that should the Government think fit to bring these chiefs to trial it must be prepared to send an imposing force of troops and a man of war for that purpose and for the tranquil occupation of the country. On the other hand, should the legality of the proceedings on the part of the Police Magistrate be called in question and the acts of the natives be justified as merely defensive and the deliberate slaughter of the prisoners after the contest be considered the natural consequences of surrender to savages, the position of the settlers will probably be endangered by the impunity extended to these recent acts until the British born subjects resident here will hold their lands and lives at the mercy and as vassals of the native chiefs. Whilst waiting the proceedings of the local Government with a view to the security of this settlement the Magistrates have taken all the precautionary steps in their power and the inhabitants have been partially trained. Memorials to the Acting Governor and to Sir George Gipps have been despatched in request of protection against further acts of the natives, but with no hope that either has power at his disposal to bring to justice the two chiefs who have so long laughed to scorn the paltry constabulary force maintained for the protection of life and property amongst a population of ten thousand British born subjects in the Company's settlements, who are denied the privilege of securing themselves by the formation of a militia

force, but are the means whereby a revenue of £20,000 a year is secured to the local Government for expenditure elsewhere.

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Folio 104: Depositions taken on board H.M. Colonial Government Brig *Victoria* at anchor in Cloudy Bay in the territory of New Zealand this 22<sup>nd</sup> day of June 1843. Present William Spain, Esq., JP, Dr Evans JP, Henry St Hill Esq., Sheriff JP, Charles Clifford Esq., JP, George Clarke Jnr Esq., Protector of Aborigines attended on behalf of the Natives.

James Wynen of Port Underwood, Settler sworn: On Sunday morning last Mr Bennett came over from Ocean Bay to tell me that Rupaaraha had taken Capt Wakefield Prisoner, and that his whale boat had taken several wounded White men together with Mr Tuckett the chief Surveyor of the N.Z. Company on board the Brig *Victoria*. I did not credit the statement, in consequence of which Mr Bennett went away. Soon afterwards six natives came to me on the Beach near my own house. The name of one was Keori. He told me not to be alarmed, that the anger of the Maoris was over, that we were to stay where we were and not to be frightened. He informed me that he was present at the conflicts that took place on Saturday last the seventeenth instant, that the Pakehas got very angry – that Rauparaha had requested them not to be angry but to wait till Mr Spain or Mr Clarke came over. Mr Spain had promised to be here in a few days and that everything would then be settled. He didn't wish to fight. He said the Pakehas had fired on them and that they were obliged to kill them to prevent themselves being killed. I asked him who fired first, he said, the Pakehas. After that Keori and the other five Natives went to my house and I gave them some flour and sugar. They then said they were all going away, and expected to be killed. Keori then borrowed my Canoe to go to Mr Ironsides to see his wife and children. That Mr Thompson had got the Interpreter to read a paper of the Queens intending to make a Tie a ... of Rauparaha, that Rauparaha would not present himself to be tied by the Constables but still requested them to keep away and not to fight wishing them to wait till Mr Spain and Mr Clarke had arrived. Mr Thompson said he represented the Queen and that Mr Spain or Mr Clarke had nothing to do with it. That Mr Spain and Mr Clarke were on board the brig, and that he was to go on board and see them, that Rauparaha said it was very good to have a talk that some one present told him, Rauparaha, that Mr Spain and Mr Clarke were not on board, he then told me that Rangiatata's wife was shot, that she jumped up before Rangiatata to prevent him from being shot, and that was the principal cause of the anger of the Maoris. He stated that she was the first person who was shot. Another of the Maoris was called Jacky. I think he was one of Puha's slaves. Five of the Natives were residents of this place. This conversation took place about 3 o'clock in the afternoon. On the following day (Monday) in the afternoon a Native boy in the service of Mr Bennett came to my house. He told me he had a message from Rauparaha to myself Mr Bennett and Mr Cave and the other white inhabitants of the Bay to go to Robin Hoods Bay his usual place of residence when in this neighbourhood telling us not to be alarmed, that three white men who had been engaged in the fight had told him they had been capsized in a boat. Rauparaha said no no you were engaged at Wairau, but he gave them some potatoes and sent them on. In consequence of that message myself and one of my native boys Piwa, went to Rauparaha. I saw Rauparaha, Rangiatata and about fifty natives. When I went into the house, Rangiatata commenced a Tangi (crying) and said that very shortly all the Maoris would be killed. He inquired of one of his slaves where Rauparaha was, the slave said he was combing his hair, and shortly afterwards Rauparaha came into the house, with a native behind with a pair of handcuffs in his hands he appeared excited and asked if that was payment for his land, women, pigs and potatoes. I made no answer. He then said that several white men had taken hold of him and shoved him along, but that he got away and went in the bush and got away from them. Mr Thompson was present and told him he represented the Queen and should take him on board the Brig. He said wait till Mr Spain and Mr Clarke come and hear what they have to say about it. He told Mr Thompson that the Maoris did not wish to... but that if the Pakehas got angry he should do so too. He then told me that Rangiatata's wife was shot, and that a general row then took place. He then said that Captain Wakefield was killed, Mr Thompson and nine Rangiteras. The Maoris did not wish to fight, they were not prepared to fight, they had in ... that the white people would fight and he couldn't help it. He then asked me why the other white people he had sent for, hadn't come up to see him. I told him I had only seen Mr Bennett and he was engaged giving food to the whalers. Rauparaha then shewed me three or four cutlasses and a number of

Pistols, and said that Captain Wakefield's boat was hauled up on the beach. He told me all the natives were going away – to leave this place. And that the Resident Natives would come back again if the Pakehas were not very angry. I staid at the Pah all that night (Monday) and the next morning before daylight, the natives were engaged making Washbowls for the Canoes. About the middle of Tuesday, they were all prepared to start, and I got into a whale boat with Puha and accompanied the Canoes to Port Underwood. I observed the natives put bundles, muskets and potatoes into their Canoes. On our arrival at Port Underwood the wind not being favourable they came on shore and encamped on the beach near my house. Rangiaiaata came to my house that afternoon (Tuesday). He said he supposed the Pakehas would be very angry, but he did not care they might cut his throat, but should not make a tie him fast that he had in intention to kill anyone, but the Pakehas got angry, that if he had such intention he could kill every one then in the place. I gave him a blanket and he went away. Rangiaiaata also told me that he had been wounded in the foot. Shortly afterwards I saw Rauparaha. He came to me and said Will you let me know what the Pakehas intend to do whether they intend to kill us all or not. I said I was sure they did not. He said he thought they would. He should go to Porerua, and if molested they would all die there together. I then went into Mr Guard's house with Rauparaha and saw there lying on the table a six barrelled pistol and Pukako a native, laying his hand on it, he asked me to give him a blanket for it. I said I did not want it. Several Maori women were also in the house with money in their hands, some with five or six shillings. Some with less and one with a sovereign they asked me to sell them a print I said I had not got any but Mrs Guard I dare say had and had no doubt she would sell them some. I then shewed them Mrs Guard, and she sold them some yards of Print in my presence. Rangiaiaata told me that the fight had taken place four miles from the big wood in the Wairau. Rangiaiaata, Rauparaha and about thirty or forty natives came here in Mr Thom's schooner about a month ago. Mr Thoms commanded the Schooner about a month ago. On Monday last I sold a native named Ephesus a pair of blankets for which he paid me two pounds all in half crowns and on my asking him where he had got them he said at Nelson. I lived with a Maori woman (who was related to Rauparaha) some years, she is since dead. I had by her two children, one is dead and the other is still alive. Puha told me he took no part in the fight except having a bible and stick in his hand.

By Mr Clarke Protector of Aborigines

I did not visit Robin Hoods Bay at any time last week. I was there the week previous, but Rauparaha not Rangiaiaata was not there. I have seen three natives who were wounded in the conflict, one is at Robin Hoods Bay now, the other left with Rauparaha. Rauparaha and Rangiaiaata once told me that four natives had been killed and at another time six. Rauparaha and Rangiaiaata both told me that the Christian Natives who were present did not join in the conflicts, excepting Puha, who was there with a bible in his hand trying to prevent it.

Folio 106:

George White Bennett, Manager of Messrs Wallace & Co's Station, Port Underwood sworn: On Saturday evening the 17<sup>th</sup> instant one of our boats was longer coming in than usual, and I began to get uneasy and walking up and down in front of my house some Maori girls, one named Fo.. – the names of the others I don't know – came up. Fo.. asked me if I was afraid. I asked what for, she looked very grave and told me the Maoris were coming to kill me. She told me two native boys had come over the Hill and brought word that the natives were going to kill all the white people. One boat at this time arrived and Mr Smith the headsman asked me didn't I see my girl there just this moment. Yes I did. The men employed on our fishing station wished to take the boats and leave the place, fearing the Maoris would kill them but I would not allow them to do so. Mr Smith and three others, and several Maori boys employed in the fishery left that night and went into the bush. On the following morning (Sunday) Mr Cave and some others told me that Rauparaha and Rangiaiaata had sent a message requesting me to go to them at Robin Hoods Bay, but I did not go. On the following Tuesday morning I saw nine canoes and two boats (the Company's boat and a whaleboat. They came into the harbour of Port Underwood and went to Mr Guard's place. I saw Mr Wynen in the whale boat or canoe, two Maoris came to me to say Rauparaha and Rangiaiaata wanted to see me at Guard's place. I went there and Rauparaha asked me if I was afraid. I said no. He then asked me what I had today at the Stores, at Ocean Bay. I said only a couple on my own bed, he said he must have them. He also asked me I had

any tobacco and rum, I told him no. He then said Haire Haere go and get the blankets. I promised to give them to him, but he must wait until I had seen Mr Wynen, he shook something under his blankets, saying this is what Wideawake wanted to make atie... of me with. He gave me to understand he had got Capt Wakefield and that he would soon have his brother. I then asked him if Capt Wakefield was killed he told me yes. While I was talking to him one of his people came up and knocked a pipe I was smoking out of my mouth and felt all my pockets then went with Mr Wynen to Rangiaiaata who showed me his heel and said he was wounded there, he told me I need not be afraid the Maoris wouldn't hurt me. On Sunday morning last two white men whose names I don't know came to Mr Severns where I was both wounded. I assisted to wash their wounds. Two or three of Rauparaha's people I don't know their names, came to me and told me they were up the River when Capt Wakefield came to make a Tie a Tie of Rauparaha and Rangiaiaata who told them that Spain and Clarke were on board the brig, and if they wouldn't go they would make them – that they wouldn't go and the white people fired on the Natives. They told me they had killed nine white people, and that four Maoris were dead and one wounded, they also said they had killed all the Rangitiras. On the Tuesday Rauparaha told me that Captain Wakefield had given himself up as a prisoner as did also Mr Cotterell and the little Pakeha. He told me the same day in reply to my asking him if Capt Wakefield was dead, that he was. I saw one of Rauparaha's party with a good blue pea coat on. Mr Robinson a person connected with Mr Guard told me they had done very well in selling a great many things to the Maoris and had got the money for them.

By Mr Clarke: I saw a great many arms in the canoes.

By W. Clifford: I asked Rauparaha if Capt Wakefield was dead. He said yes that Capt Wakefield had fired a pistol at him and that his wife had got between them and she received a Buller in her neck.

Folio 108:

Samuel Ironside, Wesleyan Missionary, Port Underwood 24 Jun 1843 sworn: On the arrival of Rauparaha and Rangiaiaata about four or five weeks since in Cloudy Bay in the Schooner *Three Brothers* belonging to Joseph Thoms of Queen Charlottes Sound I went on board and saw them, they appeared to be in high spirits and told me that Mr Spain had promised to come across here shortly and settle the land question and that they should now go and tell the Surveyors to desist. On the following day I told the Missionary Natives not to interfere in the business because Mr Spain had been appointed by Government to inquire into the land question and of the land had not been sold they would not be deprived of it, and therefore they had better wait until Mr Spain had arrived, which they consented to do. Capt Thomas the owner was on board the schooner on her arrival here with Rauparaha and Rangiaiaata and their people. In consequence of having heard on Sunday the 18<sup>th</sup> instant that there had been an affray between the Maoris and a party of White people at Wairau in which a great many of the latter had been killed I proceeded on the following Wednesday morning in a whale boat to the spot. I was anxious to go before but was prevented by a strong South Easter. On my arrival at the spot pointed out by two of the surveying men who accompanied me named Barney Miller and Robert Burns as the scene of Conflict, descending the hill into the thick bush on this side the Creek we discovered about 10 yards to the left of the footpath a human body quite dead. We hastened to the spot and found it with the head dreadfully mangled, we discovered it to be the body of \_ Patchett of Nelson merchant. He appeared to have received a shot in the groin – his head was dreadfully mangled by a Tomahawk. The cuts were chiefly on the back of the head and the Tomahawk was left stuck in the skull up to the hilt. It was taken out in my presence and I now produce it. I can identify it, by a cut in the side. The body had been stripped with the exception of a shirt, and another shirt and pair of trousers were thrown over him. There was a small pocket almanac lying by his side with the appearance of a bullet having gone through it. After a further search we discovered another dead body lying on the other side of the Creek. It was the body of a white man, whom I did not know. (We had no crossing the creek that day but on the following day we examined the body and found it had a gun shot wound and the head dreadfully tomahawked). We then ascended the hill and on arriving at the first brow we found two dead bodies lying within about three yards of each other which proved to be those of Mr George Richardson of Nelson Crown Prosecutor and

Mr James Howard of Nelson, Storekeeper to the N.Z. Company. Mr Richardson had been shot and his head was tomahawked, one side of his face being almost obliterated. I had known both Mr Howard and Mr Richardson and am satisfied of their identity. Mr Howard had four or five Tomahawk wounds across his face, literally dividing it into sections. I do not know whether he had a gun shot wound or not. About twenty or thirty yards higher up the hill we discovered four other dead bodies lying within five or six yards of each other, which proved to be the bodies of Capt Arthur Wakefield of Nelson, Agent to the N.Z. Company, Mr Henry Augustus Thompson of Nelson, Police Magistrate and County Judge, Capt England of Nelson, Captain in the Army and the other I did not know. Mr Thompson's body had a gun shot wound in the shoulder – his head was cut open in several places with a Tomahawk. The cuts were chiefly on the back of the head and the Tomahawk was left stuck in the skull up to the hilt. Capt Wakefield had no gun shot wounds but his head was dreadfully cut about the forehead by a tomahawk penetrating into the Brain. We examined the body but could find no gun shot wound on the body. The heads of the other individual was also dreadfully mangled. Searching about in different directions about the brow of the hill we discovered several other dead bodies about four or five, whose heads exhibited the same dreadful appearance but who I could not identify. It being now dark we made up our lodging for the night. On the following morning part of the men with me commenced digging a grave and the rest continued the search. We found one body in the bush on the right of the footpath leading down to the Creek. I could not identify it. It had received a gun shot wound somewhere in the side. I think the right side and the head was severely tomahawked. A burst powder flask was found in one of his pockets. It appeared as if the shot had entered the flask and exploded the powder. On continuing the search several other bodies were found which including those already mentioned made the number of eighteen. I don't know the names of any others than those I have mentioned. One of the bodies was found in the Creek and it was the only one which had not been tomahawked, but it had a gun shot wound. On the next day I buried all the bodies and read the funeral service of the Church of England. After the conclusion of the Service on a further search we found the body of John Silvanus Cotterell one of the surveyors of the N. Z. Company. The wounds had been inflicted with a Tomahawk there were several about the head and one deep gash in the centre of the back which had gone through the clothing into the spine. We searched but could not discover any gun shot wounds. On the Tuesday I saw ten or a dozen canoes, a whale boat and a surveying boat belonging to the N. Z. Company all full of natives come into Port Underwood from Robin Hoods Bay. Supposing them to be Rauparaha's party I crossed over to see them and inquired of Rauparaha and Rangiaiaata if they would have any objection to my going in search of the bodies and interring them decently. They Rauparaha and Rangiaiaata replied that I might go, and proceeded to tell me the affair. They said they had no intention whatever to fight, it was the wrath of the Europeans which caused them to fight, that the Europeans had fired upon them and one or two of their number had fallen before they began to fight. It was not still Serongo the wife of Rangiaiaata had fallen that they began to seek ... payment. Rauparaha said (in the Native language) "The law is open to you, seek your payment." His natives immediately crossed the Creek and did not cease attacking the White party till they had destroyed them. I said their anger had been... They said the White man had begun it, and they, the natives, had made a finish. Rauparaha and Rangiaiaata were in the habit of making frequent visits to Cloudy Bay, generally coming there three or four times a year.

By Dr Evans: When you advised your people not to interfere in the business, what business did you allude to? From the impression on my mind I was led to fear there would be mischief at Wairau and hence I told them not to interfere. Dr Evans: From what did you take your impression? From knowing that there was a dispute about the Wairau, and from the well known violence of Rauparaha and Rangiaiaata.

By Mr Clifford: From your conversation with Rauparaha and Rangiaiaata did you collect that they were aware who shot Rangiaiaata's wife? They did not say who shot her and I am quite satisfied if they had known they would have told me. *Mr Clifford:* Then you are quite sure they did not say it was Captain Wakefield. I am quite sure they did not. *Mr Clifford:* When you found the body of Capt Wakefield did you see a bit of bread or damper placed under the head? Yes. I did. *Mr Clifford:* Are you aware of any Native Custom which would account for this being done? The

head of a Chief is held Sacred and nothing Common should come near it; and therefore bread being Common and being placed there it was intended as an insult.

By Dr Evans: What property did you find upon the bodies of those you found? On the body of Capt Wakefield I found part of a watch guard and a loaded pistol. On the body of Capt England a gold watch and guard, pencil case, bunch of keys and shop belt. On the body of Mr Thompson a watch and guard, three half crowns and two loaded pistols. On the body of Mr Richardson one sovereign and sixpence and some keys. On the body of Mr Cotterell, a silver watch and guard, breast pin and some loose papers. On the body of Mr Howard a powder flask, pen knife, corkscrew and keys. On the bodies of some of the others whom I could not identify I found watches and several small sums of money, the whole of which I have produced and delivered into the custody of Henry St Hill, Esq., Sheriff.

Folio 110:

24<sup>th</sup> June. Te Rama, a native not being a Christian stated we came from the other side of the Straits in Rauparaha's canoe to Robin Hoods bay. We were two nights there and came on the Wyroa. One night they stopped at the Pah, then they went up to one of the Surveyors Stations close to the forest. They were some nights there. While we were up Wairau we heard that Rauparaha had arrived at Robin Hoods bay and we came to him. When we came up to Rauparaha they stopped there some days. Then Rauparaha and Rangiaiaata and all of us (eight canoes in all) pulled into Wairau, we were some time getting Pipi's, then we went to Mr Cotterell's, and Mr Cotterell came to the Pah, there they sent for Mr Barnicoat, then they went after Mr Parkinson, and they were all at work surveying. Mr Tuckett & Mr Patchett arrived at the Surveyors Station, whilst they were outlookers for the other whitemen in the forest. Mr Tuckett said to the Natives you are very bad, the natives, said so we are... We did not come to take your plans. Mr Tuckett said you natives are bad for burning our house down, the natives replied, the wood that the house is built of, and also the thatch is taken off my ground. Before that a great many natives had burnt down the Surveyors house, in order that they should not come back. I saw it done, Rangiaiaata and Rauparaha told the natives to burn the house down. I heard Rauparaha and Rangiaiaata tell them. A native named Touranga was there, and assisted in burning the house. I remember some white people coming up to the Wairau on Saturday, the natives were employed felling timber for gardens at a place called Rua Tauewa. When we saw a vessel off the mouth of the Wairau, it was the government brig. The white people came up and the word was given "Oh hurt the foe, the next day, the white men came up in a large boat and a small boat, and the natives were on one side of the channel and the white people on the other. Mr Wakefield and Mr Thompson asked for the canoe it was given to them. Capt Wakefield, Mr Thompson, Mr Tuckett, Mr Patchett and two others whose names I did not know, crossed over the Creek to the other side. Rauparaha and Brooks spoke New Zealand language Mr Thompson told Brooks what to say and he interpreted it to the natives. Then Mr Thompson asked Rauparaha to come on board the Vessel. Rauparaha said I'll not go, if Mr Spain & Mr Clarke were there I would go. You are bad people, if my white people were here from Port Nicholson I would go. Rauparaha said I will not go on board your vessel. Then Mr Thompson said get up and go. Rauparaha replied I will not go. Mr Thompson said come along and then shewed a book from the Queen. Rauparaha said I will pay you attention to that book if it was from Mr Spain or Mr Clarke I would, then Mr Thompson came to the edge of the stream to call them to fire, Rauparaha and E Pua said I don't like that. Then while they were talking Rauparaha got up from the grass and told Mr Thompson not to fight. Then Rangiaiaata said I will not go, if Mr Spain & Mr Clark were here I would go. Rauparaha, Rangiaiaata and E Pua on the native side and Capt Wakefield & Mr Thompson on the other talked a great deal but I don't know what they said. Mr Thompson & Capt Wakefield came to the River and told their people to come closer, he then returned to the natives and talked. Rangiaiaata again said do not fire. Mr Thompson made no answer. Mr Thompson then considered awhile and asked the natives to put him over on the other side, they hesitated as they were suspicious of his intentions. They let them the white people shove the canoes to the other side of the creek. Mr Thompson then called upon his men to fire. The nose of the canoe was on the bank of the river and Mr Thompson called to his men to come and get into the canoe. There were two rows of white people came into the canoes then Mr Thompson called upon his men to fire and they did. There was a native shot and then another

and then I was shot. Sometimes a white man fell sometimes a native. The white men fell into the river and one on the bank. I was shot and then I saw no more of it. Then the natives jumped into the canoe and fired on the white people and they fled into the hills. They ran on to the ridge of the hill and fired on the natives who lay down but I saw nothing of it. I heard the natives talking about what had happened after I was shot. Rauparaha and Rangiaiaata were present. When Rangiaiaata came from another place he found his wife was killed. Rangiaiaata and Rauparaha then ordered the natives to go after the whites and kill them. Rangiaiaata said my wife a Chief Capt Wakefields a Chief at that time they intended to save Cap Wakefield but they intended to kill Mr Thompson because he was a bad man and ordered the shooting. Rangiaiaata killed Brooks. Rauparaha had never killed anyone himself but only gave orders to the others then there was firing and running away in every direction. Tucket got away three got away in the little boat. Tauranga was at the fight. There were eight natives in the canoe I was in and six of them had muskets. There might have been altogether about forty natives with muskets and the rest of them had Tomahawks, but they were all armed.

Folio 112:

James Grant of Nelson a labourer in the employ of Mr Cotterell, Surveyor to the N.Z. Company deposed: I was employed by Mr Cotterell in the Survey of the Wairau early in April last. About a month ago one evening Rauparaha came to Mr Cotterell's tent and told him that he would have a korero with him the next day. In the morning Rauparaha and Rangiaiaata came to the tent with about a hundred natives and after we had breakfasted Rauparaha said "Go away in the boat." We did not take much notice of it. Some of the natives then commenced burning all the Section pegs. They then took everything out of the house, and set fire to it. The house belonged to the men of the Survey. They then took away the Canvass and set fire to the Toai Toai around the tent. Mr Cotterell and all his party then got into the boat and came down to the mouth of the River. We staid there one night and afterwards went away to Nelson in the boat accompanied by Mr Cotterell and the rest of his party. I embarked on board the *Victoria* brig last Tuesday week and arrived off the Wairau on the Thursday following, about the middle of the day. I landed in the evening at the Pah at the entrance of the Wairau with Mr Cotterell and five men named John Barton, Thomas Hannan, Thomas Ratcliff, Barney Miller and \_ Clenzie. On our arrival at the Pah we found Mr Barnicoat a Surveyor of the N.Z. Company and his man Robert Crawford. We stopped there all that night, and Friday morning went up the river. On the same night that I landed Capt Wakefield, Mr Thompson, Mr Tuckett, Mr Richardson, Capt England, Mr Patchett, Mr Howard, Mr Ferguson and about thirty men landed as well. All the party went up the river next day; and on our arrival about half way up we met some Maoris and some conversation took place between them and Mr Thompson, which I did not hear, we then proceeded up the River right up to the Pine Groves, where the house had been burnt down. We looked about the spot for Rauparaha and Rangiaiaata but not being able to find them we encamped at the Pine Groves and brought some of the men across the river who had walked up to the spot. The Company's boat then came up the same night. About daylight next morning we started in two boats (the Company's boat and Mr Cotterell's boat) the party in Mr Cotterell's consisting of myself, Mr Cotterell, Barney Miller and three others, whose names I don't recollect, who composed part of the Crew, and five armed men and also Mr Thompson and \_ Maling the Chief Constable the boats crew were also armed. We proceeded up the river and landed as far up as we could get with the boat. After we landed I heard no orders given but proceeded on with the party accompanied by the party in the Company's boat, consisting of Capt Wakefield, Mr Tuckett, Mr Howard, Capt England, Mr Richardson, Mr Ferguson, Mr Patchett, Mr Bellair and about thirty to thirty five men all armed some with muskets, some with cutlasses and some with pistols. We walked for about two miles along the side of creek till we came to the place where we saw Rauparaha and Rangiaiaata and about thirteen Maoris armed with muskets. Mr Howard and Capt England gave us strict orders not to fire until we were ordered. We were divided into two parties. Mr Thompson, Mr Patchett, Capt Wakefield, Mr Tuckett, Mr Cotterell and the Chief Constable and John Brooke had crossed the creek in a canoe. John Brook acted as Interpreter to Mr Thompson. After they had crossed I heard Mr Thompson say in English to the Interpreter which he appeared to be repeating to the natives in Maori that he came there to take Rangiaiaata and Rauparaha on board the Government brig, to be tried like any other white man for burning down the surveyors houses. That it was not for the land he was to be taken there, that Mr Spain would

be there to settle about that. Brook told Mr Thompson that the natives were all armed and that he did not see half of them. I then heard Mr Thompson say to Brook we are all armed too. I heard Mr Richardson who stood close by my back call out "For God's sake Thompson mind what you're about." I then heard a voice calling to Capt England to draw his party near the creek. I was one of Capt England's party and he ordered us to follow him up to the creek where we went accordingly. Shortly after this I heard Mr Thompson call out to us to fix bayonets and come across. There had been no firing on either side before this. The party then advanced to the canoe in order to cross the creek. So soon as the Maoris saw this, they all concealed themselves in the bush. Just then I heard the report of a gun \_ which I believe was from the side where the Maoris were, which was followed immediately by firing on both sides. I saw two of our own party fall on the side of the river where the Maoris were. So soon as the firing commenced Capt Wakefield, Mr Thompson, Mr Cotterell, Mr Patchett and the Constable endeavoured to recross the creek and reached the opposite bank and joined the white party, they then retreated up the hill hotly pursued by the Maoris. I also went up the hill. I was neither the first nor the last. When I got to the first brow of the hill where I found Messrs Thompson, Wakefield, Howard, Cotterell, Bellair, England, the chief Constable and about twenty men. Mr Thompson was singing out he was wounded. The men were retreating and he called out to them. "For God's sake come back men the Maoris are coming upon us. Some of the men made a stand, fired and then retreated, till they got to the second brow and they afterwards got away altogether. At this time I saw Mr Thompson waving a white handkerchief to the Maoris. I then hid myself in the fern and made my escape – there were not above eight men on the hill at this time, besides Capt Wakefield, Mr Thompson, Mr Howard and some other gentlemen. I remained in my hiding place till the next morning. Whilst I lay in the fern I heard a Maori come up to some other natives (who were apparently taking some one along) and say to them come along Wakefield not to be killed, no more fighting. About four or five minutes afterwards I heard some guns discharged and some Maori yells before this I heard five blows given as if by a tomahawk and after the last blow I heard a groan.

By Mr Spain: Were you ever sworn in to act as Special Constable on this occasion? No I was not. What arms did you have? I had a cutlass which I took at the Pah. Mr Howard was there and a man of the name of McGregor serving out the arms. Mr Thompson gave me his double barrelled gun to carry but he would not give me any ammunition. I asked him for two Caps which he gave me and afterwards took away again. Were you told by any one what you were going with the armed party for? Capt England and Mr Howard told us we were going to take Rauparaha and Rangiaiaata.

By Mr St Hill: You were not engaged by the N.Z. Company but was acting as Mr Cotterell's assistant? I was acting as Mr Cotterell's assistant.

By Mr Spain: Mr Cotterell was one of the Contractors for the Survey and surveyed the Wairau? Yes he was.

Folio 116:

James Cole of Cains Bay in Cloudy Bay, master mariner deposed 25 Jun 1843: On Sunday afternoon last the 18<sup>th</sup> instant some white people were passing my house in a canoe and enquired if I had heard the news. I walked round the beach. On the Tuesday following two natives came to my house and confirmed the reports I had previously heard. In the evening of the same day I was visited by a native named Lucieu from whom I had bought the place where I live. I could not obtain any information from him relative to the affair at Wairau, other than he and all the other natives were going away, as they were afraid the Pakehas were going to kill them. He seemed very much distressed and before he left he made me two presents – the one a six barrelled pistol and the other his property at Cloudy Bay consisting of pigs and potatoes. I accepted the pistol with the view of restoring it to the owners when called upon to do so. So soon as the Government brig arrived here on Thursday last I wrote to Col Wakefield stating that I had a six barrelled pistol which I imagined might have belonged to his brother. I asked the native Lucieu where he had obtained the Pistol and he told me he had bought it at Waukatu. I never had any conversation relative to the affair with any other natives. I had no particular reason for

supposing the pistol belonged to Capt Wakefield other than as he was a Naval Officer he was likely to possess such an article.

Folio 117:

Susannah Cave wife of Charles Samuel Cave of Port Underwood, Cloudy Bay, Cooper deposes 24 Jun 1843: About three weeks or a month ago the schooner belonging to Joseph Thoms of which he is owner and Captain arrived in this place. Shortly after the vessel came to an anchor Rauparaha and Rangiaiaata and about fifty natives landed close to where I live. Rauparaha and Rangiaiaata with other natives came into my house and Rangiaiaata asked Mr Cave for some liquor, who gave him a bottle of Rum. They then went away. Rangiaiaata and Rauparaha afterwards returned in the evening. I gave Rauparaha something to eat, they then asked for more liquor and Mr Cave to pacify them gave them each a bottle. Rauparaha and Rangiaiaata then said they should go to Wairau and would make the Pakehas go away. That the Pakehas had got the land and the natives had only received a big gun for it. They also said they would burn their houses if the Pakehas did not go away. They said what were they the natives to do without the land, that the Pakehas had got Port Nicholson and other places. Mr Cave was on the following day grinding an axe and Rangiaiaata laid hold of it and took it away. I asked him what he was going to give us for it. And he stamped his foot on the ground and said heres the utu for it, but he afterwards told us that we might cut down a lot of wood he pointed to and burn it and that would do for the utu.

By Mr St Hill: What description of Axe was it? It was a common wood axe. Was it a Tomahawk? No it was a long common axe.

Folio 118:

Parau otherwise called Monkey a native, understanding the nature of an oath being sworn deposes 25 Jun 1843: Rauparaha and Rangiaiaata, those two chiefs and their tribes arrived at Robin Hoods bay about three weeks ago, they staid there about a fortnight and then went to Wairau. I accompanied them. They stopped and eat at the Pah at the entrance of the river, and then pulled up to Mr Cotterells Station. We all stopped there till the next morning and then they put the white people's things in the boat, then the white people took their tent down. There was another house made of reeds and bushes which the natives burnt, they came back again to the Pah and stopped there two nights. Rangiaiaata and Rauparaha were present when the natives burnt down the house. Rauparaha and Rangiaiaata and all the natives of the tribe consisting of about eighty went up to Mr Cotterell's previous station and found the Pakehas had burnt down the old house. We stopped there three nights. Ngatitooa was on one side of the river and we were on the other. The next morning Rauparaha and Rangiaiaata went to fetch Mr Barnicoat they returned next day with Mr Barnicoat and brought some flour, pots and their tents, the natives found three white men in the bush and brought them there and Rangiaiaata and Rauparaha robbed them of their blankets and tobacco. All the Christian natives were very much dissatisfied at the robbing the white men, then myself and two others came to Robin Hoods bay for Provisions and on our return we saw the brig anchored off the Wairau. Some of the boats of the white people had gone up the river. We stopped at the Pah in consequence of a foul wind, while we were there a whale boat came down to the Pah with seven white men, to get some boxes and provisions. While the white men were there they loaded two pistols and they put some powder in my hand and I kept it some time, expecting they would take it from me but as they did not return I kept it. A white man fired a gun on the beach near the Pah. When the gun fired the whale boat went up the river, with seven white men in it and we followed in a canoe. There were five in it. At the time we went for provisions to Robin Hood's Bay we also went for axes to fell timber. After leaving the Pah we pulled up the river to the wood at Mr Cotterell's station and saw his fires with Mr Barnicoat and other white men standing around them. We then pulled on to Rauparaha's station and heard his party talking and proceeded till we came to the creek called Tua Marina. While we were pulling into the creek some white peoples boats came up and they landed first below us. In the morning when I got into the little river we lit a fire and while sitting round it we saw the enemy come up (meaning the white people) there were forty of them or their might have been sixty. Brook who acted as Interpreter asked us where Rauparaha was. We said how should we know we are come from Cloudy Bay. Brook then said what are you hiding it for who is that up

there making a noise. We said it might be him we don't know. As the white people came up I counted how many had fire arms. I counted thirty four myself and eight other natives followed them, until we saw them standing on a little ridge of fern and then some of my party ran back again, but I and another went on and came up with the white party, and said good morning, passed them and went on to the creek where I saw Mr Thompson in a canoe placed across the creek. I got in also and joined Rauparaha and his party who I found all prepared to meet the white people. Mr Thompson asked Rauparaha to come along and he said "I will not." Mr Thompson repeated it and said that if he (Rauparaha) did not come he would call on the white people to fire on him, then Puha rose and said to Brook "Don't Johnny we don't want to fight." Brook then said to Rauparaha "What did you burn the house down for" he answered "I did not do it, the people did it" Brook then said "Come along on board the vessel", Rauparaha said "no I will not I will stop where I am, then Rangiaiaata rose and said "I am on my own settlement I don't go to England to interfere with you." Capt Wakefield, John Brook the interpreter, Mr Thompson, Mr Tuckett, Mr Patchett, Mr Cotterell were on the same side of the river with Rauparaha and his party. Touney a native then said "that when the white men got on the other side they would fire on them" and he told us to hold on the canoe, but they got the canoe and got into it and were shoving across, but before they all got on the other side the firing began and the natives fell back. When the word was given to fire by Mr Thompson, they fired and a native named Aherta fell and two others Te Rongo the wife of Rangiaiaata was shot by a chance ball in the garden where Aherta and the other two natives fell we hesitated whether to run away or not but Rauparaha came forward and said pursue them or fall upon them. Then the natives fired and three white people fell on the bank of the creek one on the same side of the creek the natives were, and the others on the opposite side. Then we chased them, and Mr Tuckett ran away he was not armed then the white people fled on to the hill, the natives pursued them and had a running fight. Rauparaha followed them on to the hill when a Colour was displayed by Capt Wakefield, he held up the Colour, but the white people still kept firing, the natives pursued them to another rise of the hill and followed then until they caught them all, and Rauparaha was talking to them and had saved all the chiefs when Rangiaiaata came up and said "Rauparaha think of your daughter" and Rangiaiaata then killed them all. Puha's wife was down at the settlement and called out to him Puha Puha save some of the Chiefs, so that you may have it to say you have saved some, but when she called they were all killed. The name of the hill where they were killed is called Wurugataui. Then they (the Natives) came down and burned those of their own peoples who had been killed. Rangiaiaata killed them all with his own hand with a tomahawk. I saw him do it. I saw Rangiaiaata kill Captain Wakefield, Mr Thompson and Mr Richardson. I do not Mr Howard or Capt England and cannot say whether Rangiaiaata killed them, but there were others killed by Rangiaiaata. I also saw him kill John Brook near the bunch of trees up the hill. I also saw him kill Mr Cotterell. Rangiaiaata killed Brook first, the Mr Cotterell, then Capt Wakefield then Mr Thompson. There were four natives killed and eight wounded. With Puhas tribe there were upwards of a hundred natives, but forty committed the deed, and they were all armed with muskets. I saw Rangiaiaata snatch away Capt Wakefield's watch after he had knocked him down, he afterwards offered it to the Missionary Natives but they refused to take it, but said, let it lay with the dead and all that belongs to them that the slaves had stripped off Capt Wakefield's coat and waistcoat. They paid no attention to what the Missionary Natives said but robbed the bodies in every direction. The Missionary natives took no part in the fight but dispersed.

Also sworn 24 Jun 1843: I know the Tomahawk produced it belonged to Takahi a slave of Rangiaiaata. I have observed it before and know it. I heard Takahi say that he had stuck the tomahawk into a white mans head and that he left it there.

Folio 122:

John Wallis Barnicoat of Nelson, Surveyor deposes 25 Jun 1843: I left Nelson on the 15<sup>th</sup> April last to go to the Wairau. There were three surveying parties consisting altogether of about forty. We arrived there in about nine days and immediately commenced the survey. After having been there about a week Mr Cotterell, one of the surveying party, informed me that the natives had been pulling up his ranging rods and destroyed Mr Parkinson's sawpit. We consulted together and determined to send a whale boat to Nelson to Captain Wakefield. A day or two after the whale boat started Mr Parkinson, another of the Surveyors informed me the natives had pulled

up my ranging rods and threatened to destroy my cooking house. A week or two after this a party of natives arrived and tore up one of my stakes, and Mr Cotterell who is now dead told me they had annoyed him very much. On Thursday the 1<sup>st</sup> of June, Rauparaha and Rangiaiaata with their party consisting of ninety eight natives amongst whom were some women and children but a small proportion arrived at the Pah at the mouth of the River. On the Saturday following Rauparaha and Rangiaiaata and about thirty natives in their canoes came up the river to my station. Rauparaha and Rangiaiaata slept there that night and the next morning their men took our provisions tents and other things to the canoes and Rauparaha informed me he should take us to the Pah where he had already brought Mr Cotterell and his men, and intended to bring all the white men in the Wairau and send them all off together. We all went with the natives and on our arrival at the great wood we stopped there that night and the whole of the following day and the next morning the whole party of the Maoris went to the Pah the Maoris were joined by two other canoes increasing their number to a hundred and sixteen. Soon after they landed us the whole party went in search of Mr Tuckett the Chief Surveyor and Mr Cotterell and the next morning the canoes returned with the Company's boat and Mr Parkinson. I should have said that Mr Cotterell went on the previous Saturday to Nelson to inform Capt Wakefield of what had occurred. The Wind prevented Mr Tuckett leaving for several days, but as soon as it moderated sufficiently he left in the Company's boat to go to Nelson. On the day after Mr Parkinson left so that there were no white men left at the Wairau but myself and another man. Mr Parkinson left on Monday June 12<sup>th</sup>. Immediately after Rauparaha and Rangiaiaata and all their party went up the river telling me they were going to prepare their ground for gardens, and should return in five days. On the following Thursday the Government brig anchored off the Wairau and the same evening Capt Wakefield, Mr Thompson, Mr Howard, Mr Ferguson and several others landed at the Pah and staid there that night, and the next morning the rest of the party consisting of Capt England, Mr Tuckett, Mr Patchett, Mr Richardson and several others landed the party altogether numbering about 40. About thirty of the men were then armed with muskets and cutlasses and walked up the bank of the river to where we expected to find Rauparaha and Rangiaiaata. I was not sworn in a special constable nor did I see any other men sworn in as such from the time of their landing up to the time of the conflict which I am about to relate took place. About half way up we met Puha and a party of natives to whom Mr Thompson explained the purpose for which he had come. Puha proposed that Rangiaiaata Rauparaha and all the white people should go to Cloudy Bay in order to settle the business. I think he mentioned the name of Mr Spain but I am not quite certain. Puha then went up the river in his whale boat. Mr Cotterell also went up in his. The whole party afterwards started. On arriving at the big wood we found a party of natives on the other side of the river but no chief of consequence was among them this was the spot Rauparaha and Rangiaiaata informed me they intended to make their gardens. In the evening we were joined by the Company's boat increasing our party to forty nine. After that all the Maoris left and went up the river. The next morning before sun rise we proceeded up the river in Mr Cotterell's and the Company's boats and about four miles up we all landed and walked to where we found Rauparaha & Rangiaiaata and his party they were about a mile inland from the Banks of the River and we were able to discover them by their shouting. They were posted by the Bank of a deep Creek surrounded by a thick bush, there was a canoe lying across the creek in which Mr Thompson, Capt Wakefield and other gentlemen crossed. Mr Thompson then stated to Rauparaha through the interpreter John Brook that he was the Queen's Representative and come to execute a warrant against Rauparaha and Rangiaiaata for burning a house of Mr Cotterell's, he also told them the Government brig lay off the Wairau and they were to go there to answer for their offence. Mr Thompson on their refusing to come, explained to them that he did not come about the land question that was to be settled hereafter by Mr Spain. Rauparaha still persisted in refusing to come and Mr Thompson told him that he had an armed force & should make him. After repeated refusals from Rauparaha Mr Thompson at last called out to Capt England who was on the other side of the creek to bring the men across to him. Mr Howard then ordered half of them to advance and they went down the hill led by Mr Howard and I did not see them afterwards. Very shortly the firing commenced. I have no idea on which side the firing commenced. It appeared to be simultaneous. The order was given to advance but I did not hear any order given to fire, there was a very regular fire kept up for about two minutes. When Mr Patchett and two or three others fell and the men began to give way, they again lallied and after firing a few more shots again gave way, the natives firing from a thick Manuka bush on us who

were quite unprotected. After a succession of retreats we came to a brow of the hill where Capt Wakefield entreated the men to make a stand, and he then tried to make the men fix bayonets and charge. The interpreter there called out in Maori, leave off, enough, and Capt Wakefield ordered the men to lay down their arms and lie on the ground themselves. I lay down with the rest for about half a minute and then three bullets came within a yard or two of where I was. On which I got up and retired. There were other signals for peace made by Mr Thompson and Capt Wakefield and one or two Maoris threw down their arms and advanced with their arms stretched out as if in token of reconciliation, but as I found the firing continued as brisk as ever I continued to retreat. When I left the hill there were about fifteen white people there. I left it with Mr Tuckett and one man, and walked towards the beach about a mile on we overtook seven men and arrived at White's bay about one o'clock in the afternoon where we found a whale boat which brought us on board the Government brig.

Folio 127:

Samuel Parkinson of Nelson Surveyor deposes 24 Jun 1843: I came to the Wairau at the same time with the other surveyors and built two houses in the big wood. About a week after my arrival a party of natives came, and staid by the bank of the river about a hundred yards from us. They destroyed a saw pit that I had built, this was all the annoyance I experienced from this party. Three days afterwards they went away to Cloudy Bay. On the fifth of May last another party of natives arrived and staid all night about a quarter of a mile below my station. The next day I staid at home to map up the work. About nine o'clock in the morning the natives came to my place, they commenced taking the tarpauling off the house and cutting the houses down. I asked them which was the chief, they said there was no chief. I then asked them if they were all slaves. One of the natives pointed out E. Puha and Charlie (Puha's brother). I remonstrated with them and told them it was no good. E. Puha then got up and made a speech to the natives in which he said they had done enough and the men then desisted, they wanted me to give them flour and sugar and told me if I had not been at home they shouldn't have pulled my house down. They also told me that when Mr Cotterell came home they should pull his house down, they did not pull his house down, assigning as a reason that Mr Cotterell had promised to give them the house when he had done with it. They followed us into our lines and destroyed our flags and marks and in a few days they left us. I removed up the Valley about two miles and did not hear anything of the natives till the 3<sup>rd</sup> of June. On that day I went down to Mr Cotterell's Station with five men to grind Billhooks. When we arrived we found no person there, but from the ends of some stakes we imagined the Maoris had been there. We made a fire and about nine o'clock the same night we heard a boat rowing up the river, we found it was the Company's boat with Mr Tuckett, Mr Patchett and several of Mr Cotterell's men. Mr Tuckett told me he would explain the reason why Mr Cotterell was not there, he said he had sent him off to Nelson with despatches to Capt Wakefield. On his recommendation I returned to my Station the next day and then visited my upper stations. I told my people that Rauparaha had come and they must proceed with the works as fast as possible. On my return to the lower station I found about fifteen Maoris there and one of my men who had come up with Mr Tuckett. Mr Tuckett had gone to Kaiparateau, the man told me the natives had examined his pockets and had taken from him a quantity of Caps. I then looked round and found a number of articles missing, and also saw the natives had dressed themselves in some of the clothes we had left behind. They had also taken all our guns and ammunition and would not give them up. When I asked them they showed me a pigs skin they said the things they had taken were Utu for the pig. I told them I would pay the Chiefs for the Pig. I told them also I should represent their conduct to the chiefs. Several of them then stripped naked and flourished their muskets about me, they had ball cartridge and cartouche boxes with them. I omitted to say that before this they ordered me to put all my things in the boat and go off. I told them they might put the things into the boat and me too but I shouldn't go without they did so. They then held a consultation amongst themselves and told me that in the morning they would do so. My men went to bed and after pulling my boots off I lay down with my clothes on. Five or six natives came into the hut and sat down by the fire, they asked me where my other party was. I told them not far off, we then conversed for some time on different subjects the native who sat next to me had a bald head. I put my hand on his head and asked if he was an old man. I learnt from their conversation that this was a deadly offence. The natives got up and went over to the opposite side of the hut to me and prepared his tomahawk as if he was intending to

use it, throwing his blanket off his shoulders. Two others who sat on the same side with me acted in a similar manner. I thought they were going to commence mischief, not only from their looks but from their conversation, from it I gathered that they intended to kill us. I thought if I could escape myself that they would be deterred from violence by supposing I should bring my other men down. I got up and told my men to look out as the Maoris were up to something & turning quickly round to the door I started off and ran as fast as I could to my other station. On the following morning I returned with six men armed and their baggage, and found the house burnt down and no one there. Following the river down to Mr Tucketts tent I found my party there who told me that after I had left on the previous evening the Maoris became much excited and loaded their muskets with ball cartridge but from the guarded manner of my men the Maoris were prevented from doing further mischief. My things which had been taken away by the Maoris were restored to me by the Chiefs the next time I saw them. I intended to have proceeded to Nelson to depose of these facts and to have applied for a warrant against these parties but having learnt that Mr Cotterell had already gone thither to obtain a warrant for a similar offence, I remained at Cloudy Bay till his return to learn the results. I have every reason to believe but for the spirited conduct of Peter Crow one of my men all our lives would have been taken on the before mentioned evening by the Maoris.

Folio 130:

John Miller of Nelson lately employed as labourer to Mr Cotterell deposed 26 Jun 1843: About three weeks ago I was at Mr Cotterell's Station at Paa Ua a branch of the Wairau river. Whilst we were at breakfast one morning some of Rangiaiaata's slaves came to us and began collecting stakes and piling them together near the toai toai warre occupied by some of our men, afterwards Rangiaiaata and Rauparaha came up and ordered us off telling us to get all the things into the boat. He then ordered his slaves to set fire to the stakes having previously taken all the things belonging to the men out of the Ware and the Ware was burnt down. Rangiaiaata took one of the Station staffs and when Mr Cotterell sent one of the men to take it away from him he made a lunge at the man who was obliged to retreat. I accompanied Mr Cotterell to Nelson, and afterwards embarked on board and returned to the Wairau, off which the Brig lay anchored. Mr Cotterell landed in his Whale boat accompanied by myself and five other men. We towed in the ships long boat having on board the people that accompanied us in the Brig from Nelson. We slept at the pah that night, and the next morning we proceeded up the river to where Rauparaha and Rangiaiaata were. I was not sworn in as Special Constable, nor did I see any others sworn in, I was told that we were going to take Rauparaha and Rangiaiaata upon a Magistrates Warrant if we could get hold of them. Mr Howard the Company's Storekeeper and another man of the name of McGregor served out the arms down at the Pah, consisting of Muskets, Pistols, Cutlasses and Swords. We proceeded up the River our party consisting of about thirty five armed men besides the gentlemen who accompanied the party and four constables. The Chief Constable had a double barrelled gun and another had a musket. Gardner, another constable, had a musket and a pistol. We marched up to a Creek where we found Rangiaiaata, Rauparaha and his party on the opposite bank. Mr Thompson, Capt Wakefield, Mr Patchett, John Brook the Interpreter, Mr Cotterell and others went across to Rauparaha. I heard Mr Thompson tell Brook to interpret to Rauparaha what he (Mr Thompson) had come for, which was to take Rauparaha and Rangiaiaata for burning down Mr Cotterell's house, that it was nothing about the land, he had nothing to with that. Rauparaha told them to sit down and talk and not to make a fight, that it was a very good thing to have a talk, then Rangiaiaata came forward jumping about appearing much excited, and asking what the Queen had to do with his land. Mr Thompson then ordered Mr Howard to bring half of the men down, some of them got into the Canoe to cross and then the firing commenced on both sides. I heard no order given to fire. Mr Patchett then recrossed and came and stood alongside of me. I saw a Maori through the bush levelling his piece at me and resting it on the limb of a tree. I just stepped on one side and before I had time to tell Mr Patchett I saw him drop down by my side wounded. After the first round was fired the white people retreated up the hill. I went up the hill with Capt Wakefield, Mr Howard and the rest. When we got to the top of the hill Mr Cotterell told me I had better go down to the boat. I advised a stand being made at the top of the hill, but it was not done, there was running in all directions. I saw Brook hold up a white handkerchief, crying out enough stop stop. I saw Mr Cotterell run toward a Maori who was naked

and give himself up and then I made my escape. I heard Mr Thompson scolding one of our party for firing, but I believe one of our men was shot before any of our party fired.

Folio 132: (James Ferguson; James Fargerson)

James Farguson of Goulbourn, New South Wales, Settler, at present a traveller deposed 26 Jun 1843: I was a passenger on board Her Majesty's Colonial Brig. We anchored off the Wairau on the 15<sup>th</sup> instant, I landed in a boat towing Mr Cotterell's boat and the brig's long boat. At the Pah at the entrance of the River Capt Wakefield, Mr Thompson, Mr Howard, Mr Cotterell and about thirty men landed that evening and we staid there that night and slept in Mr Barnicoat's tent. Capt England, Mr Richardson and seven or eight others landed the next morning at day break and joined us at the Pah. After the party had finished breakfast the arms were distributed to the men by Mr Howard and others. I understood the party were going to execute a Warrant to Rauparaha and Rangiaiaata apprehending them for burning Mr Cotterell's house. I was sworn in as Special Constable at the Pah but I saw no one else sworn in as such. We then proceeded by land (as the boats could not get on) up the river and arrived where Puha and a party of Missionary Natives were. Capt Wakefield, Mr Thompson, Mr Richardson, myself and others enquired of the natives where Rauparaha and Rangiaiaata were. Mr Howard was then about fifty yards behind us with the rest of the party, the Missionary natives had quarrelled with Rauparaha and Rangiaiaata the day before and had left them. Capt Wakefield and Mr Thompson then asked Puha through the interpreter John Brook if he would go with them and shew them where Rauparaha and Rangiaiaata were, they hesitated at doing this and Mr Thompson called out to Mr Howard to come up with the rest of the men. When Puha saw them he immediately jumped on his feet and said he would go with them. There was a native amongst them named Tommy who talked English very well and I asked Capt Wakefield to take him along with us as interpreter as Brook appeared to me to be making a long story of it and I asked the Native (Tommy) to go and he said "yes". After we had proceeded about twenty or thirty yards two natives Puha and Tommy left their party and went on. Mr Thompson called to them to stop but we soon lost sight of them and did not see them again until we got up to the big wood. We were then on the one side of the river and they on the other. We called to them to send a whaleboat they had across the river, as we had at that time lost sight of Mr Cotterell's boat. It was now about two o'clock. After waiting about half an hour Mr Cotterell came back to us and took us all across. Mr Thompson then enquired of the natives where Rauparaha and Rangiaiaata were and they informed him they were higher up the river. We encamped there that night about half past seven. The next morning the whole party proceeded up the river which we supposed was intended to let us know where the natives were. We landed at the bank of a small creek in the upper part of the river till we came in view of Rauparaha and Rangiaiaata and their party on the other side of the creek. Mr Thompson and Capt Wakefield then ordered our men to be drawn up in a line opposite to where the natives were. Capt Wakefield, Mr Thompson, Mr Cotterell, Mr Patchett, Mr Tuckett, Brook the interpreter and three constables went across the creek. Mr Thompson, Capt Wakefield and Mr Cotterell then walked up toward a bush and I then heard some conversation, and I heard a voice (which I afterwards knew to be Rauparaha's) joining in the conversation. Mr Thompson, Capt Wakefield and Mr Cotterell walking about with the Maoris in the most friendly manner. I then heard Mr Thompson say to Rauparaha that he must come with him, that this was the Queen's book. His reply was Kahore the book. Mr Thompson then told Brook to inform Rauparaha that he must come with him (Mr Thompson) on board the brig, and that if he did not come he had an armed force and would fire upon him pointing at the same time to our party, there was then a great noise where the Maoris were and I saw one rise from behind a bush who I had not before seen. Mr Richardson told me it was Rangiaiaata. He made a great noise and said Kahore the Queen I'm all the same as Wikitoria. Mr Thompson appeared at this to be excessively exasperated, and came to the waters edge and called for the men to come forward. Capt Wakefield then came and called out Forward men, Englishmen forward. Immediately on this a gun went off belonging to one of those who were crossing in the canoe which from the deadened sound appeared to have gone off accidentally. This was the first report I heard, after this the firing commenced and became general on both sides. We were then advancing towards the creek and I saw Mr Patchett on the ground wounded. The white men began a retreat up the hill. I accompanied them for some time and eventually made my escape. Whilst the men were retreating up the hill, I heard Capt Wakefield several times call on the men to stand, but they did not. I saw Capt

Wakefield whilst I was making my escape, surrounded by Maoris. I was too far from him to observe whether any resistance was made by him.

Folio 135:

George Bampton, labourer in the Survey of the New Zealand Company at Nelson deposed 26 Jun 1843: I came to the Wairau about a fortnight last Saturday with Mr Tuckett. I was given to understand by several of the Maoris that they come some from Motueka, some from Bloody Jack, some from Queen Charlotte's Sound, some from Cloudy Bay and other places. On the evening of Saturday the 17<sup>th</sup> instant I went up the Wairau in boats with Mr Thompson, Capt Wakefield and some other gentlemen and between thirty and forty men in search of Rauparaha and Rangiaiaata. After getting out of the boats we walked across a flat and came to a creek where we saw two or three Maoris. The interpreter enquired of them if they had seen Rauparaha and Rangiaiaata. They replied they were there last night but didn't know whether they had gone up higher or lower. We heard the noises of some natives further up the creek and on following the sound we soon saw some natives about twelve in number. On coming up opposite to them (for they were the other side of the creek) Mr Thompson and Capt Wakefield and Mr Cotterell and several other gentlemen crossed over to the natives. The remainder of the party were ordered to stay on the other side and not to fire until told. I heard Mr Thompson ask for Rauparaha and Rangiaiaata who soon afterwards came up. I heard Mr Thompson say he was not come about the land, but about the Ware or houses they had burnt. He also said something about a book a book of the Queens/ After some further conversation which I did not hear Mr Thompson ordered the party to fix bayonets and come across the creek. As soon as we had got to the water we crossed over in a canoe the water being very deep. Before half a dozen had crossed four or five guns were discharged by the natives. I am positive they fired first and that no single musket had been discharged before this by either party. A man next to me (I was not in the boat at the time) stumbled which occasioned his musket to go off, but I am positive this musket did not go off till after the natives had fired, but I believe it was before any of the white men who were near me fired. The armed body remained on the left bank of the creek in two divisions, commanded by Capt England and Mr Howard and before any others could cross the first six men and Capt Wakefield and Mr Thompson and the gentlemen who had first crossed returned, the party were then drawn up a hill leading up from the creek with the Maoris following them. After we had gone nearly a quarter of a mile during which firing on both sides had continued we found several of our party were missing. We did not rally above twelve altogether when we first stopped on the hill. At this time Capt Wakefield called on us to lay down our arms. I saw all the white men that remained on the hill surrender their arms to the natives. I saw Capt Wakefield give a pistol into the hands of a native. It was the only weapon I saw him with. The Maoris near us then ceased firing but some in the distance continued to fire. The party who surrendered consisted of Mr Thompson, Capt Wakefield, Capt England, Mr Richardson, Mr Howard, a Constable, two other men and myself. There were about twenty Maoris to whom we had surrendered. We then descended the hill and after going some little way we met Rauparaha, and Rangiaiaata coming toward us. Rangiaiaata began to stamp and appeared much excited. He spoke to Capt Wakefield who not understanding him called for the interpreter Brook but he could not be found. The Chiefs then sat down in a ring and conversed a short time and during this some of the other natives began to strip some of the party. They took off Capt Wakefield's coat first, Mr Howard told him not to resist. I saw one of them trying to take away Mr Thompson's ... coat. Whilst they were doing this I moved a few yards and one of the natives followed me, but seeing I was making water he turned back. I then ran down the hill about thirty yards, almost immediately after I started I heard someone else – who I believe from his voice was Mr Howard. I heard him say as if to another person "For Gods sake if we are to die let us die together." I heard at the same time a Rush which I supposed was occasioned by the Maoris following. I was concealed in the bush at this time. I then heard a noise as if the Maoris were returning with their prisoners. They then appeared to go away farther off descending the Hill. I forgot to mention they all loaded their muskets just before I got away. When I had got about a quarter of a mile down the hill I saw two Caps and a man lying on his face apparently dead. I think it was a man named Clenzie. I believe he had on a pair of fustian trousers and a monkey jacket. I went on farther and saw three Maoris on the summit of the ridge. I then met a man named Smith. A gun was fired apparently at us. I head the ball whizzing. I forgot to say while I was couched in the Bush the first time soon after

the natives had returned with Mr Howard and another prisoner and before they had time I should think to reach the bottom of the Hill I heard five or six guns go off and the sound as of beating earth. After meeting with Smith I heard a continuation of the firing until dusk. I lay hid in a swamp till dusk and then got away towards the hills where I lost my way and did not get to Robin Hoods bay before Tuesday, where I lay hid all night in consequence of seeing some canoes. I came to Mr Bennetts Station at Port Underwood the next day. I had no food from the Saturday to the Wednesday excepting three turnips. I was never sworn in as Special Constable. I gave the muskets I had up to the Maoris when we surrendered ourselves. One of them seized me and led me part of the way down the hill.

Folio 138:

Edward Meurant of Auckland Interpreter to William Spain, Commissioner of Land Claims deposed 26 Jun 1843: I remember being present at the closing of the Court held by the Commissioner of Land Claims on the 12 May last at Porerua. I was requested by Rangiaiaata and Rauparaha to tell the Commissioner they would like him to go over to Cloudy Bay to settle the land claims at the Wairau, as they wished the surveyors to be withdrawn. The Commissioner requested me to tell them he could not give them an answer that evening, but would the next morning and I interpreted the same to them. They appeared very anxious for an answer that night and on the following morning I accompanied the Commissioner when we met Rauparaha and Rangiaiaata. I told them that the Commissioner could not go over with them as he had advertised his Court to be held at Port Nicholson on a certain day and when that was finished he would accompany them to Cloudy Bay and after repeatedly urging them not to go they determined to go, saying they would avail themselves of the opportunity of going in Thoms vessel in preference to going there in a Canoe. I then interpreted the Commissioner's request that if they were determined to go, they should remain in Queen Charlotte's Sound until the Commissioner came over. They seemed particularly pleased at this proposal and said they would do so. The Commissioner then requested them through me not on any account to come to Cloudy Bay or have any communication with the white people until he came, as it would have a bad effect to come in contact with the surveyors in his absence. The Commissioner further told them through me that any interference on their part with the surveyors would only impede any proceedings towards a settlement of their land claims. In reply to this both Rauparaha and Rangiaiaata solemnly assured the Commissioner through me and pledged themselves they would not interfere in any way with the white people until he came over, continually repeating be quick, be quick. I explained to them very fully that the Commissioner could not come until his Court at Port Nicholson had been held, and they seemed perfectly satisfied. The impression on my mind in consequence of this communication was, that they would strictly adhere to the pledge they had given. And I have every reason to believe they would have adhered to their pledge, if some undue influence had not been used to make them break it.

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Folio 141: Wellington 30 Jun 1843 Colonel Wakefield to Secretary NZ Company

Sir, In consequence of the recent melancholy loss of the services of Captain Wakefield I have authorised Mr Frederick Tuckett to act as agent of the New Zealand Company at Nelson until the pleasure of the Court of Directors be known. Mr Tuckett is thoroughly acquainted with the details of the Company's affairs in the settlement, is highly conscientious and intelligent and quite qualified in my opinion to carry on the duties of the Agent, which are now chiefly administration. At the same time his employment of Principal Surveyor should cause his absence from Nelson repeatedly when immigrant ships might arrive requiring the presence of the Company's representative in the settlement. I have looked around for some person qualified to be at the head of the Company's establishment at Nelson, but find no one disengaged who, in, my opinion, combines the requisite merits. I have, therefore, to request you to inform the Court of Directors that I have left the office to be filled up by them. The power of Attorney given me by the Court contemplated the succession of the Agents at Nelson and New Plymouth respectively to the post of Principal Agent here; but I apprehend this clause had only reference personally to Captains Wakefield and Liardet. If, however, it be thought that Mr Wicksteed should have the choice of succeeding me, the Directors will be pleased to have this understood by the New Agent for Nelson. I need hardly say that from the loss the settlement has experienced by the late disaster it is of the utmost consequence that the appointment should be speedily made and that the

individual honoured by the choice of the Directors should independently of the indispensable qualifications of an agent to whom so much is confided at such a distance from his employers, be of a standing and position in society to ensure respect and deference in the absence of authority derived from the Government though virtually possessing the most power and means of influence in the settlement.

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Folio 146: List of Stationary required for Company's office at Nelson 13 Jun 1843

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Folio 149: Nelson 03 Jul 1843 Frederick Tuckett to Col Wakefield

Sir, On leaving the Brig on the 26<sup>th</sup> I avoided entering Tory Channel, and keeping outside proceeded through the night as well as the following night arriving here at day break on Wednesday morning. The inhabitants already apprized of the irreparable loss which they had sustained, and the appalling circumstances of the case, were in a state of extreme agitation and fear. The magistrates occupied in taking depositions, have yet hardly terminated their investigation. Arms and ammunition had on the first intelligence of the extent of our loss been dispatched to the Motuaka and an armed party of 14 men sworn in as special constables and another of five men had been sent to the survey station at the Takakao by Mr Jollie with the approbation of the Magistrates and others. His letter to Mr Stephens and Duffey appear to me very judicious. Whilst I approve of the intention I cannot approve of the measure convinced that when the proceeding is known to the natives, it will be regarded by them as a demonstration of hostility on our part, and that the jealousy and animosity which it may excite, will greatly outweigh any advantage which could possibly accrue from the presence of an inefficient and inadequate force. Our surveyors at Massacre Bay have lived in uninterrupted harmony with the natives there and were in no way mixed up with the dispute which had occurred with the Coal and lime Company long since defunct. We have the most satisfactory information of the tranquillity and good feeling of the Motuaka natives on whom the intelligence produced no apparent effect other than an earnest profer of aid from some of them to punish the murderers. I requested Mr Aldred to convey to them an assurance of our unchanged sentiments of confidence and good will towards them, our abhorrence of acts of retaliation and our obligation to leave to our lawful authorities the punishment of the guilty, my belief that the natives professing Christianity residents of Port Underwood and its vicinity were with few exceptions clear of any participation in the recent conflict at the Wairau, and had attempted to prevent the atrocious murder which had been afterwards perpetrated, also that our boat had been claimed by Puki (Rangitera men) who intended to proceed with it to the Motuaka and then restore it. A letter to the same effect will be dispatched by Mr Aldred to the natives at the Titap. The fears of the inhabitants not yet allayed I have been called on by a sub committee appointed to take measures for the protection of the Town to grant the aid of a numerous body of the Company's laborers to throw up some sort of defence within which in case of attack from the natives, they may retire for security, and also the cannonade and arms &c. I requested the gentlemen to obtain the approbation of the Magistrates to the plan proposed or the signatures of the majority of the educated inhabitants, assuring them I would then comply with their request, in deference to their judgment. I purpose sending a party of twenty men to the Motuaka to be employed by contract in forming a road from the river Motuaka to the west mouth of the River Moutere, the only port for that District accessible independent of the weather and tides. In this I shall act in conformity with the request of the settlers in the District, the intention of our late and lamented Resident Agent, and at the same time afford to our fellow colonists there by such an accession to their number the best security against any danger of interference or molestation on the part of the Natives. There are now employed on the Public Works either at weekly wages or as contractors about 240 labourers of whom about 100 employed in districts remote from Town, are supplied with Rations from the Company's stores. The suspension of the Contract Surveys will I fear have the effect of materially increasing their numbers. Other men employed in the survey and as boats crew are about 30. The weekly issue of Rations is nearly as follows – of meat (1300), flour (1800), tea (80), sugar (145). The exact quantities and number of laborers I shall be prepared to lay before you on your arrival here. On application from Mr Joseph Merchant of this place I have instructed Mr Smith to receive into the Company's stores a large quantity of New Zealand and Irish Pork which had been purchased by verbal agreement subject to a reduction of one halfpenny per pound on the price of the New Zealand Pork as stated in Mr Joseph's letter of

which I now enclose a copy with a statement of account. As the entire quantity would have been sufficient for six months consumption at the present rate, and knowing that it was your wish to limit the issue of Rations from the Company's store, I have prevailed on him to release us from the obligation of taking the 40 Tierces of Beef. I found on my return here that Mr Jollie had been duly authorised to sign cheques on the Nelson Bank to meet the current expenditure, but as my authority was more recent and might (strictly construed) cancel the former, we were mutually of the opinion that under the circumstances, it would be safest for me to attach my signature, accordingly on the 30<sup>th</sup> ultimo I signed a cheque for £200 which Mr Jollie required for the morrow. The following morning Mr Macdonald the Manager of the Bank informed me that finding that the cheque which I had signed was not for the amount afterwards thought requisite and preferring the previous arrangement which left this part of the business to Mr Jollie, he had received from him and paid one of a different amount adding that he was quite willing to cash the cheques of each of us under our separate authorities. Not approving of this his expressed intention I thought it best to send him a copy of your letter of the 24<sup>th</sup> ultimo which I had shewn him on the 28<sup>th</sup> and to disallow the coexistence of two authorities. At the same time I am perfectly aware that it only involves a difference of opinion on a branch of business with which Mr Macdonald is much more conversant than myself and on which his judgment ought to be more correct. It would be a satisfaction to me at the present moment and I would submit would be very desirable (whoever may be placed here as the acting Agent) is the assistance of an able accountant could be afforded us for a short time to whose examination the accounts of this settlement might be submitted for his approval, or the system of keeping them in future, altered if not satisfactory to him. It had been long since contemplated to take stock and verify the same by the Storekeepers accounts, it has however never been attempted chiefly because our late Storekeeper was always usefully and actively employed in other duties partly also perhaps because it was an affair for which he did not feel quite competent. I fear we must here all confess a like incompetence still if you cannot afford me the assistance I feel to be requisite. I will attempt the investigation rather it should be entirely omitted. On leaving the Brig Mr Bellairs proceeded at my request in the other boat with five men recently employed by Mr Parkinson in his survey at the Wairau. I desired them to keep company with my boat and informed them that if practicable I should keep without the land through the Straits to the French Pass. Having a boat which pulled lighter they preceded us and went into Tory Channel and have not yet arrived. I feel rather anxious on their account but hope their detention may be reasonably attributed to the continued prevalence of gloomy weather. The first party of men who proceeded homeward over land have arrived they met with Hanham one of the three men of whose fate we could gain no intelligence the other two Barton and Stokes have not been yet heard of, but Hanham from the direction of foot marks which he observed is of opinion that they left the Wairau for the Sound or the Pelorus. The second and last overland party consisting of five men ought to have arrived yesterday. I made arrangements immediately on my arrival to send a party acquainted with the route to meet them lest having fallen in with the three missing men already alluded to and having shared their provisions they might undergo some privation – but considerable delay has occurred owing to the rivers being swollen by continued rains, and I doubt whether the five men have been able to cross the Wairau for the same reason in such case they would return to Port Underwood and obtain subsistence at one of the whaling stations. The rain which had been most copious during the past week still continues. I regret to have to inform you that the German Emigrants have arrived here in a state of extreme discontent owing to alleged acts of despotism on the part of Mr Beit and infringement of the proposed arrangements promised for their maintenance and comfort. The Captain, Officers and crew the two missionaries and surgeon are all unanimous in imputing the entire blame to Mr Beit, on the other hand the grounds of complaint which they represent to have existed even prior to the ships sailing were investigated by the British Consul at Bahia and evidently are regarded by him as frivolous, the grievances complained of on behalf of the Emigrants by the Clergymen and Doctor are stated under three heads viz:- 1<sup>st</sup> the nonobservance of the regulations in regard to the quantity and variety of food appointed to be supplied to the people; 2<sup>nd</sup> the insufficiency of the space between decks for their numbers in consequence of a large quantity of merchandize the property of Mr Beit having been stowed there contrary to the arrangement made by the Company's Inspector of Emigrant ships and after his departure; 3<sup>rd</sup> arbitrary conduct of the Superintendent Mr Beit in imposing fines and subjecting individuals by way of punishment for alleged offences to a protracted Diet of Bread

and Water. Each general charge illustrated by a recital of particular instances, forming as a whole a document which it would be ludicrous to peruse, but for its painful and pernicious effect in creating a deep rooted antipathy in their breasts towards their agent. A body of emigrants have called on me to investigate their grievances and have declared that they will not continue under the auspices of Mr Beit. I assured them of my readiness to receive any statement from them in writing which they might wish to make, to give it an impartial consideration and lay it before you on your arrival, but that I could only interest myself in any arrangements which might be desirable to promote their interests as colonists at this settlement through their accredited organ and agent Mr Beit. Some offence had been intentionally given to Mr Beit in consequence of our Emigration Agent entering on the usual investigation and taking charge of the emigrants on landing as incumbent on him in the case of British Emigrants. I have prevented any further misunderstanding by informing our Emigration Agent that the German emigrants are exclusively under the care of their Agent Mr Beit. I have invited Mr Beit in his capacity of Superintendent to furnish me with the necessary statement of the arrangements made by him during the voyage, which he promises me, and the fortnight having expired since landing during which they have subsisted on Rations issued from our Stores, I have pressed Mr Beit to enter on arrangements for the future, and to explain to me his and their wishes and intention especially as regards their future pursuits and location offering every facility in my power to afford them, and in particular an opportunity of immediately selecting a Rural Section for their choice No.4 which has fallen to the Hamburg Company. I regret however to inform you that Mr Beit seems exclusively occupied with Mercantile affairs. Should my unforeseen circumstance prevent your departure for our settlement will you instruct me whether I am right in concluding that the German emigrants have no claim for maintenance or employment out of the general fund of this settlement and no particular fund for their benefit arising out of the purchase of land made by the Hamburg Company. I fear that many of our Townsmen are widening the breach between the Superintendent and the emigrants, allowing themselves to become prejudiced partizans of the latter, and that unless Mr Beit promptly exerts himself in a forgiving and conciliatory spirit to regain his former influence with his countrymen, the majority of those who have the means, and who are consequently desirable settlers, will by arrangement with the Captain of the *St Pauli* proceed elsewhere. Hoping you will excuse my informality in this hurried communication.

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Folio 157: British Consulate, Bahia 24 Mar 1843 Edward Porter, Consul to Col Wakefield Sir, The Clergymen Frederic Riemenschneider and... F. H. Wohlers and the doctor T. F. Gooders accompanying the German Emigrants on board the Hamburg ship *St Pauli* to New Zealand have addressed me in writing particularly requesting me to inform you by letter that great discontent had prevailed among the said Emigrants during their voyage to this Port, occasioned they say by the departure from the regulations and printed Dietary Table placed in their hands by the Agents of the New Zealand Company at Hamburg previous to their embarkation. Likewise that much inconvenience has been experienced by them in consequence of their luggage and provisions being stowed between decks. The correctness of this statement can be ascertained on the arrival at Nelson should you consider it necessary. I likewise acquaint you that a request was made to me by the Superintendent, for a survey, which I granted: authenticated copies of the Report thereupon he takes with him. It is stated to me by the Superintendent, that beneficial alterations have been made here in the storage of luggage and provisions, and that it is his intention to adopt, as far as is practicable, the issue of rations in accordance with the tables above alluded to.

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Folio 159: British Consulate, Bahia 13 Mar 1843 Edward Porter, Consul  
The undersigned Consul of her Britannic Majesty, having received a representation addressed to him by the German Emigrants on board the Hamburg ship *St Pauli* bound to New Zealand complaining of the general treatment which they have experienced on their voyage to this port; from the Superintendent Mr John A. Beit, requests that the Clergymen and Medical Gentlemen on board the said vessel will be so good as to give him their written opinion whether the grievances complained of really exist, and if so, to point out the means by which they might be remedied.

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Folio 160: Nelson 08 Jul 1843 Frederick Tuckett to Colonel Wakefield

Sir, I beg to inform you of the safe arrival yesterday of Mr Bellairs and five men, detained in the Sound partly by bad weather and partly because the Ngatiawa natives were unwilling that they should proceed until they were ready to accompany them as convoy, in case the Kafia natives, some of whom were stopping at the Pelorus and D'Urville's Island, should offer them molestation – they were treated very kindly and exited through the French Pass – the natives will follow with... as before. We had here already others from the Sound very friendly, and also from Wakapa-Waka and the Motuaka. From all our districts the last accounts are satisfactory. Mr Bellair states that the natives informed him that our Deal boat was somewhere in the Sound – as we have no Police Magistrate I mention it in case you think it well that it should be demanded. I have invited the natives to restore it. I regret to state that I omitted to mention to your clerk that a small anchor and cable which I recovered in the Wairoo and brought on board the Brig belonged to our boat. It if has been carried to Auckland I shall probably be able to recover it on return of the Brig.

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Folio 167: Wellington 15 Jul 1843 Colonel Wakefield to Frederick Tuckett

Sir, I have to acknowledge the receipt of your letter of the 3<sup>rd</sup> instant, giving an account of your arrival at Nelson and of the measures you have taken for the tranquillity of the settlement under the circumstances of the late calamity as well as for the pursuance of the Company's works at the Motueka, which I consider judicious. In daily expectation of important intelligence from the Court of Directors I am unwilling to lose time which is fully employed by the affairs of this settlement by making a voyage to Nelson in a very small craft which may be obliged to take refuge from foul winds, but I have hopes of sailing next week for your port. I shall take with me an accountant qualified to examine the accounts and lay down a system for their future management in uniformity with those of the other settlements of the company. You are right in concluding that the German immigrants have no claim for maintenance or employment out of the emigration fund of the settlement. At the same time it is advisable that they should not be induced to leave Nelson for want of employment or to fall into destitution. I hope that the selection of the rural section which has fallen to the German Company will enable you to induce those who have means of self support to commence their contemplated operations on the land. Approving generally of the steps you have taken as detailed in your letter, which I forward to the Court of Directors of the Company, and designing so soon to meet you when I can better enter upon some of its details. I confine myself to the points upon which you have requested my opinion.

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Folio 169: Wellington 24 Jul 1843 Colonel Wakefield to Secretary NZ Company, London

Sir, Since my letter to you of 28<sup>th</sup> ultimo (No.53) in which I have you the particulars of the horrible massacre of our countrymen at Wairao, nothing of consequence affecting our relations with the Natives has occurred. The Government Brig *Victoria* which took Dr Evans to Auckland, deputed by the other Magistrates to represent the unprotected state of the settlers in the Company's settlements and to claim justice on the murderers of Wairao, has not yet returned. The inhabitants here and at Nelson have been drilled to the use of arms, but the utmost that can be expected of them is the defence of their homes, in case the natives gaining confidence by the impunity of the offenders, or again roused by ineffectual measures of retaliation should attack the settlements. Mr Jerningham Wakefield returned yesterday from Petre, where perfect tranquillity prevails in consequence of no sympathy existing between the natives of that district, who are very numerous, and Rauparahas Tribe and Allies. He had several interviews with that Chief at Otaki and found him resolved to make a stand at a strong Pah on the Waikawa river, about five miles to the north of Otaki in the event of any attempt to apprehend him. The force at his orders might be increased to a thousand men. The squatters along the coast have been ordered to leave Otaki and its neighbourhood and the settlers on the Banks of the Manawatu are preparing to leave their locations, although Rauparaha declares that as that District has been sold by the Natives, it might be occupied by white people. Neither the *Tyne* nor *Mary* has arrived, and we are without intelligence from you later than the 9<sup>th</sup> December last. [I enclose a copy of Mr Tuckett's Depositions in the Wairao affair, which was omitted in my Packet sent on the 28<sup>th</sup> ultimo, and a correct list of the killed and wounded.] I have satisfactory accounts from Nelson where the German Emigrants are settling on land and whither I propose going by the first conveyance.

P.S. Since writing the above the Government Brig has arrived from Auckland bringing fifty soldiers of the 96<sup>th</sup> Regiment who are to remain here. Major Richmond of the same Regiment is appointed Chief Police Magistrate here. I have not learned that the Local Government contemplates taking any steps to bring Rauparaha or Rangiaiaata to trial, but I gather from the tone of the Auckland Journals and conversation of the Government's Officers that an attempt will be made to attribute the collision at Wairoa to the injudicious if not illegal manner of executing the Warrant by the late Police Magistrate at Nelson. The Depositions will enable the Directors to decide whether such a colouring can be given to the murders subsequent to the Conflict, and on the propriety of insisting with the Colonial Minister upon a legal investigation of the affairs. The deputation of the Brig *James* direct for England leaves me no time to add more on this subject, but I shall communicate what transpires as to the intentions of the local Government by the *Nelson* Brig which is loading also for England. I shall proceed to Nelson the day after tomorrow in the Government Brig *Victoria* and return here in ten days.

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Folio 173: Sunday 18 Jun 1843

At a Special Meeting of the Magistrates held at Barrett's Hotel, Wellington – Present: A. D. MacDonogh Esq., Acting Police Magistrate; George Hunter Esq., Mayor; Colonel W. Wakefield, NZ Company Principal Agent; William Spain Esq., Land Claims Commissioner; Hon. Henry Petre; Captain W. M. Smith, R.A., G. S. Evans Esq., D.C.L.; R. D. Hanson Esq., Crown Prosecutor; Henry St Hill Esq., Sheriff; William Fitzherbert Esq; William Guyton Esq; Charles Clifford Esq; George White Esq.

Mr Frederick Tuckett called in and examined: I am principal surveyor at Nelson – I left Nelson on the 27<sup>th</sup> May and got to the Wairoa on Saturday the 3<sup>rd</sup> of June. I found Mr Cotterell one of the surveyors at the Native Pah, at the mouth of the Wairoa, he informed me that Te Reperaha and Rangihaita had been to his station and burnt his house and forcibly removed his effects. I requested him to return to Nelson, giving him a note to Captain Wakefield stating what had happened and that I should remain there until I heard from him. Eight days after I had dispatched Mr Cotterell I started for Nelson in consequence of not having received any answer to my note to Captain Wakefield and not having been able to make any arrangements with the natives for the survey to proceed. Off Crozier Harbour near Blind Bay on Tuesday last in the afternoon I saw a Brig and boarded her when I found it to be the Government Brig *Victoria* with the Police Magistrate (Mr Thompson), Captain Wakefield and some other parties from Nelson. They informed me that a warrant had been issued against Te Rauperha and Rangihaiata in consequence of the deposition of Mr Cotterell. When I returned with the Brig we anchored in Cloudy Bay before day break on Thursday last and landed at the mouth of the River Wairoa; our party consisting of thirty six men and some volunteers set out on Friday morning in boats intending to proceed up the river, but the winds preventing us, we landed and proceeded up the left bank of the River, taking one boat in case we wanted to cross the river – about three miles up the river, we had an interview with a party of natives and explained to them, the object of the expedition and that no violence was intended towards them; The Native Chief Puah undertook to convey to Rauperaha and Rangihaiata the object of the expedition informing us they were further up the river. He appeared perfectly satisfied with our explanation as far as they themselves were concerned and would recommend the others to surrender to the warrant. Further up the river we crossed over to a native encampment expecting to find the Chiefs we were in quest of, but learnt from the natives there that the chiefs we were in quest of, were further up the river, we encamped at a spot called the great wood for the night and our boat was sent back for the Brig's long boat the same evening the boat returned accompanied by the Brig's long boat and the Company's boat and crew, this increased our number to fifty all armed in various ways. The next morning we proceeded up the river in two boats, we landed on the right hand side of the river and proceeded in the direction of some fires, where we concluded the natives were encamped and where we found them – our communication was interrupted by a deep narrow gully and stream and we borrowed a canoe to cross over. The Police Magistrate accompanied by Captain Wakefield and one or two others crossed over first, when Mr Thompson producing his warrant directed the constables to execute it on Rauparaha and Mr Brooks the interpreter was instructed to explain fully the nature of the warrant and the offence which he (Rauparaha) had committed

and for which he must accompany the constable on board the Brig he was told that if the charge against him should not be proved that he would be at liberty and that he might take any of his people with him – as he appeared to waver the Police Magistrate enquired peremptorily whether he would go or not, to which he replied he would not. The Police Magistrate then pointed to the armed force on the other side and said if he would not go he should be obliged to compel him and on Rauperahas coolly refusing The Police Magistrate said there is the armed force and they shall fire on you all if you won't go – A party of the natives in the back ground about sixteen in number sprung on their feet and presented their arms – the discussion becoming vehement and too hurried to follow the interpreter. Rangihaiata whom we not observed before stepped forward and by his gestures defied the authorities. In momentary expectation that violence would be offered to the Police Magistrate I proposed that we should establish a communication with our party Capt Wakefield asked Puah if he might use his canoe for that purpose he assented and Capt Wakefield called to me to assist him, in placing the canoe across the stream – having done so Capt Wakefield said Englishmen forward – five men upon this crossed over, while this took place I heard the report of a musket immediately upon this, there was a general volley from both parties – during this the canoe upset and I got on land on the opposite side from the natives, and joined our party, I remained with a few of them who continued to load and fire very steadily; thinking that Capt Wakefield had gone forward I called to the men to follow and support him – they would not cross over but continued firing from where they were shortly after I was informed that our party were retreating up the hill which I saw upon coming out of the thicket. The Officers endeavoured to form the men, when they had gained the advantage ground but in vain. The natives had crossed the stream in pursuit of them after the second attempt to rally the men. Captain Wakefield desired the men to lay down their arms and surrender themselves in order to stop the useless sacrifice of life. A Flag was held out towards the natives, as a proof of our submission but some one said, the natives won't understand it we lay down to avoid the bullets and as a proof of our submission – but in consequence of the continued firing of some of our party who were too far in advance to hear the orders – the natives continued the firing, about that time the chief constable fell wounded by my side – we then retreated further up the hill, when it became a regular dispersion, afterwards I made the best of my way to the coast, and overtook five of our men one of whom was wounded in the arm – on gaining the coast we proceeded to Whites bay where I engaged a whale boat and boarded the Brig, the whole force of the natives did not amount to more than eighty.

Mr MacDonogh proposed and Mr St Hill seconded: That a Quorum of Magistrates taking with them a sufficient police force do proceed to Cloudy Bay in order to ascertain the fate of certain parties who have had an encounter with the natives. Question put and agreed to...

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 Folio 179: List of Killed, Wounded, and Missing in the Affray at Wairao on the 17<sup>th</sup> June 1843

## Killed

Captain Arthur Wakefield  
 Captain England  
 H. A. Thompson, Esq.  
 G. R. Richardson, Esq.  
 \_ Patchett, Esq.  
 \_ Howard, Esq.  
 \_ Cotterell, Esq.  
 Mr John Brooke, Interpreter  
 Mr William Clanzay  
 Mr Thomas Ratcliffe

Mr William Northam  
 Mr Thomas Pay  
 Mr John Coster  
 Mr James McGregor  
 Mr William Gardner  
 Mr Ely Cropper  
 Mr Henry Bumforth  
 Mr Thomas Tyrrell  
 Mr Isaac Smith

## Wounded

Mr Robert Crawford	recovered and returned to Nelson
Mr Gapper	recovered and returned to Nelson
Mr William Bumforth	lost his arm, but now convalescent
Mr James Henry Smith	recovered and returned to Nelson
Mr Richard Burnett	severe wound of the chest & in a very dangerous state

## Missing

Mr Malin, Chief Constable, Edward Stokes, Thomas Hannam, John Burton

It is reported that Hannam has arrived at Nelson, but the three others are still missing.

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 Folio 181: Wellington 10 Sep 1843 Colonel Wakefield to Secretary NZ Company

Sir, I beg to acquaint you for the information of the Court of Directors of the New Zealand Company that in pursuance of my intention communicated to you in my last despatch I left this place for Nelson on the 26<sup>th</sup> of July in the Colonial Government Brig, which was conveying Major Richmond, the Chief Police Magistrate lately appointed to settlements in Cook's Strait, to that port. We put into Port Underwood for the purpose of investigating some complaints made by the Wesleyan Missionary there, that, in the absence of the natives who deserted the place after their perpetration in union with Rauperaha's people from this side of the Strait, of the murders at Wairao, the European whalers had taken possession of the pigs and potatoes left by the natives. During the progress of the enquiry, which lasted three days, as if in contrast to the determination of the local Government to have no judicial investigation of the late massacre I engaged some natives from Queen Charlotte's Sound to fence in the graves at Wairao which contain the mangled remains of our unfortunate countrymen, with a view to raise, at a future time, a monument to their memory on the spot and a substantial fence has accordingly been erected. The Chiefs of Queen Charlotte's Sound expressed to me their desire that I should take possession of that place immediately, as they acknowledged their sale of it and intended to remove in the summer to their original dwelling places at Taranaki. We reached Nelson on the 1<sup>st</sup> of August, when Major Richmond saw the local magistrates and informed them that the Auckland Government did not intend to apprehend Rauperaha and his abettors in the late murders without instructions to that effect from England. The principal object of his visit, however, seemed to be to have read to the natives residing in the neighbourhood of Nelson the Government Proclamation prohibiting the survey and exercise of rights of ownership of any land without their consent. Having effected this point, the Chief Police Magistrate resailed on his return to Wellington the following day. The subjects principally demanding my attention at Nelson were the employment of laborers on the "public works" of the settlement and the state of the German immigrants by the *St Pauli*. The former of these has been for some time past a source of considerable embarrassment to the Company's servants and a topic of general discussion amongst the settlers. The benefits to be derived from the public works in progress were evident to all and the expenditure of the sum allotted to them a matter only requiring the judgment and skill professed by the Chief Surveyor and there seemed to exist no incompatibility between the

two engagements into which the Company has entered, the one to the purchasers of land, to apply the fund to rendering the settlement commodious and attractive – the other to the Government, to expend it on the public works of the settlement. But a great difference of opinion manifested itself as to the period of time over which the expenditure should with propriety extend, which involved the question of whether the condition imposed upon the Company by the Government to expend £40,000 in public works before the end of the year 1844, in order to ensure to the former a further grant of land, was or was not likely to prove beneficial to the settlement. On the one hand, considering the deficiency of capital in the settlement in comparison with land and labor, it would seem advantageous that a large outlay for the employment of the working class should immediately take place upon works which should invite capitalists to resort to the district. On the other, prudence seemed to dictate that the works should not be beyond the wants of the settlers and that the expenditure on them should not be so rapidly made as to entail a risk of a large body of men being thrown out of employment when the fund was exhausted. In the one case, by means of contracts and piecework, a rapid expenditure of the prescribed sum should be effected: in the other a gradual outlay in daily wages at a rate “sufficient only to prevent destitution” would allow time for the absorption of the surplus labor by means of a further introduction of capital into the settlement. The late resident agent had, I believe, taken steps to combine these two objects by employing by contracts in road-making those who were willing to rent land, with the view of future purchase, in the neighbourhood of and to be made available by the roads they were to form and by keeping the remainder, who were unwilling to take land on their own account, at the lowest wages which would maintain them and their families. But the late calamity at Wairao suddenly threw upon the Company all those men employed by the contractors for surveys in that district beside those who were discharged by the settlers from the want of confidence in the stability of the settlement engendered by that event and I found a body of more than 300 men employed on the public works and most of them, from the emergency of the occasion giving no time for contracts, engaged at low weekly wages. These considered the wages much less than they had a right and had been led to expect in this country and had entered into extensive combinations not to give more work than they thought their weekly stipend was worth. The married men with families received 18s and the single men 16s per week without rations and the Immigration Agent sent all applicants for work, who came out in the Company’s ships, to the roads for employment and maintenance, whether they came under the last regulations of the Company, which do not engage it to find work at all times for those applying for it, or not. This step, with the addition of the body of men being perfectly able to defy the police force of the town and of any one who might be apprehended having it in his power to escape from the so called prison, led to the utmost licence amongst them and rendered it unsafe for the Company’s servants either to refuse to employ them or to make deductions from the stipulated wages for neglect or inefficiency. Thus nearly all the evils of the Old English Poor-Law system prevailed in the settlement, the Company representing the parish and its funds the poor’s rates. A separate despatch will acquaint you with the steps Mr Tuckett has taken to break up the combination amongst the workmen and with those that I have instructed the Acting Resident Agent to adopt to put the expenditure on public works on a sound footing. Without any specific instructions from the Court of Directors to expend the sum of £40,000 on public works before the expiration of the year 1844, although the fund for the purpose of rendering the settlement “commodious and attractive” has not yet been realized to that amount by the sales of land, I gather from their correspondence with the Colonial Minister that such is a positive engagement necessary to ensure the additional grant of land and am now acting on that assumption with the combined precaution of using every means it gives me to induce the occupation of land, with a view to their future independence, by those who will receive the money for their services. I shall be glad to learn from you that this course of proceeding in this matter is approved of by the Court of Directors. I regret to be obliged to inform you that I found the German immigrants by the *St Pauli* in the highest state of dissatisfaction at their treatment during the voyage and with their prospects after landing. Mr Beit, the agent, if able, was quite unwilling to employ them except at very inadequate wages. Some who were purchasers of portions of land from him and M. M. Chapeaurouge could not obtain a location from him upon any of the sections already delivered and having no written obligation from him as to the number of the section from which they were to receive their land, were offered it out of his inferior choices or were told they must wait till the rural sections were given out. The majority of them remained in the Immigration

Depot in a desponding state and would have removed from the settlement if they had possessed the means of so doing. After several interviews with Mr Beit I induced him to issue to them the difference of rations between the scale of the Dietary table and the actual issues during the voyage and adjusted and put to rest some little differences which not uncommonly occur in Emigrant ships. Failing, however, to induce Mr Beit to assist in employing these men, as I understand he engaged to do, I proposed to them, through their pastor, to place them on a colonial section of accommodation land at the Moutere, rent free for three years with the option of purchase for £150 at the end of that term and made them a loan of rations from the Company's stores during three months. I am happy to say that these measures speedily removed the discontent that had prevailed amongst them and that before I left Nelson they were located on the land. The section is in the neighbourhood of two or three other Colonial or Company's sections, which I hope may be occupied by future arrivals from Germany. Some families had rented land in the Waimea from a settler and a few mechanics remained in the town. Mr Beit appeared to me to be so wholly occupied with his own mercantile transactions as to have no time to attend to his countrymen's interests, although in this instance the disputes consequent on a long voyage together seemed to have disinclined him to succour this particular body of them. He condemned them as a very badly selected body, but I could not discover with what justice he did so and having had some experience of Germans of their description, I am of opinion that they will set the same example of frugality, industry and sobriety that I have always remarked amongst their countrymen. I am happy to say that their pastor Mr Riemenschneider undertook to pay every attention to their welfare in his power. During my stay at Nelson when not engaged with the business of the Office I visited some of the country districts. The Waimea valley which is immediately connected with the town has already a considerable body of settlers industriously occupied in cultivation. Several gentlemen have accommodation sections fenced in and under crop. Although some of the land is poor, the worst affords excellent grazing. The aniseed plant and the common linum supply an abundant pasturage during the spring and summer months and I have never seen cattle in finer condition or which yielded such good meat. The aniseed seems to possess peculiar qualities for fattening stock. It is abundant here, as it is in the valley of the Wairarapa. Mr Duppa's stock in the Waimea are of the choicest breed of New South Wales and are not surpassed in beauty by any in the world. Mr Dillon, Dr Monro, Messrs Tytler, Mr George Duppa have all farms and stock in the Waimea and Mr Kerr, a practical scotch farmer, with a large family of sons, who rents two sections of land from the Company, by whom he has been assisted in his first operations, has given to the wilderness the appearance of the most highly cultivated districts of Great Britain. I have omitted the names of many other proprietors who form, with those I have mentioned, as respectable intelligent and spirited an agricultural community as is to be found in any old established colony. The road up the valley is continued for 25 miles from the town. Two embryo villages are formed at convenient stages and an abundance of good land both wooded and open is available for occupation. Numerous working men have located themselves in this district under leases with right of purchase and have every prospect of achieving that independence by their industry which is denied to the agricultural labourer in old countries. I did not visit the Motueka and Moutere districts, to which good roads are nearly completed, but have reason to believe that a considerable cultivation of the land is being carried on in both of them. Massacre or Coal Bay is under survey and besides some rich wooded valleys offers temptations to the enterprising capitalist in its abundant beds of good coal and limestone. There is every ground for believing that an easy communication will be found from the head of the Motueka valley with an immense grassy plain in the interior of the island, from the hills on the eastern side of which the coast about Port Cooper is visible. The smaller valleys near the town, that of the Maitai and Brook Street, although containing a very limited extent of lands are valuable as supplying vegetable produce immediately within reach of a market. The town is, I think for the best, but thinly inhabited, but presents some respectable commercial establishments and good retail shops, quite sufficient to supply the wants of the population of the several districts and of the native settlements in and near Tasman's Gulf. The best road in New Zealand connects the town of Nelson with its port, which is now known to be perfectly safe to enter and is as commodious as a dock. The roadstead affords secure anchorage for the largest ships at no greater distance from the Custom house than that in most of the harbours of these islands. It would be now idle to repeat the just encomiums of the climate of the Nelson settlement. It is peculiar as not being subject to the high winds which elsewhere

prevail. An Indian gentleman has lately returned to Bengal after a six month's residence at Nelson with a view to induce his invalid friends to visit a place where his shattered health has been completely restored. On the whole, notwithstanding the cruel blow the settlement has received by the late savage murder of some of its best settlers, by which its vitality seemed for a time to have been destroyed, there is I feel assured, a well-grounded hope that under a skilful administration of the Company's affairs in it and a reasonable extent of a protection afforded it by the Government, its capabilities and its enterprising but prudent community will ensure its progress and eventual prosperity.

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Folio 191: Wellington 12 Sep 1843 Colonel Wakefield to Secretary NZ Company

Sir, I have to beg you to inform the Court of Directors of the Company that finding during my late visit to Nelson, that Mr Tuckett's avocations as Chief Surveyor prevented him from paying the necessary attention to the general interests of the settlement and receiving a request from him to be relieved from the duties of the agency, I appointed, on my return here, Mr William Fox to act as Resident Agent there until the arrival of one appointed by the Court of Directors. Mr Fox bears a high character for integrity and firmness two qualities essential to the good administration of the Company's affairs at Nelson in the present juncture. I enclose a copy of my appointment of and instructions to Mr Fox.

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Folio 193: Wellington 04 Sep 1843 Colonel Wakefield to William Fox

Sir, By virtue of a power of Attorney from the New Zealand Company I hereby appoint you the Company's Resident Agent at the Settlement of Nelson until the arrival of one nominated by the Court of Directors and authorise you to act under the Power of Attorney of the late Resident Agent, which I enclose. Mr Tuckett the principal surveyor for the settlement now acting as agent, will make over to you the balance of cash belonging to the Company at the Union Bank of Australia for the expenditure of the current month and will acquaint you with the subjects requiring your attention in the administration of the Company's affairs. You will find his intelligence and thorough knowledge of the state of the settlement extremely useful for your guidance in the commencement of your duties. There are some points, however, to which I beg now to draw your attention, as being not only of the highest importance to the Company but as subjects of the latest instructions I have received from the Court of Directors and affected by the negotiations carrying on between Her Majesty's Government and the Company and by late events in the settlement. The most important of these are the employment by the Company of laborers not finding work from the settlers and the further progress of the surveys of land, to meet the engagements of the Company in the distribution of rural sections, interrupted by the late massacre at Wairao. By the prospectus of the Nelson settlement the Company bound itself to expend £50,000 out of the whole proceeds of the sales of land in rendering the settlement commodious and attractive. It subsequently became a matter of arrangement between the Colonial Minister and the Company that in consideration of the expenditure of £40,000 in public works in the settlement within a specified period, it should be entitled to a grant of land in addition to that awarded to it under the agreement of 1840. The accompanying copy of correspondence between the Colonial Minister and the Company will acquaint you with the details of that arrangement and that the two obligations to which the Company is a party embrace the same objects of expenditure. The Company likewise undertook in the commencement of emigration to the settlement to find employment for those seeking it who might not be engaged by private individuals; but it was subsequently induced to refrain from holding out this promise to intending labouring emigrants (the epoch of which can be ascertained by reference to documents in the Immigration Office at Nelson) and repeated instructions enjoin its agents not to consider as coming within the undertaking any laborers who may have only found employment from settlers and that the obligation should only extend to any to the point to prevent destitution. You will, therefore, perceive, that in carrying on those "public works which may be sanctioned by the local Government" and which may render the settlement "commodious and attractive", to the extent of the proportion of the present proceeds of the sales of land, we are instructed to employ those only who may come within the terms of the Company's undertaking and at such wages as will not be a bar to cheap cultivation of land by hired labour. On my late visit to Nelson I found more than 300 men employed on these works by the Company and that from the great distances which separated them their superintendence was difficult and unsatisfactory. Indeed some of the

parties had not executed more than one fourth part of the work they had been paid for. I sanctioned the appointment of Mr Valle, who has had great experience in directing bodies of laborers, as superintendent of the Company's works and directed the concentration of the majority of those employed on one work at a time in order to facilitate inspection. It must however, be borne in mind that in consequence of a deficiency of settlers possessing capital, when the fund for public works is expended the labouring population will be thrown out of employment and, therefore, that every facility and encouragement consistent with the vigorous execution of the works undertaken should be afforded to the occupation of land by agricultural workmen on their own account by the direction of roads through sections rented by them on which they can employ their spare time. But in order to discourage idle habits, which would on the expiration of their employment on the public works be most mischievous to the settlement, I cannot too strongly recommend a vigilant superintendence and some examples by dismissal of those who will neither work fairly themselves nor permit their fellows to do so. With respect to the further progress of the surveys I regret that a late proclamation of the local Government will prevent the completion of the contracts at the Wairao for the present; but I look forward to the resumption of them in the course of the spring under an arrangement between the local Government and the natives. In the meantime the surveys of rural land at Massacre Bay will be proceeded with and a small exploring party could be despatched with advantage in the direction of the interior of the island with a view to ascertain beyond a doubt whether there be any available plains nearer to the town of Nelson than that of the Wairao. The engagements with the surveying staff will expire with this month, when it will not be advisable to renew any but the Principal Surveyor's who I trust will be induced to complete the work which has hitherto been carried on under him so satisfactorily to the settlers and to the Company. I have to recommend to your attention the body of improvers who I know are objects of great interest to the Directors of the Company. Having pointed your attention to the expenditure on public works for which the Company is to receive an award of land, I must not omit to state that very precise instructions have reached me for the guidance of the Company's Agents in its settlements to the effect that in the present state of the Company's funds no unauthorised expenses be incurred. You will be pleased to make requisitions on me at the beginning of each month for bills to the amount required for the month, specifying as precisely as may be practicable the object for which each bill is drawn to enable me to advise the Court of Directors thereof, when I will transmit the bills to you for negotiation with the Nelson Branch of the Union Bank of Australia. It will be very necessary that the accounts of the "public works" be transmitted at the close of every quarter with vouchers to enable the Company to claim credit from the Government for the proportionate award of land and that they be certified by the local Government authorities, who have been instructed to pay attention to the subject. At the same time they should be requested to transmit a copy of such certified accounts to the Colonial Secretary at Auckland for the approval of the Governor and his report on them to the Secretary of State for the Colonies. The German immigrants by the *St Pauli* will require your occasional attention and advice. From the unwillingness or inability of Mr Beit, the agent appointed by the Company for their reception and management at Nelson to engage them, they were without employment and means of subsistence until I directed them to be supplied with a loan of rations for three months from the Company's stores and to be placed on a colonial section of land at the Moutere rent free for three years with the option of purchase at the end of that term. By these means and under the inspection and guidance of their religious pastors they will I hope form a small settlement which will offer attractions to their fellow countrymen expected to follow them to settle in their neighbourhoods on some of the Company's land. I investigated the mutual complaints of Mr Beit and these immigrants so far as I thought it advisable to recur to bygone disputes which had taken place during their voyage from Hamburg and felt bound in order to retain them in the settlement with satisfaction to themselves to so far take them from under his management, but shall be glad to learn that he has resumed an interest in them and in the subject of further emigration from Germany. Mr Tuckett will be the best judge of the wishes of the holders of land orders as to the propriety of a distribution of rural sections of land before the completion of the surveys. Should such take place you will not fail to secure the most eligible coalfield open to selection for the early numbers of choice belonging to the Company. With respect to the assistance required by you for the accurate compliance with the instructions of the Directors on the subject of the accounts and correspondence I must request you to place it on such a footing as to ensure efficiency with the

economy recommended in all the branches of the Company's establishments. Mr Daniell has been employed by me solely with a view to bring up the arrears of accounts on an uniform system with those of the other settlements and cannot be considered as permanently appointed. It is the wish of the Directors that the store department should be abolished as soon as circumstances will allow money payment of wages without drawing the surveying and road men from their stations to purchase provisions in the town. You will be pleased not to lose sight of this recommendation. Until the next despatches be received from the Directors it will be proper in fulfilment of the orders conveyed to me in the last communication to defer the erection of the bridges contemplated by Mr Tuckett over the Waimea and Wairoa rivers. I have further to request you to supply me with the statistical information required by the Directors according to the tables forwarded to Nelson some time ago, with as little delay as possible. The Chief Police Magistrate has undertaken to instruct the Police Magistrate at Nelson to assist in the collection of the desired data by allowing one of his officers to accompany anyone whom you may depute, from house to house, to request the information under his authority. With a view to keep the Company fully acquainted with the State of their affairs and that of the settlement I am instructed further to transmit to them monthly reports of the progress and prospects of the settlement, with which you will be kind enough to furnish me and in which no information may be deemed too trivial or too familiar to us to be supplied.

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Folio 201: Wellington 18 Sep 1843 Colonel Wakefield to Secretary NZ Company

Sir, Up to this time no steps have been taken by the local Government authorities in the matter of the Wairao murders. The *North Star* frigate, Captain Sir Everard Home, arrived here on the 31<sup>st</sup> of last month, having been despatched from Sydney by Sir George Gipps upon receipt of the memorial from the Corporation and inhabitants of this town, praying for protection from him. The frigate has on board fifty men of the 80<sup>th</sup> Regiment and twenty five marines, but the instructions are positive that they are not to be landed except for active service. In the meantime Rauperaha is encamped with about 200 men at Porerua and is occupied in sending emissaries to the various tribes in the neighbourhood to induce them to join him in offensive measures against the white population throughout Cook's Strait. Sir Everard Home, who received a severe injury on the head by the falling of a boom, upon the ship coming to an anchor here, has hitherto been unable to attend to business but has expressed himself anxious to do all in his power for the protection of this place. He has declared his intention of remaining here until a brig of war can be sent from Sydney to be permanently stationed on the coasts of New Zealand and has, it is understood, written to Rauperaha calling upon him to disband his forces and send them to their respective homes. The public committee of safety are about to apply to the Police Magistrate for warrants against Rauperaha and Rangiaiaata, which it is supposed will be refused, when an application to the same effect will be made to the Chief Justice at the approaching sittings of the Supreme Court. The Chiefs and tribes residing in Port Nicholson remain faithful to the settlers and are much alarmed at the prospect of Rauperaha's attacking the settlement. I have information from the coast, where the natives are apprehensive of a visit from the man-of-war. They remember with awe the power exhibited by the *Alligator* and *Pelorus*. A strong demonstration now made by the frigate would, I doubt not, break up Rauperaha's bands by causing the defalcation of the timid and the well-disposed amongst his adherents and would ensure tranquillity until a further absence of precautions and protective force again emboldened them to recommence their outrages on the white population. My own opinion is decidedly that we have nothing to apprehend from a hostile aggression of the natives. They have a great fear of regular troops and particularly of the guns of a ship; but I must repeat that continued impunity will encourage them to petty assaults on individuals and the entire obstruction of the further settlement of the country. At the same time we are living over a mine which may explode at any moment. The most trivial dispute may bring about an open rupture between the two races. I have taken steps that the new Governor shall receive, on his arrival at Sydney, full information as to the late events and of our present state, with a view to induce him to hasten his visit to this settlement and to demand reinforcement from the Governor of New South Wales should he determine to bring to trial the parties to the late massacre and to uphold British law in this Colony. I forward copies of a supplement to the New Zealand Gazette which will acquaint the Directors with the particulars of the Wairao massacre, the feelings of the entire white population

of Cook's Strait and the measures adopted by their representatives to exact justice for the past and protection for the future.

[2] I am happy to be able to assure you that with the exception of the state of the natives this settlement is in a much more prosperous state than when I last wrote; than, considering the fearful impediments to colonisation by reason of the unsettled state of titles to land could be reasonably expected and than from the various accounts from England the public there seemed to anticipate at the date of your last letters. Although those letters give me to understand that the question of titles will be put to rest by the new Governor upon the basis of the proposals made by the Company and accepted by the Colonial Minister, I have serious doubts whether it will be found so easy of execution as imagined by the Directors in the absence of a knowledge of the entangled state it had arrived at by the failure of the measure I had adopted for its disposal by proposing the arbitration which Mr Clarke's exorbitant demands for the natives led me subsequently to delay till I received instructions from the Court. A separate letter with copies of correspondence with Mr Spain will inform you of the abrupt termination of the negotiations on this subject. As the large demand for further compensation to the natives could not have been anticipated by the Directors at the time of the termination of their negotiations with the Colonial Office, no provision for determining upon whom the outlay should fall has been made and, in the state of the Company's finances, I still feel unauthorised to pledge it to the large amount which a completion of the titles would involve over the extent of the grants of land to be made to them under Mr Pennington's awards at the rate demanded by the subprotector upon that portion hitherto under discussion and now known to the Directors through my letters on the subject. I fear, therefore, that considerable delay will still occur in the settlement of the titles unless the new Governor shall see fit to make the necessary outlay, leaving it to be decided between the Colonial Minister and the Court of Directors whether the cost shall be ultimately borne by the Government or the Company.

W. Beck

[3] The whale-season now drawing to a conclusion has turned out to be very successful. The quantity of oil taken in the Bay fisheries which will be exported principally from this port on account of the supplies furnished by the merchants of Wellington will not be far short of two thousand tons. This timely resource will in some measure prevent the otherwise certain distress amongst all classes of the community which would have been the consequence not, as unjustly asserted, of this disinclination of the settlers to the work of production by cultivation of the land, but of the impossibility of getting possession of land whilst the question of title remained unsettled and the obstructions by the natives continued unremoved. The want of roads and the interference of the property of absentee proprietors whose agents had no power of granting remunerative leases must not be lost sight of in estimating the difficulties our settlers have had to contend with in their operations in the country. The statistical tables furnished in a separate letter will doubtless show to the Court of Directors that much less land has been brought into use than will supply the population with the chief commodity of life, but must not be taken as a guide to indicate the exertions of those disposed to look to the earth as the parent of wealth or the estimation of that resource by the majority of the population. These tables do not also supply information as to the quantity of food raised by native labour, which has been of so much service to us and promises to be more considerable every year. The preparation and exportation of the native flax have been long subjects of untiring assiduity and interest amongst our settlers and have this year yielded important profits and a valuable accession of wealth to the place. Partial cargoes of that prepared by the natives are constantly shipped to Sydney and Hobart Town and full ones to England may be relied on if intelligence in answer to enquiries on the subject should satisfy us that the price to be obtained there will render it an advantageous remittance. Hitherto no process of preparing the flax has been entirely approved of as sufficiently economical and expeditious to supersede the method in use by the aborigines, but various modes are under trial and await only the supply of machinery from Sydney to be tested. Should any of them succeed, the exportation of their produce would be steady and limited only by the demand for it.

[4] The large increase and expected further importations of livestock, particularly of sheep with a view to growing wool, begin to embarrass their holders in the confined grazing runs about Wellington. I have before brought under the notice of the Court of Directors the importance of opening the Wairarapa valley by means of a road up that of the Hutt. A very respectable deputation from the settlers have again urged upon me the want of room for depasturing flocks and herds in this wooded district and the great advantages to the settlement to be ensured by laying open for sale a large block in the above mentioned open, grassy plains. Numerous applications for purchase of land and for licences for depasturing cattle there have been made to me and I have no doubt that either by means of an inland settlement formed upon a similar system as this, with a small town, or by selling the land here and in England simultaneously the resources of the Company might be very sensibly increased. Nothing, however, can be effected towards this end unless a communication to the district be made. I have to request you to draw the attention of the Court of Directors to the expression of my wish to be allowed to undertake this work, on the part of the Company, upon an economical scale, conveyed to you in a former letter and to be good enough to apprise me of their decision on the subject. The *Nelson* brig which takes this, will sail from hence tomorrow direct for London, with a full cargo of oil and flax. The *Tyne* will take all her dead weight in oil from this port and other parts of Cook's Strait and the *Lady Leigh* will sail direct for England with a full cargo of oil in about six weeks.

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Folio 208: Wellington 18 Sep 1843 - Resolutions

1<sup>st</sup> Resolved that though the lands which have been surveyed and selected in the first and Principal Settlement must hereafter be the most valuable, they are not so immediately available for the use of the settlers as other lands in the immediate neighbourhood of Port Nicholson.

2<sup>nd</sup> Resolved that the Settlers of Port Nicholson require immediately an extensive district in which to depasture their increasing flocks and herds

3<sup>rd</sup> Resolved that the Wydrop valley is not only of immense extent, but the outlet or readiest means of communication with other large surrounding districts, and affords the greatest advantages for immediate occupation, alike for the agricultural and pastoral settler of any district yet described in New Zealand; and that it not only is close to but can be approached from Port Nicholson with facility by land.

4<sup>th</sup> Resolved that the Company's Principal be requested to adopt forthwith the measures necessary to render approachable and to open for sale the district of Wydrop.

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Folio 214: Nelson 12 Aug 1843 Frederick Tuckett to Colonel Wakefield

I beg to inform you of the safe arrival at this port on the 14<sup>th</sup> June of the *St Pauli* with Mr Beit the superintendent and family and two German clergymen, Mr Wilson an English merchant from Bahia and German Immigrants to the number of 118. Whilst at Bahia an investigation at the instance of Mr Beit and under direction of the British Consul took place into certain complaints of the immigrants respecting their Dietary which they alleged was insufficient and not according to the New Zealand Company's regulations. The inquiry resulted in the general approval by the referees (Messrs Petrie & Selkirk, two masters of English vessels) of the superintendents arrangements, and the Court will perceive by the newspapers in which the proceedings upon the subject have been brought before the public attention since the arrival of the *St Pauli* at Nelson. In the subsequent part of the voyage the disagreements between the superintendent and the Captain and passengers appear to have been renewed still more unpleasantly than before – the chief source of dissatisfaction, with the Immigrants, being the levying of fines and other punishments for alleged disobedient or disorderly conduct, and the dietary. Since the arrival of the ship this state of feeling has unfortunately been kept up; but I am happy to state that in pursuance of suggestions made to Mr Beit and in which he has now acquiesced – for remission of certain of the fines and the supply to the immigrants of certain articles of diet of which there would appear to have been a deficient quantity issued on board ship, there is at length every prospect of the return of amicable relations between them and the superintendent, and of their eventually proving an acquisition to the settlement. It being impossible however for many of the immigrants, in the present state of affairs here, to obtain employment, I have promoted their entering at once upon the cultivation of land to the extent of ten families, by offering them the lease (with a purchase clause) of one or two Colonial sections, in the Moutere district, nearly

adjoining one in the occupation of Messrs Riemenschneider and Wohlers, the German missionaries who accompanied them in the *St Pauli*.

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Folio 217: Nelson 12 Aug 1843 Frederick Tuckett to Colonel Wakefield

Sir, I beg to inform you that in pursuance of an application for the sale of accommodation section No.48 in the South District – being part of a Colonial allotment – the same was by the late Resident Agent put up to Auction on the 16<sup>th</sup> June, and then purchased by Messrs Thomas and John Ward for the sum of £160 which amount minus £5 2s 3d, the expenses attending the transaction, has been paid to the credit of the Colonial Reserves account at the Bank here. Mr John Ward, one of the purchasers, I understand intends to apply to the Court for a deduction of the cost of this and passage to the settlement, or of such a part as shall not exceed the 25 percent allowed by the Company in other cases. As both purchasers are permanent settlers, the case as the Court will perceive is analogous with that of the Messrs Fearon, the purchasers of Colonial Section No.155 in the Motueka district, as stated in Capt Wakefield's despatch No.26 (June 10) to which I beg to refer you.

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Folio 218: Wellington 07 Sep 1843 Colonel Wakefield to Major Richmond

Sir, I have the honor to lay before you the accompanying copies and extracts of letters from the Acting Resident Agent of the New Zealand Company at Nelson for your guidance in the matter of the disorderly conduct of the working men employed on public works in the settlement, which I understand has been the subject of a representation to you by the Police Magistrate there. The public works now in progress in the Nelson Settlement are carried on by the New Zealand Company under an arrangement with the Company by Her Majesty's Secretary of State for the Colonies subject to the approval by a local board appointed by his Excellency the Acting Governor consisting of the Police Magistrate and the Company's Resident Agent and Chief Surveyor, and may in all respects be considered under the control and cognisance of the Government. The correspondence will apprise you that in order to ensure their execution with efficiency and economy I laid down a system of superintendence which is displeasing to the working men, who are 300 in number. I am far from wishing to exact more than a fair share of work from them, but I cannot be a party to a positive waste of the funds destined for these public objects, or reasonably expect the local Government to certify to an expenditure on them which in reality would be a gift to the workmen. The Company's Resident Agent has judiciously destroyed the combination for the present to some extent by a distribution of gratuitous support to those men cultivating land on their own account during the present month, but at the conclusion of it the riotous conduct of the men will, there is little doubt recur. The Police Magistrate has expressed his inability to apprehend the ringleaders of this combination with the force at his disposal, and I am of opinion from my knowledge of the state of feeling in the Settlement that his attempting it unless he were supported by troops would be a dangerous experiment, or failure of which would put the property of the settlers at the mercy of a lawless mob. Under these circumstances I beg to submit to you the expediency of supporting the Police Magistrate in the execution of his duty if called upon by the servants of the company who have hitherto refrained from placing him in the unpleasant position of positively declining to interfere by officially demanding his aid, by the timely supply of a small military force. And to request you to lay before the local Government these representations on the subject.

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Folio 221: Nelson 30 Aug 1843 Frederick Tuckett to Colonel Wakefield

Sir, On your departure from hence for Wellington, I immediately commenced arrangements to carry into effect your instructions relative to the direction and inspections of the laborers placed on the Public Works. Mr Valle accepted the appointment which was offered to him and entered on its duties last Monday week August 21<sup>st</sup> with much confidence of success. I had previously accompanied him over the District and pointed out to him the direction and nature of the work to be executed, and informed the men then on the ground (Walker's gang) that Mr Valle would in future superintend their work. The Saturday preceding I had visited the Waimea South District with Mr Beit to show him the sections which I recommended to him as peculiarly eligible for cultivation. On that occasion I informed Scholes' gang who are stationed at Section No.35 of the arrangement (vide Paper No.1) by which he was to unite his Party with Spittle's five miles further up the Valley, and clear a roadway through the remaining Sections beyond. Shortly afterwards

they ran towards me in a body from their work and expressed in the most violent manner their dissatisfaction with the proposed arrangement and their determination not to work anywhere for the next six months, at least except within a mile or so of the land which they occupy. I attempted to reason with them and assured them they should have liberty to work two hours extra daily for the first four days in the week thus clearing Friday, then by giving up the morning of Saturday or on twelfth of their present pay they might return every Thursday night and have at their own disposal the entire three following days. They could not deny but that this would enable them to proceed with the cultivation of their land, but they would not accept the offer or brook any alteration of the existing state of things, and their curses followed me off the ground. Mr Thompson the Surveyor who has a section up the Waiite valley beyond the village, speaking to me of Spittle's party, states that they said they were promised work at hand if they would take the land, that they did not consider it as work, only as confinement to one place for 8 or 9 hours, and they meant it to last for twelve months more. I have invited Mr Thompson to attempt the direction of the three parties whom I propose to consolidate to form the road up the valley but I fear it is useless now to make any further attempt. I left Nelson last Thursday for the Motuaka to visit the works and survey in progress there. I am of opinion that Mr Campbell has done as much as a man could have done in the existing state of things. The same spirit of violence and insubordination was evinced towards me there. Previous to leaving Nelson, as a further precaution in addition to that which I had already used, not to assemble all the scattered parties in the same week (Vide Paper No.1) I issued a notice to the men then engaged on the Public Works having land in progress of cultivation that I would allow them rations to labour exclusively on the land for the month of September, although aware that this act was not right in your judgment I yet felt it was necessary under the circumstances to prevent a general combination amongst the labourers to resist and defeat the control of Mr Valle. On Sunday at the Motuaka I received a letter from Mr Valle (Vide No.2) in consequence of which I returned, and after hearing from him his account of what had passed, the outrage committed on him on the ground, and the insufferable insult offered to him by the mob on the pay day at Saturday (Vide No.1) and seeing that no attempt had been made to bring the offenders to justice, or effectual means taken to protect him or any of the NZ Company's representatives from the recurrence of such outrage and this from a well-grounded apprehension that the attempt would be abortive, and fatal in its failure to the existence of the slight respect which is still paid to the authority of the Laws. I consider it my duty to forward you a dispatch in the exigency of the case, and to assure you that if unprotected by a military or an... force, the payment of money to the men is withheld, the distribution of property and in all probability of life which will ensue, will at once annihilate the settlement of Nelson. I have done my best cautiously to carry into execution a system of inspection as you appointed and as is most necessary and incumbent. I am again defeated consequently all my influence is gone. I have proposed to Mr Greaves who thinks he could work the helm to take it immediately, until further instructions shall be received from you. Recollecting that you remarked to me that you had often been threatened with personal violence and destruction of your property at Wellington, which you disregarded as idle threats; I beg to call your attention to the fact that we have no middle class here, that the great majority of our labourers are on the Public Works highly discontented and dissatisfied. It appears to me that if the military cannot be spared it will be needful to send us promptly a force of Special Constables under a vigorous leader on whom dependence can be placed, none of them to be of the labouring classes. Mr White joins me in sending a dispatch to Major Richmond.

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Folio 224: Nelson 25 Aug 1843 Philip Valle to Frederick Tuckett

Dear Sir, I regret to say that yesterday  $\frac{3}{4}$  past 1 p.m. the men of Ryall's gang rose in open rebellion against me and the time keepers. They made use of all kinds of threats, and I was pushed into the ditch, where I lay with only my head and shoulders out of the water. Stones were thrown, not very violently, and two struck me. I attempted to reason with them, but they drowned all I endeavoured to say with groans and noise. Many of the men from Knocks gang joined them, and upon my proceeding to Walker's gang they all came down there, and forced me off the ground. Walker's gang resting on their spades but not joining actively in the affray. I remained nearly three quarters of an hour on the ground (at one place and the other) but finding things growing desparate, I felt I must leave, Figgis I told to remain on the spot, but they have since warned him off. Last night my tent was pulled down and now lays flat on the ground. The chief

complaint was my overseeing them, the having any time keeper, and with Ryall's gang, the being paid minus Saturday this week. Unobserved I paced the Ground that Ryall's gang had worked. I was unable to note that of the other gangs – which was forty five yards or one spadeful of earth per man for eight minutes and a half. I have been to Mr Greaves and Mr White the latter gentleman proposes being present at my paying the men in town tomorrow and then I shall endeavour to mark those who were the ringleaders. I fear nothing but tender or piece work will enable the Company to get a fair amount of labour out of the disorganised set of men on the works, encouraged as I feel they have been by those who ought to have known the duty of their stations better.

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Folio 226: Nelson 29 Aug 1843 Philip Valle to Frederick Tuckett

Sir, On Saturday last the 26<sup>th</sup> instant, I wrote to you at Motueka an account of the manner in which the men stationed at the Waimea flat under my charge, treated me on my going amongst them on Thursday last the 24<sup>th</sup> instant. I may perhaps be allowed to repeat here that on that occasion I did not leave the ground until their threats and conduct convinced me that it was no longer safe to remain amongst them. I was useless to reason with them. It appeared to me that more than two thirds of them seemed banded together to have all things their own way, for they laughed at the idea of there being any power here to control or punish them. Since then I hear and believe that a secret union does exist amongst them in the proportion of 5 to 1 for resisting all rules which may not be agreeable to themselves. Figgis has been repeatedly threatened should he act properly as a timekeeper over them, and he is now by their sufferance there, upon representing to them that his present pay is his chief support. I frequently noticed that he was not able to act up to his instructions. Though my tent and goods were under his charge, he was unable to protect them or keep charge of them. I feel under the present circumstances it would not be safe either for you or I to go amongst these men nor indeed would I. During your absence on Thursday evening about 7 o'clock p.m. I went with Mr Greaves to Mr White the acting Police Magistrate to whom I gave all the particulars of the assault upon myself. Upon hearing it his first proposition was to swear in 25 Constables who with himself was to go with me last Saturday to the Waimea flat when I paid the men to point out the ringleaders to him, as I knew not their names. Next morning upon meeting him by appointment he had changed this plan to his being present with me at the Company's office at the Port when I should pay the men, some constables were to be present. On Saturday 26<sup>th</sup> instant when I attended to go with him and the constables to the Port, after hearing the opinion of some individuals about the intentions of the disaffected labourers should any measures be taken to imprison them, Mr White resolved that I should go on alone to pay the men, trying to identify them by calling them in separately, whilst he remained near at Mr Poynter's with the chief body of the constables who were to be sent for, in case of need during the payments. During the payments it was one scene of disorder and impertinence, though I attempted to call the men in separately I could not accomplish it as it did not please them. They dictated to me the old plan and that I thought it best to follow. Though I consider Nocks and Ryall's gang were not entitled to all their pay, yet I felt that it would have been most indiscreet to have stopped one penny. For this I trust I shall meet with our approbation. Ryall the refractory overseer I have also paid in full, and only wait for a time when it can be done safely to break him. In a word, the men have completely gained the upper hand. I saw there was no otherwise course to adopt but to yield to them, for I believe that any other one would only have caused an outbreak against both person and property to oppose which I saw no effectual means in the Colony. Trusting that my conduct in the matter may meet with your approval, and begging to inform you that I am now in the position to give the names of some of the heads in this meeting.

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Folio 228: Wellington 03 Sep 1843 M. Richmond, Chief Police Magistrate to Colonel Wakefield  
Sir, I do myself the honor to acknowledge the receipt of your letter of yesterday's date, forwarding several documents which detail acts of insubordination on the part of the working men employed by the New Zealand Company on the public works at Nelson, which shall be transmitted together with the report of the Police Magistrate of Nelson by the first opportunity to Auckland for the decision of his Excellency the Officer administering the Government, but I do not consider the emergency sufficiently urgent to warrant my detaching any part of the force at present stationed at this place.

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Folio 231: Nelson 12 Aug 1843 Frederick Tuckett to Colonel Wakefield  
Sir, I beg to enclose for transmission to the Court of Directors a memorial, addressed to them by Mr Samuel Stephens, 1<sup>st</sup> Assistant Surveyor in this Settlement, respecting the circumstances in which he finds himself placed in consequence of the arrangement entered into between his Brother and the Court at home for supplying the omission to make good the stipulation for an allotment of land contained in his agreement with the Company. Under all the circumstances of the case, as Mr Stephens has incurred a considerable expenditure upon the Section of accommodation land now in his occupation under the agreement made between him and the late Resident Agent (a copy of which was forwarded to the Court at the time) and looking to his permanent residence as a Settler, the arrangement proposed by him appears fair and equitable, and I would accordingly beg to recommend it to the favourable consideration of the Court.

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Folio 233: Riwaka, Nelson Settlement 10 Jun 1843 Samuel Stephens to Court of Directors  
Sir, I beg to state that by the terms of my agreement with the New Zealand Company respecting my appointment as one of the Surveyors of the Nelson Settlement in New Zealand, I was entitled to receive the land orders for a section of land in that Colony, according to the periods and conditions therein mentioned. By some omission my name, with the others so situated, was left out in the drawing for the respective allotments – consequently no documents or information on the subject ever reached me. On making application to your Resident Agent here to repair the omission he concluded an arrangement for my occupation of the several allotments of land stated in the accompanying agreement. Having on the faith of this arrangement risked the expenditure of several hundred pounds in erecting farm buildings, clearing and cultivating the Suburban allotment I write to request the favour of your confirmation of the said arrangement and forwarding at the earliest convenience the necessary document for that purpose. I am induced to make this application from having learnt from your Agent here that my brother unauthorised by me and in ignorance of the arrangement I had previously made, had taken other steps in England to repair the inadvertency that had occurred – which if pressed or adhered to on your part, must necessarily involve a very serious pecuniary loss to myself as well as inconvenience.

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Folio 235: Nelson 31 Aug 1842 Samuel Stephens  
I hereby agree to accept from the New Zealand Company and to hold present possession of the acre in the town of Nelson numbered 357 on the Surveyor's plan, and likewise so soon as the whole of the accommodation and rural lands respectively shall be distributed, of the accommodation and country sections which are to be selected in respect of orders of choice 68 and 727 respectively, in lieu of and in full substitution for the allotment which my agreement as one of the Company's assistant surveyors in this settlement guarantees I should receive from them, but which allotment has by some inadvertency not been registered on my behalf; subject always nevertheless to the approval of the Court of Directors, and upon the express understanding with Captain Wakefield the Company's Agent here that in the event of any other arrangement being decided upon by the Company in England which would have the effect of preventing me permanently retaining the said acre and allotment I shall have the right to remove any buildings which may have been erected thereupon, or be indemnified for them by the Company at a valuation to be fixed at the time by arbitration.

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Folio 236: Wellington 12 Dec 1843 William Wakefield to Secretary NZ Company

Sir, I have to forward you the accompanying despatches from the Resident Agent at Nelson... with copies of my replies to those portions requiring immediate notice... By these documents the Court will be made acquainted with the state of the settlement of Nelson since Mr Fox's agency commenced. The only result of the visit of the *North Star* frigate to Tasman's Gulf has been a recommendation by Captain Sir Everard Home to the local Government that a portion of troops should be stationed at Nelson for the tranquillity of the settlement, endangered by the conduct of the natives and the illegal combinations of the workmen on public works.

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Folio 238: Nelson 19 Sep 1843 William Fox to Colonel Wakefield

Sir, I beg to inform you that I arrived here on Friday last the 15<sup>th</sup> instant. I found everything quiet as regarded the working gangs owing no doubt to their having proved the inefficiency of the Police Magistrate to control them and all attempt to enforce the system of inspection having been forborne since you were last advised. At the same time I am glad to say that Mr Valle's reports somewhat more favourably of the inclination of the men to work, though nothing like an equivalent is obtained from them in return for the Company's expenditure. It will be the subject of my anxious consideration to devise some means by which an improvement may be effected in this department. I found on my arrival that Mr Parkinson, one of the contractors for the survey of the Wairau Plain had chosen to proceed there again with the intention of completing his contract if possible. This of course he did upon his own responsibility and not under the authority of the New Zealand Company. Previously to his departure an attempt was made by Mr White the Police Magistrate to bind him over to answer any charge which might be brought against him; a proceeding which I presume was beyond the legal power of the Magistrate since on Mr Parkinson to submit to it, the attempt was abandoned. Mr Parkinson himself proceeded overland and has not since been heard of; but a boat which he sent round to Cloudy Bay with provisions was not permitted to land them, and has returned without having communicated with Mr Parkinson. The Native chief E. Powaha has written to Mr Tuckett to the effect that before the surveys are proceeded with the land must be paid for. I regret to say that the natives at Motueka have commenced aggressions, and have attacked assaulted and driven off a number of settlers who had recently been placed upon a section there. This they did with the late Government proclamation in one hand while they flourished their tomahawks with the other. I understand that Mr White the Police Magistrate has proceeded there this morning for the purpose of making some inquiries respecting the affair. The Company's boat which was stolen by the natives after the massacre at Wairau was seen in their possession a few days since by Mr Parkinson's boatmen, cruising about in Cloudy Bay. Its loss is a considerable inconvenience to us here; and the fact of the natives being allowed to retain it cannot but encourage them in the aggressive temper they manifest since its exercise is attended with such beneficial results to them. I would suggest the propriety of an application being made to the commander of the *North Star* to lend the assistance of that vessel or of her boats to enforce the restoration of the Company's boat. I observe in one of Major Bunbury's despatches printed in the Parliamentary Papers relative to New Zealand for 1841 page 111 the theft of a boat by the natives from a private individual was considered a proper case for the interference of Her Majesty's ship *Herald*, and that the threat of such interference was sufficient to procure the restoration of the boat. It seems very uncertain whether the reported grass plains mentioned in Mr Tuckett's despatch of the 30<sup>th</sup> ultimo will prove to be within reach of this place, if indeed they have any existence. Mr Brunner who was sent by Mr Tuckett to explore has returned to the Waimea without success, but as he encountered very bad weather and I have not yet heard how far he proceeded, possibly his failure many not be conclusive. I hope to have more accurate information in a day or two. Mr Tuckett has gone today to the Motueka in hopes of finding some additional land for the Surveys in that district beyond what has been already included in them. But this will probably be of inconsiderable extent, if any.

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Folio 240: Nelson 25 Sep 1843 to Colonel Wakefield

Sir, I have this morning been waited upon by the Sheriff and Police Magistrate in consequence of information received by the former from various sources relative to a threatened attack upon the settlement by Rauperaha. Whether the information is to be depended upon or not we have no means of ascertaining, but proceeding as it does from several quarters and corroborated in some degree by circumstances, I have thought it necessary to assist in taking immediate precautionary measures. For this purpose I am about to bring down Mr Valle's gangs from the Waimea who will be employed in completing the fortifications and providing for the defence of the inhabitants of the Town in such other ways as the Magistrates may think proper. I need not inform you that this Settlement is totally without protection and that if the rumoured attack should be ... the most serious result may be anticipated. I feel bound after the representations which have been made to me by the Sheriff and Police Magistrate to request you in the most urgent manner to use every effort to procure some protective form for the security of this Settlement without delay. I enclose letters from the Sheriff and Police Magistrate to yourself and Major Richmond which contain more detailed statements of the grounds of alarm. I also enclose a letter from Mr Tuckett to myself relative to the deportment of a party of strangers.

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Folio 242: Nelson 25 Sep 1843 A. McDonald to Colonel Wakefield

My Dear Sir, In consequence of information received this forenoon in reference to intended movements on the part of the Natives I deem it of the greatest importance to convey to you what has come under my notice with the least possible delay, trusting you will urge upon Major Richmond the necessity of ordering part of the Troops at his disposal to Nelson the facts are these viz:-

Rhangitoto 02 Sep 1843: Sir, Having heard some native news I thought it advisable to put you on your guard I gleaned the following from a Southern Native just arrived from Mana where he had been the last three weeks. Raupero had got all his canoes ready and intended going to Blind Bay to collect all natives that thought proper to join him and pay your place a treacherous visit and gain all the powder and muskets in your magazine and then intends endeavouring to slaughter all before him. I hope it may be false but there is a great deal to be taken out of a native story, hoping you will keep this information from going afloat. Signed James McLaren.

The writer of the above is a Brother of the Captain of the *Nelson* Brig and I believe is known to you. I believe he can be depended on. I have had the above confirmed by a native from Rhangitoto (an old servant of my own and very much attached to me). He begs of me not to go into the bush, but to remain at the Bank, and keep a sharp look out, I asked if there was much danger and he said there was, I asked if they would come in a Canoe, he said some would come but that the greater part would land beyond Waka-pa Waka and come all round us, he then desired me to warn the white men not to say they would fight the Maoris, to give them no provocation as the Maoris were in great numbers. I asked if they would fight us altogether. He said the Maori know well enough that the White men are not together but 1 man 1 woman and children together, that they would begin before daylight and surround the Houses and kill them all he also informed me that Raupero had Maoris here to watch us. He wished me not to say that he had said anything or Raupero would send and kill him. I am quite confident that his statement is correct, and that it is known generally to the Maoris that an attempt is now ready to be made, this native belongs to Raupero's tribe. Joseph Hoare who has been long in this Country states that he is certain that something uncommon is going on amongst them, that they have a great deal of talking amongst themselves but whenever his Maori woman goes near them they stop speaking. Moore of Motuaka who knows the Natives well is of the same opinion. Mr Tuckett was over at Motuaka last week, and during a korero which he and the settlers there held with the Natives some of them who were strangers sent for axes and flung off their blankets and stood behind Tuckett and the others waiting the approval of the Motuaka natives to commence a massacre. This along with the great number of natives here at present, some from Kapiti (which is a rare occurrence) and the unusual insolence which they treat us are alone sufficient reasons for being alarmed. Trusting that the above will have your attention.

I have written to Major Richmond to the same effect. Please do not mention the names of those who have given the information.

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Folio 245: Nelson 25 Sep 1843 Frederick Tuckett to William Fox

Dear Sir, Mr Elliott has informed me that you would wish me to prepare a statement of what occurred during my conference with the natives at the Motueka and make a deposition of its truth before the Police Magistrate. I am unwilling to take the latter step because Capt Fearon and Mr Moore with whom I have conferred appeared wholly unconscious of there being any ground for uneasiness in any demonstration which was then made. I will truly and briefly state what I experienced. I found most of the natives already apparently assembled as if they had been talking, amongst them strangers say five one of whom I thought was at the Wairau. During our conference which was of a friendly character an attempt on my part to advise them, win their confidence and lessen their distrust, a boy left who brought five tomahawks to the stranger natives which they distributed as witnessed by Mr Murray one of our party. The most energetic of these men thus armed came round to my side and after standing awhile by me he took off his blanket and stood in his shirt occasionally surveying his tomahawk in a manner which unequivocally to my mind exhibited his hostile intentions towards me. Two of the other strangers walked to and fro behind my companions, the other sat on the ground. After some time and whilst I was still addressing them through the aid of Mr Moore as Interpreter, Eite the principal Chief presented me with a walking stick, which I believe was the act of declaration on his part that the natives of the Motuaka would not sanction any violence towards us. My fancied enemy left my side but evinced with flourishes of his tomahawk and fierce looks how much he thirsted for our lives blood. The Chiefs Eiti and Etaira stated that a letter had been written by Mr Clarke to some native alleging that it had been the intention of the Wideawakes meaning our Principal Agent Colonel Wakefield and his lamented brother to cut off all the chiefs in each settlement and make slaves of the others. We almost unanimously and simultaneously expressed our conviction that Mr Clarke had not written such a statement and offered money if they would produce the letter. We also strongly assured them that it was a falsehood and a wicked fabrication and I think they believed us. They evinced no coolness towards us, but much dejection and grief as convinces me that they anticipate speedily an attempt at a Massacre in which they may themselves be the victims if they do not obey the instructions of the superior Chiefs. I regard the stranger natives as emissaries from the other island instigating them, through alarming their fears of them and of us to make common bond with them and unite in one attempt to exterminate us before we receive support from our Government and whilst the Haven is almost without a vessel to convey intelligence of such deed or to afford refuge to the women and children.

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Folio 248: William Fox – notes of events connected with the visit of Sir Everard Home in command of HMS *North Star* and Major Richmond, Chief Police Magistrate for Wellington and Cook's Strait to Nelson.

The *North Star* arrived on Tuesday morning the 10<sup>th</sup> current, as soon as she anchored Sir Everard Home and Major Richmond came ashore. The latter then called upon Mr White, Police Magistrate for Nelson, and subsequently paid complimentary visits to the Sheriff, Mr Reay and others. No communication of an official nature took place between him and any of the local authorities except Mr White. In the course of the morning an application was made to Mr White the acting Police Magistrate at Nelson, by Mr Fox, acting as chairman of the Committee of safety and deputed by that body, for a warrant to apprehend Rauperaha and Rhangiaitea on a charge of murder founded on the depositions already before the Magistrate. Mr White considered that fresh evidence should be adduced, if the case was to be gone into; and Morgan, who had been formerly examined, was called and made a new deposition. When his evidence was concluded some discussion ensued which terminated in Mr White saying that even if he was satisfied that a warrant ought to issue, he would not issue it at present, on the ground that he was not able to execute it. He consented to adjourn the Court till the following day to allow the local Magistrates to hear the application. On Wednesday, Sir Everard Home, Major Richmond, and Mr Clarke visited Motueka, where they had an interview with the Natives resident there; and it is understood that Mr Clarke reported to Major Richmond that they were a very pacific well intentioned tribe. Unfortunately Mr Moore of Motueka, who understands the native tongue, was at Nelson at the

time; or he could have related the events of the late disturbances at the Motueka, in which the Natives exhibited great ferocity, and could have taken a part in the conversation with them. The application for a warrant was renewed this morning before Mr White, Mr Duppa and Mr J. Tytler, Mr McDonald was present but having received notice from Government that his office of Magistrate was incompatible with that of Sheriff he declined sitting on the bench. After some discussion the Court adjourned to the following day, it being understood that Messrs Dupper and Tytler were inclined to grant the warrant, and that Mr White refused. On Thursday Sir Everard Home, Major Richmond and Mr Clarke, visited Waka-pah-Waka. Reports having reached us that the Frigate was to leave early the next morning, a written memorial signed numerous and respectably was addressed to Sir Everard Home requesting him to leave us a portion of his forces, or if possible to remain with the Frigate. Requisitions from the Magistrates and a deputation of settlers were also sent to Major Richmond requesting interviews. The application for a warrant was renewed this morning before the Hon. C. Dillon, Dr Monro, Mr Duppa and Mr J. Tytler, Mr White being absent, and Mr McDonald attending as before, not on the bench. Dr Monro, objected to the warrant being granted without consulting Major Richmond and Mr White. The other Magistrates replied, that as Major Richmond had shewn them no courtesy, neither calling them together nor intimating his arrival in any way, and as they doubted whether his commission extended to Nelson, they declined consulting him, and as Mr White had expressed his determination not to grant a warrant, it was useless to consult him. A Warrant was then issued, signed by Messrs Dillon, Duppa and Tytler. Friday morning, Sir Everard Home and Major Richmond came ashore accompanied by Mr Clarke. At 10 a.m. Major Richmond met the Magistrates, and I understand that general discussion ensued as to the intentions of Government relative to the apprehension of Rauperaha &c. At one p.m. the deputation of settlers waited upon Sir Everard Home and Major Richmond at the Institution. Being asked for a reply to the memorial, Sir Everard Home said that had he known previously to leaving Sydney, that there were soldiers at Wellington he would not have come; that on his arrival finding soldiers there, he would have immediately returned, but for the accident which befell him; and that he was preparing to leave Wellington when our information of a threatened attack reached him and he considered it his duty to come over and see what ground there was for it. That he was satisfied there was no danger and should leave forthwith. Being pressed as to the power of the Civil Magistrates to insist upon his placing his forces at their disposal to arrest the felons against whom a warrant was issued, he said he should not act on any authority inferior to the Governor's. He would take the responsibility on himself and do what he thought proper. A written reply to our memorial being requested, he promised to give one. He also added that we might be glad he took that view, as some Captains would on our summons have come down and played the Devil. Sir Everard Home then left the room, accompanied by Mr Clarke. Dr McShane then proceeded to put certain written questions to Major Richmond, which had been prepared by the deputation. The first was "Whether he did not consider the Executive in this Colony as utterly powerless?" – To which he replied that "he could not answer such a question and if the others were like it, he should leave the room." Being informed that there were others of a more practical nature he remained. He was then asked "What Government intended to do respecting Rauperaha and Rangiaita? – He answered "that Government was very anxious to bring them to trial but that it did not consider that it had sufficient force to attempt it." He was then asked "Whether, if the settlers under existing circumstances should raise and pay a military force, he would recommend to Government a remission of the taxes, to the amount so expended." He replied "that he could not recommend it, but he would forward to Government our representations on the subject, accompanied by his own." Conversation then ensued relative to the maintenance of an increased Police Force; and it was pointed out to Major Richmond that "independently of the danger apprehended from the Natives, the labouring class was entirely beyond control; that they had recently set law at defiance, presented loaded firearms at the Police Magistrate and constables and were only kept quiet by being permitted to do as they pleased." Major Richmond asked "if the Company were not bound to employ them?" Mr Fox replied, however that might be, the Company had a right to expect a return of labour for the fund expended upon them; at present little or no return was obtained; that the course which had of late been pursued with regard to the labouring class could be justified by no honest man except under an absolute impossibility to pursue any other course, and that experience had shewn that any attempt to tighten the reins would induce riot, breaking open of the stores, loss of life, in short the ruin of the settlement: till a

sufficient force was provided this was the Company's position." Major Richmond "could only promise to represent this strongly to Government." Mr Fox asked Major Richmond "whether he would sanction the employment of Special Constables to the same extent as Mr White had done, and with the same promise to recommend the remuneration of the Company to the Government for the expense incurred; and said that if he would do so, Mr Fox would advance the means as he had already done on Mr White's requisition." Major Richmond declined doing so. Major Richmond was then asked "whether since Government had not a sufficient force at its disposal for the present emergency, and it was known that forces of an European power in alliance with Great Britain were in the neighbourhood, he would consent to call in the aid of the French Frigate at Akaroa?" He said "certainly not, he should consider it a stain on British arms." Mr Moore of Motueka having informed Major Richmond, that the Natives of that place asserted, most positively that they had seen a letter signed by Mr Clarke Jnr (The Protector) telling that it was the intention of the Company to make them all slaves, and urging them not to give up their lands. Major Richmond sent for Mr Clarke who was asked whether he had written such a letter. This he distinctly denied, on which he was asked, "Why since the Natives had been convicted by himself of an open and notorious falsehood relating to a person usually considered as their best friend, he placed the slightest reliance upon one syllable which fell from them, when they asserted that they had no hostile intentions against those whom they regarded as their enemy and why he advised Major Richmond on such authority, that no danger was to be apprehended?" To this neither Major Richmond nor Mr Clarke could give any satisfactory answer. Dr Monro took the opportunity of impressing upon Major Richmond, the importance of cautioning the Protector against allowing the Natives to imagine that he the Protector took part with them against the whites, an opinion which they certainly entertained, and some allusions were made to the late proclamations which had fomented the passions of the Natives against the settlers. Major Richmond asked if there were any further questions; and the reply being in the negative, he retired in company with Mr Clarke. Dr Monro was so dissatisfied with Major Richmond's replies and the sang froid displayed by him with reference to the state of the settlement, that he immediately after the interview signed the Warrant which he had before declined doing on the ground that he thought Major Richmond should have been consulted.

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Folio 255: Wellington 23 Sep 1843 Colonel Wakefield to William Fox

In reference to your communication that Mr Parkinson had proceeded to the Wairao plain with a view to completing his contract with the Company, I have only to repeat what I verbally conveyed to the Principal Surveyor that, having been a party to an agreement that the Company should not pursue the survey of the Wairao district until authorised to do so by the local Government, I cannot in any way approve of or sanction the Contractor's proceedings. I have to recommend you to render no assistance to him for the pursuance of his object, and to caution him, when he returns, against exciting the natives against the outsettlers by his persisting in now fulfilling his contract. I have made the representation recommended by you respecting the Company's boat to the Police Magistrate for the consideration of the Commander of the frigate now at anchor there.

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Folio 256: Wellington 03 Oct 1843 Colonel Wakefield to William Fox

Sir, I have received your letter of the 25<sup>th</sup> ultimo representing the unprotected state of the Nelson settlement and the rumours current respecting a contemplated attack on its inhabitants by the Natives and enclosing Mr Tuckett's account of his conference with some of those of the Motueka district. Having laid these documents before the Chief Police Magistrate, he at once consented to urge upon the Commander of the *North Star* frigate, now lying here, the propriety of that ship proceeding to Nelson and I am happy to inform you that it will sail for that destination with the first fair wind. Intelligence from Porerua and Otaki represent Rauperaha and his people as perfectly quiet or only occupied in establishing themselves in a new village near Porerua. It is probable that steps taken by the assistant Police Magistrate will lead to a speedy restoration of the Company's boat, which will be sent direct to your port. Major Richmond and Mr George Clarke, the subprotector of Aboriginies will embark in the *North Star*. I have to recommend you to call the attention of the local Magistrates to the subject of the protection necessary to ensure the tranquillity of the settlement during the visit of the frigate, which has on board a detachment of the 80<sup>th</sup> Regiment which a strong representation of the Magistrates and principal inhabitants might cause to be left at Nelson.

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Folio 257: Wellington 08 Nov 1843 Colonel Wakefield to William Fox

Sir, I beg to acknowledge the receipt of your despatches numbered and dated as in the margin. Those containing information necessary for the Court of Directors of the Company will be forwarded by the first opportunity. Under the circumstances of the Chief Police Magistrate declining to sanction the expenditure for the fortifications and support of a special constabulary force, as mentioned in your "Notes of Events" I must strongly recommend you, in compliance with the reiterated injunctions of the Directors, to stop such expenditure and other not specified in their late despatches on the subject, from which I sent you extracts, under date of the 23<sup>rd</sup> ultimo. In the absence of information from you since the visit of the detachment of troops from Van Diemen's Land I trust that restored tranquillity and confidence will enable you to commence a reduction of the general expences of the Company in the settlement and at the same time to induce occupation of the land by the labouring class. The necessity of these measures, in contemplation of the exhaustion of the fund for "public works" is so obvious as not to require further comment from me.

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Folio 259: Wellington 12 Dec 1843 Colonel Wakefield to Secretary NZ Company

Sir, I have to forward to you for submission to the Court of Directors of the Company copies of two letters from the Right Rev the Bishop of New Zealand addressed to the late Captain Wakefield. His Lordship is daily expected here from Nelson and New Plymouth. After his visit I shall be enabled to acquaint you with his decision and views respecting the subjects of this correspondence and on the important point of his use, as Trustee, of the native reserves. In this settlement, the agent of the Trust, Mr St Hill, has in some cases leased to Europeans sections of land partly occupied by native cultivations who have thereupon seized possession of neighbouring land upon which a settler had been peaceably located. In other cases the native chiefs have occupied and even leased land reserved for the natives to the exclusion of their general body. I hope the Bishop's influence with the natives and his orders to his agent will in a great measure remove this fruitful cause of dissension and more effectually carry out the views of the Company as to the native reserves.

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Folio 261: The Waimate 27 Feb 1843 G. A. NZ to Captain Wakefield

My Dear Sir, I regret that I did not receive the announcement of the completion of the arrangement between the Company and the Church Trustees before I left Nelson as the distance is so great between us that communications by letter must be very slow. Your letter of December 29 has only just arrived and I hasten to answer it though with little hope of an early opportunity of sending my letter. From the substance of your last suggestions I conclude that you are not fully aware of the restrictions under which the Nelson Church Fund has been placed in my hands. I am expressly bound "to invest it in landed securities within the Settlement of Nelson" as a Fund "for Building Churches, Parsonage Houses, and Schools, and in general for the extension of the Church throughout the settlement in proportion to the increase of Population." From this it is plain

that I am not at liberty to expand the Capital but the Interest of the Money; a mode of operation which I believe will in the end be far more advantageous to the Colony, than the immediate expenditure of a few thousand pounds, to be followed by a complete cessation of all Church Building. The plan which I purpose to follow in this I will immediately procure the plan of a fine Church, and if possible make arrangements for laying the first stone on my next visit which I hope will be in November. Whatever sums have accrued as interest of the Company's grant, together with such additions as may be procured from other quarters shall then be immediately available for the erection of a portion of the building, probably the Chancel, which may then be proceeded with without delay. In every succeeding year I will empower you or other good Churchmen at Nelson to expend upon the building such sums as may be available for the current year at such times as you may find most advantageous to the settlement in respect of the employment of workmen: that is when other employment is scarce. The sum which ought to be annually available for ever for Church, and School Building may be thus represented viz

Interest upon £5,000 now at £200 per annum but when invested in Colonial Securities ought to yield per annum £500. Contributions of Inhabitants at the offertory, or other Collections paid into the account of the Archdeaconry of Nelson Church Fund – say £100. Amount of such contributions met by a similar grant from the Bishop's Church Fund £100. Per annum £700.

By this grant I am bound to provide an income of £250 for a Clergyman; so that the above sum will not be subject to any deduction for maintenance; and will be devoted strictly to building purposes. In this way I hope that Nelson, the Waimea, Motueka, and all your dependencies will be provided in time with Churches, Schools and Parsonage Houses. With every assurance of continued interest in your settlement the remembrance of whose genial climate has not been effaced by the many lovely scenes and sunny skies which I have since enjoyed in other parts of New Zealand.

P.S. I forget to mention, that the New Zealand Company have proposed conditions to which the Native Trust cannot accede with regard to their offer of £5,000 on the security of the Native Reserves. They require the "usual powers of foreclosure and sale." Foreclosure is abolished by the Colonial Mortgage Ordinance; and a power of sale cannot be granted over lands which are by their very nature inalienable. Add to this that they require Colonial Interest which would charge the Native Lands with the payment of at least £500 a year; a sum much larger than the whole income of the property at present. I hope the annual Rental at Nelson will cover any sum you may have advanced for the Maori Hostelry as I do not think that it can form a part of the proposed Loan.

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Folio 265: St John's College, The Waimate 23 May 1843 G. A. NZ to Captain Wakefield  
My Dear Sir, You will I hope long since have received my answer to your first letter on the subject of Church Building at Nelson: in which you will have seen that I have no power to spend the principal of the Church Fund, but only to apply the Interest to the objects of the Trust. This will I am convinced conduce more to the permanent well-being of the settlement and all its dependencies, than a hasty expenditure of Capital at Nelson alone. Whenever you think me deficient in zeal for your present advantage, do me the justice to remember that I have to provide for futurity; and that I am not at liberty to spend upon this generation the funds which were destined for the good of the children and grand-children of the present settlers. You will say that a good foundation laid at once will secure us the goodwill and liberal contributions of the next generation, and that they will thus be able to provide for themselves. But you have yourself told me of the effect of the Fund in stopping private contributions, I have found the same effect in other settlements I am believed to be in possession of Funds sufficient to build their Churches for them and so save their pockets. And so, please God, I will build for them, even if they will not or cannot contribute themselves, but I shall take my own course in so doing, beginning with simple temporary buildings, then adding a portion of the permanent structure, and gradually completing it, as Funds may be supplied. If any one wishes to hasten the completion he has the means in his own hand. My fund is limited, and a limited power will only do a certain amount of work: if others join with me, we shall work faster. I have explained I hope in my former letter the precise mode in which this may be done, so as to secure to the settlement the benefit of an equivalent

from private funds which may from time to time be placed at my disposal. On the subject of the advance which you have made on the part of the Company of £200, I am sorry to inform you that I have been obliged to decline or rather to recommend the Government to decline the offer of the Company of a loan of £5,000 because the stipulations were such as could not be complied with viz: the power of sale and foreclosure over the Native Lands. I have recommended that the Auckland Native Fund, should, if necessary, be invested on the security of the Wellington, Nelson and New Plymouth Native Lands; thus making the different branches of the Trust act beneficially one upon the other. Your advance on the part of the Company, will therefore be repaid, if this arrangement should be adopted. In the meantime I am satisfied that we were right in making some demonstration in favour of the natives; without waiting for a solution of all the technical difficulties with which the business of the Native Reserve Trust is involved. We are still without instructions from Home; and no Ordinance can be passed to define the powers and duties of the Trust, till the new Governor arrives. The difficulty in which I am placed has increased in consequence of the resignation of the Chief Justice, who has found his duties as Trustee incompatible with his judicial duties, as, in the event of the Trustees being engaged in any Lawsuit, he would be both judge and party in the suit at the same time. Still I feel so deeply the vast importance of the plan, as originally embodied in the formation of the Company's settlements, that I will still endeavour to work on, though the way seems to be even less clear, than when I last saw you. It is very satisfactory to hear that your people are making an impression upon the Country, and producing food, instead of selling imported flour. The mania of storekeeping seems to be subsiding in all the settlements; and the consequence is that the real resources of the land are being developed. The Colony generally is in a much healthier state than when I came to it twelve months ago. I lament with you the delay of the settlement of the land claims which is producing a most unfavourable effect on the minds both of the settlers and the natives. Still I cannot but hope that the principle of Justice, which has almost for the first time in our Colonial History, been attempted to be carried out in this country, will sooner or later be blessed.

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Folio 269: Nelson 06 Oct 1843 William Fox to Colonel Wakefield

Sir, I beg to enclose copies of the correspondence which has passed between myself and Mr White, Police Magistrate, and other Magistrates of this Settlement relative to the measures required for its protection against the apprehended attack from the Natives, and also of a communication I have made in concert with the Sheriff and Dr Monro, to the Governor of Van Diemen's Land requesting Military aid. Those Gentlemen also addressed a similar letter to his Excellency, a copy of which I shall endeavour to forward by the next opportunity.

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Folio 271: Nelson 27 Sep 1843 A. McDonald, Sheriff, D. Monro JP, James S. Tytler JP to George White, Police Magistrate, Nelson - From evidence which has reached us from various quarters, and which has been laid before you, there seems too much reason to apprehend that a hostile movement upon this Settlement is in agitation among many of the Natives. In these circumstances it appears to us absolutely necessary that measures should be adopted to put the Town in a state of defence, and to establish a Watch and Patrole which shall give intimation of the approach of danger. To effect these objects we think that the fortification in Trafalgar Square should be immediately completed and that a force of at least 50 ... Special constables should be collected, provided with sufficient arms and put into some state of Military discipline. May we request you to authorise the execution of the above suggestions which we consider absolutely necessary for the security of the settlement.

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Folio 273: Police Office, Nelson 27 Sep 1843 George White, acting Police Magistrate to The Sheriff and Local Magistrates of Nelson - Gentlemen, I have the honor to acknowledge the receipt of your letter of this day's date, wherein you express your conviction of the absolute necessity of taking immediate measures to establish an efficient watch and patrol to provide against a surprise on the part of the Natives and suggest the adoption of other means of defence in case of any attack from them. In reply I beg to inform you having considered the nature of the information which you have submitted for my perusal as well as that I have received from other sources, although there is nothing of a decided character in any of the various communications, if taken singly, to warrant any serious apprehensions of an immediate attack on the part of the Natives, nevertheless when received collectively, I concur in opinion with you, that in the absence of any Military force and the difficulty and uncertainty of any communication with the seat of Government I am bound to afford the inhabitants of this Settlement every facility to protect themselves from the consequences of any attempt on the part of the natives to disturb the peace of this Settlement. In reference to the mode of effecting that object I shall be ready to make the addition you name to the present Police Force say fifty; so soon as you shall have forwarded me a list of such of the respectable Inhabitants, who from your Knowledge of this place, will best insure the object contemplated. As regards the completion of the fortifications which were partly formed upon a late occasion – while I am prepared to admit the necessity of having a place of security to which the women and children could retreat; considering the nature of the weapons with which the Natives under the most aggravated circumstances could make their attack I should strictly confine myself in making or sanctioning any proceedings of that nature to a security from the effects of small arms rather than from more weighty engines of warfare. At the same time I must inform you that I have no funds of the Government at my disposal for such purposes. And as the arrangements contemplated would require an immediate advance I must leave it to you to supply the necessary funds you trusting to the local Government sanctioning the expenditure and, upon the proper vouchers being laid before them, of authorising their payment.

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Folio 275: Nelson 27 Sep 1843 A. McDonald, Sheriff and D. Monro JP to William Fox  
Sir, We take the liberty of enclosing for your consideration a letter which we addressed today to the Police Magistrate, and his answer thereto. You will observe by them that Mr White concurs in the necessity of the measures which we have recommended, but at the same time states that he has no funds from which an advance to meet the immediate emergency of the case could be made. Under these circumstances, we think it possible that as agent of the New Zealand Company for this Settlement, you might feel yourself authorised to make the necessary advance of funds, with the understanding that Mr White will recommend the repayment by Government of any expences so incurred, and in the belief that such will undoubtedly be sanctioned.

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Folio 277: Nelson 28 Sep 1843 William Fox to A. McDonald, Sheriff and D. Monro JP  
Gentlemen, I beg to acknowledge the receipt of your letter of yesterday's date enclosing a correspondence between yourselves and the Police Magistrate of Nelson relative to the measures which it has been thought necessary to adopt at the present alarming juncture. You state that the Police Magistrate "concur in the necessity of the measures recommended by you, but that he has no funds from which an advance to meet the immediate exigency of the case can be made;" and you express a hope "that under these circumstances, I, as Agent for the New Zealand Company for this Settlement, may feel myself authorized to make the necessary advance of funds, with the understanding that Mr White will recommend the payment by Government of any expense so incurred in the belief that such will undoubtedly be sanctioned." In reply I beg to inform you that the funds of the New Zealand Company do not appear to have been intended for purposes such as those to which you request me to apply them, but rather for the execution of works of a more permanently beneficial character. The defence of this Settlement as well as of the Colony at large would seem to devolve more properly upon the Government, and I conceive that it and not the New Zealand Company ought to bear the expences of providing the requisite protection. Since however the Government representative in this place, it appears is altogether unprovided with means, that the Settlement is entirely unprotected, and that you are of opinion that serious grounds of apprehension exist, I at once

accede to your request and will advance on the part of the Company whatever means may be necessary to carry into execution the measures proposed by yourselves and the other Magistrates. I do so solely in reliance on the assurance contained in your letter that Mr White will recommend to Government the repayment of the expences thus incurred, and under a solemn protest against the ultimate abstraction of any part of the funds intended to have been applied to works of a character more beneficial to the Settlement.

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Folio 279: Nelson 27 Sep 1843 William Fox to His Excellency the Governor of Van Dieman's Land - Sir, The news of the late disaster has I have no doubt reached your Excellency. At the time of its occurrence the Settlements on Cook's Straits, containing a population of from five to ten thousand souls, were entirely without protection. On the melancholy news being transmitted to Auckland and urgent representations of our unprotected states being made to his Excellency the Officer administering the Government, a force of fifty soldiers was sent to Wellington. In reply to an application made to Sir George Gipps the Governor of New South Wales, at the same time, the *North Star* Sloop of War with fifty soldiers on board was also sent from Sydney to Wellington where that vessel and the troops have since remained. Urgent applications have been made by the New Zealand Company's Principal Agent at Wellington and also by the Police Magistrate of this place to the Police Magistrate of Wellington, and to Sir Everard Home the commander of the *North Star* for a portion of the forces under their command to afford protection to this Settlement. Their applications have hitherto been without effect, and the Settlement of Nelson remains totally unprotected. Within the last two days the Sheriff and Police Magistrate of this place have received information relative to a threatened attack by the Natives who executed the late massacre. Of the degree of reliance to be placed on the information received we have no means of forming a correct opinion, but the Sheriff and Magistrates have considered it necessary to take immediate steps for the protection of the Settlement by the organization of volunteer forces, and the completion of fortifications which were commenced at the time of the late massacre. Much alarm prevails and it is impossible not to perceive that if the threatened attack be executed, the most disastrous result may be anticipated. It may be necessary to inform your Excellency that owing to the uncertainty of the Winds in Cook's Straits communication between this place and Wellington, where the Military forces are, cannot be effected under a week upon the average and frequently a much longer period. This circumstance and the total neglect of previous applications renders the inhabitants of this Settlement very unwilling to rely upon the prospect of obtaining assistance from Wellington, though a boat has been dispatched express for the purpose. The inhabitants of this Settlement are between two and three thousand in number, agriculturalists and artisans, entirely unused to Military defence, and very inadequate to protect themselves against the Natives in case of an attack. Some thousands of Natives are known to be congregated within a days sail of this place under the command of the chiefs who were engaged in the late massacre. Under the circumstances of our present position I feel it to be my duty to take advantage of the sailing of a vessel for Hobart Town, to request your Excellency in the most urgent manner, to afford to this Settlement a portion of the forces which may be at your Excellency's disposal. The general aspect of affairs as regards the Natives is very threatening and the whole Military force in the Country does not exceed one hundred and fifty men, and the crew of a Sloop of War. Here we are defenceless, and unless to the friendly aid of neighbouring colonies we know not where to look for aid. I enclose for your Excellency's information a copy of the Supplement to the Wellington Spectator which was prepared under my Superintendence, previously to my leaving that place for my present appointment and which will put you in possession of the principal facts relative to the late massacre.

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Folio 281: Nelson 12 Oct 1843 William Fox to Colonel Wakefield

Sir, I beg to enclose a copy of an application I have made to Mr White, the temporary Police Magistrate for this settlement urging the claims of the Widows and other sufferers by the Wairou expedition upon the consideration of the Local Government together with that Gentleman's reply.

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Folio 283: Nelson 25 Sep 1843 William Fox to George White, acting Police Magistrate Nelson

Sir, It is unnecessary to inform you that on the occasion of the late unhappy event at the Wairou plain, some of the individuals engaged in it were severely maimed and wounded, and that they as well as the wives and families of others who were massacred on that occasion, have in consequence been reduced to a state of destitution as far as their own ability to obtain a maintenance is concerned. Since that event the persons referred to, namely two men and eleven widows with their families, have been maintained at the expense of the New Zealand Company. This maintenance has been afforded them from charitable motives on the part of the Company, to prevent the sufferings to which they must have been subjected, if left to their own resources. As however the parties whose calamity has imposed this burden on the Company suffered in the service of Government, and while acting under the command of the Police and other Magistrates I am desirous of ascertaining whether Government will relieve the Company from the burden, and I shall be obliged by your informing me whether you are in possession of any means of providing for cases such as the present.

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Folio 284: Nelson 06 Oct 1843 George White, Police Magistrate to William Fox

Sir, I beg to acknowledge the receipt of your letter of the 25<sup>th</sup> ultimo, wherein you state that the individuals who survived the unfortunate affray at the Wairou, as well as the Widows and Children of those who fell on that occasion have been hitherto maintained at the expense of the New Zealand Company, and requesting to know whether, as the men alluded to were acting under the command of the Police and other Magistrates the Government will release the Company from the burden. In return I beg to inform you that I laid the case of the Widow Gardner, whose husband was one of the regular Police Force at the time, and who lost his life upon that occasion, before His Excellency, and I have been informed "that it is out of His Excellency's power to apply funds to the relief of that Individual." As however, this relates to one case only, I shall be ready to forward any representation of the several other cases, should you think after the above any stronger grounds could be urged to induce His Excellency to reconsider the case.

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Folio 285: Nelson 11 Oct 1843 William Fox to George White, Police Magistrate Wellington

Sir, I beg to acknowledge the receipt of your letter of the 6<sup>th</sup> current in reply to mine of the 25<sup>th</sup> ultimo, in which you refer to the application made by me to you, relative to the maintenance of the widows and families of those who fell in the massacre at the Wairou, and of such of the survivors as were maimed on that occasion, and you inform me that the case of the Widow Gardner had been laid before the Government by you, and that you had been informed that it was out of the power of His Excellency the Officer administering the Government to apply funds to the relief of that individual; and you state that you are ready to forward any representations of the other cases, should I, after the above, think any stronger grounds can be urged to induce His Excellency to reconsider the case. The only ground already urged by me is the fact that the persons who suffered, fell in the service of Government and while obeying the orders of the Magistrates, a ground which I hoped would have been sufficient to obtain the relief I sought for the parties in question. It is not my province to point out the probable consequence of the Government neglecting to afford relief in such cases; the risk that men will not be found to hazard their lives in obedience to a Government which provides no aid for their widows and families; and that those feeling of allegiance by which protection is reciprocated will be much weakened if not entirely dissolved by such neglect. These and similar grounds independent of the justice of the case are sufficiently obvious; I cannot think that His Excellency will refuse to reconsider the decision he has already given in the case alluded to by you, and I shall be obliged by your forwarding to him my application on the subject.

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Folio 287: Nelson 01 Nov 1843 William Fox to Colonel Wakefield

Sir, I beg to acknowledge the receipt of your dispatch enclosing extracts from instructions received by yourself from the New Zealand Company relative to the employment of labour in their Settlement. You are aware that previously to my arrival here, Mr Tuckett (the then acting Agent) had adopted a system of day labour and inspection on the Public Works, which was so little relished by the laborers that they refused to give a fair return for their wages; on Mr Tuckett's endeavouring to enforce the system riots ensued and his own life and that of the Police Magistrate were threatened. There being neither Police nor military force capable of maintaining the law, all attempts to control the laborers were necessarily abandoned, and Mr Tuckett was constrained to pay them wages for which the Company (or rather the Settlement, for they were employed on the Public Works) received little or no return. I enclose a copy of a letter recently addressed by Mr Tuckett to myself with reference to this subject. The rate of wages was at this time 18 shillings per week for men with families of more than two children and 16 shillings for men with families of a less number and for single men, which I believe is sufficient to supply the wants of a labouring man at the existing price of the necessaries of life, though it probably would not afford him the opportunity of saving anything. The hours of labour were however short, viz from 7 a.m. to 5 p.m. with a half holiday on Saturday; but against this might be set the fact that many of the men had a considerable distance to travel to and from their work. At the period of my arrival they continued to receive the rate of wages mentioned, and generally avowed their determination not to give any reasonable return so long as the existing system and price were persevered in. One of the gangs as I am informed by their timekeeper, never executed more than 7 cubic yards per man per week, while a tolerably able labourer was capable (as has been proved) of executing 60 cubic yards of work in the same time. The other gangs acted in the same manner, their determination being not to work while they received what they considered Poor Law maintenance and an attempt was made to control them by means of inspection. It was evident after what had occurred that in the defeated & powerless state of the Police Magistrate and with the small number of the middle and upper classes which exists here, the laborers had become the masters of the Settlement, and that the adoption by me of any stringent measures could be attended with no beneficial result and might have proved very injurious not only to the interests of this, but to the Character of the Company's settlements generally. After consultation with Mr Tuckett the Principal Surveyor, Mr Valle, the inspector of Public works and Mr Thompson the assistant inspector, I determined to attempt a system of piece work based upon calculations furnished by Mr Valle, a copy of which I enclose. On proposing the system to the laborers the principal difficulty encountered was the price on which they at first insisted, being one considerably higher than that which Mr Valle's calculations had fixed as the maximum. The gangs in the Waimea East however, with which there has been the most trouble hitherto, have acceded to our terms, having taken the work at 9d the cubic yard in swampy ground, and 8d in dry. The men in the other districts are working on a similar system, but owing to the nature of the ground a uniform price has not yet been fixed among them, nor will it perhaps be possible to fix one. In the meantime the price is left much in the discretion of the inspector. The prices fixed by Mr Valle's calculations are such as would enable a competent labourer, working the whole week, to earn from 30 to 40 shillings, and are therefore at nearly double the proper rate of wages. At present they work only 3 or 4 days and earn in that time a week's subsistence, say 20s the rest of the time the majority spend on cultivating their own land. The only grounds on which such a system can be justified, are 1<sup>st</sup> That in the existing state of the Police in the Settlement it is hopeless to attempt to enforce any system in which the laborers do not themselves concur. 2<sup>nd</sup> Under the former system of day work extending over the whole week at 18 and 16 shillings per man we obtained only one third of the amount of work which we obtain under the piece-work system, at a very slightly increased expenditure. 3<sup>rd</sup> The men executing the piece work in half the week or little more, are enabled to cultivate their own land in the surplus time, which in accordance with instructions given me by yourself on my coming here I am anxious to promote. Indeed it is impossible not to perceive that with the disproportionate amount of private capital and labour in this settlement, the termination of the expenditure of the Public Works fund must be attended with serious consequences unless the labourers are in the meantime rendered in some degree independent by the occupation and cultivation of land. The private Capitalists complain a little of the Public Works affording a temptation to laborers to leave their service; but unless they

can hold out the prospect of being themselves able to employ all the labour in the settlement when the Public Works fund is expended (of which there is no chance) I think it would be a short sighted policy to deprive the laborers of the opportunity of rendering themselves in some degree independent. In the meantime, though the rate of wages is kept rather high (private employers paying 18s a week for an entire weeks work) I have not found that any difficulty exists in their obtaining laborers at that rate. In the only instance of the kind with which I have met, I discharged the parties who had refused private employment, from the public works, so that the private employers might have as little reason to complain as possible; and except under particular circumstances (as when a man may have brought a considerable portion of land into cultivation and by his industry be on the road to independence) I am prepared to act in the same manner by any others who may refuse permanent employment from private hands at a reasonable rate of wages. Under all the circumstances alluded to I can see no other plan which promises a better result. By the former system the Public Works fund was all but absolutely wasted, so small was the return for its expenditure. Neither was it attended by any collateral advantages. Under the present system the return is considerable, if not altogether adequate to the expenditure, and is attended by the collateral advantage arising from the establishment of the laborers upon the land. It is also likely to produce a better moral tone among the laborers, who in this respect were much injured by the habits which the former system engendered. Though their recent conduct has been so culpable, it must be admitted that they have some grounds for dissatisfaction. The prospects held out to them on leaving home have unfortunately not been realized, and probably few of them contemplated the possibility of their being obliged to resort to navigators work as their only resource. To mechanics and the better class of agricultural laborers who expected ample employment in their own occupations, and an early advancement to a superior station, this result must be one of considerable disappointment and the cheerfulness with which they are addicting themselves to the cultivation of land and the attachment which a large proportion of them already manifest for their allotments, speak well both for their own characters and that of the locality. In reference to the employment of such laborers only as the Company is legally bound to employ, I do not find that any attention has hitherto been paid to the distinction. The preliminary expedition men were engaged only for two years and without any promise of future employment; they have therefore now no claim. Since the dispatch of the *Thomas Harrison* no promise of employment has been held out; and all who have come out since that date are also without claim. Many of both these are employed on the Public Works and in the present state of affairs I apprehend that their discharge would be attended with much distress to deserving laborers and be productive of considerable confusion and difficulty in executing the plans I have adopted for the employment of labour. I have felt it necessary also to afford employment to some of the German Immigrants (for reasons which I shall state in a separate despatch) who, as far as I can gather from the despatches received from the Company on the subject, have no claim for employment at their hands. The directions contained in the extract dated 26 Jan 1843 forwarded by you are so express as to leave me little discretion under any ordinary circumstances; but it is impossible when the Directors issued them they could have foreseen the very peculiar position in which their Agent here would be placed at the present time. It has already become necessary to depart very far from the principles upon which the colonization of New Zealand was undertaken, and recent events have rendered it still more difficult to carry out any system preconceived at home for the regulation of the affairs of the Settlement. The principal difficulty at present consists in the disproportion between private capital and labour; the total want of ability on the part of the executive Government to control the slightest disturbance among the working class; and the knowledge which that class has acquired by experience of its own power and the feebleness of the Police.

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Folio 291: Nelson 29 Oct 1843 Frederick Tuckett to William Fox

Sir, I reply to yours of yesterday enclosing a Tender from a party of men at present employed on the Public Works in this Settlement, and requesting my opinion as to the fairness of the terms offered therein. I most beg to be excused from complying with your request on the ground that if my judgment should be opposed to their wishes and inclination I could not express the same in duty to my employers without endangering my own life and precluding all probability of your being able to effect any reasonable arrangement with them. I need not remind you that very recently my endeavours to carry into effect the instructions of the New Zealand Company's

Principal Agent have been defeated by a combined resistance of the laborers; that an armed mob inflamed with alcohol attended the payment of wages at the Agency Office, and with threats of committing murder endeavoured to extort money the disposal of which has been entrusted to me by my employers; that these violent men would brook the exercise of no control over their labour, they would work only when, where, and as little as they pleased, without prejudice to their receiving the same amount of wages; that when I appealed to the Police Magistrate of Nelson, for protection and support in the discharge of my duty, his interference (which was promptly accorded) was met only with more determined and successful violence. One of the rioters whom he arrested was in a moment forcibly liberated by his companions, and there is reason to believe that they were only turned from their intention of taking the lives of several persons administering the affairs of the Settlement, by the Magistrates acknowledging the authority of the mob, and in deference thereto dropping all further legal proceedings against the parties implicated in these anarchical acts. The Magistrates possess (I am informed by a Magistrate) information implicating several parties in a secret conspiracy to take the lives of several individuals. A despatch was sent jointly by the Police Magistrate Mr White and myself to Wellington, laying before our superiors there, the particulars of the violence which had been committed and which was contemplated and a strong representation of our inability to resist. Mr White, our Police Magistrate, assured me that he would resign if the Government representative at Wellington did not give him the necessary aid and support to bring to justice the offenders. The New Zealand Company's Principal Agent acknowledging the receipt of my despatch, stated that he had represented the unfortunate state of our community to Major Richmond, and urged him to afford us adequate protection. Major Richmond on receiving a second despatch forwarded under circumstances of renewed alarm, at length proceeded here in the *North Star*, and, as I am informed, assured her commander and our Magistrates, that our condition did not require any protection or assistance, notwithstanding the law had been outraged with impunity and the Police Magistrate defied and defeated, and a general feeling that the security of life and property was alike threatened by our own Emigrant population as by the maoris, pervaded the community. Information subsequently obtained from parties whose character entitles their opinion to respect and consideration shews that our representations of the extent of the danger apprehended was unexaggerated. Yet I am assured that Major Richmond smiled with complacency and apathy at every representation, and persisted in declaring that our fears were groundless, reduced the number of constables, which was then wholly insufficient, and dismissed the military and naval force which had so opportunely arrived. To a Knowledge of the vicinity of which force we attribute under Providence our preservation from a violent death. As a British subject I demand protection from the representatives of my Government. I am ready to affirm that I consider I cannot discharge my duty without endangering my life, that the life of the Government representative here was threatened, and that he opposed in self defence weapon to weapon. He saved his life, but his magisterial authority was then extinguished, and we are now in a state of anarchy. Mr Thompson, whose duty it is to inspect the labour of the party of men who have submitted the tender for your approbation, informs me that he has been cautioned if he has any regard for his life, not to be a party to grinding the laborers, in other words, that they will dictate to their employers the scale of remuneration of labour; and although this was uttered by a man in liquor, yet I regard it only as his indiscreet betrayal of their combined and sober determination. I beg to acknowledge my abstract obligation to my employers, to comply with your intentions, and though you should not consider my refusal as justified by the circumstances adduced, yet you will not impute it to any feeling of personal disrespect. In alluding to the fact that men who openly resisted the representative of Government here, and who also meditated the commission of murder, have not been brought to justice, I beg to disclaim entertaining any desire that such a step should be taken for my gratification or security, or that its being effected would now conduce to restore that respect for the laws and wholesome dread of violating them, which is a constituent element of civilised society. What I desire for the community here, and what I have a right to expect from the Government, are measures of prevention, which at once would deter men from the perpetration of such crimes, and afford adequate security and protection. It is not for me to attribute a motive for the inexplicable act of its having been withheld and refused; its effect has been to inflict and injury on this Settlement, from the grievance of which it cannot easily recover.

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Folio 294: Nelson 24 Sep 1843 Philip Valle to Frederick Tuckett

Sir, I have made a calculation to shew the advantage of piece work in the Public Works. It is founded on the average work done by 106 men in the Waimea East in six days compared with what is likely to be done by a majority of them there by task work. I have done myself the pleasure to forward it to you thinking that it might be of use in reference to the subject of the memorial at the bank, and perhaps give you and Mr Fox some information. It was a tedious work accurately to reduce to one average the different Kinds of labour, the cutting the flax, the making new and enlarging the old ditches, and the throwing out level the freshly removed and old heaped earth from their sides into the centre of the roads; but I believe that I am near the truth, after allowing the labourers the benefit of the small fractions.

Pay of 106 men, being 101 laborers at 16s and 18s and five overseers at 25s per week at the Waimea East, week ending 16 Sep 1843 - £87 17s 10d. This would give for 95 laborers and five overseers at the same pay per week, 100 men - £83 0s 10d.

Work done by the various gangs at Waimea East

Gangmen	No of men	Time	Cubic yards	Occupation	Average weekly	Average per man	Character of work and ground
Ives	25	3 wks	604	Ditching, cutting the flax & throwing the earth from the ditches into the centre of the roads	201 1/3	8 1/27	Dry marsh
Knock	19	2 wks	317 4/27		158 15/27	8 9/27	Wet swamp
Walker	20	2 wks	452		226	11 9/27	Wet swamp
Durrant	22	8 days	335 10/27		251 9/27	11 11/27	Dry ground
King	20	9 days	353		236	11 22/27	Dry ground
	106		2061 14/27		1073 6/27	10 5/27	

This gives for 100 men, 1013 16/106 cubic yards per week. The character of the work and ground under Durrant and King allows of much more work being done than where Knock and Walker are. Though ditching and facing be done at from 3d to 4d per cubic yard in fern dry land, it would cost more to clear flax from a 52 feet road to dig the side ditches, and to spread the earth from them properly in the centre of the road over a very rough swampy surface. A good outdoor labourer could do well 48 to 50 cubic yards per week at 6d per cubic yard would give 25s or 7s per week above the present pay, for six hours more work, viz two hours on Monday and four on Saturday. But this is more than an artisan can do. He might accomplish from 30 to 36 cubic yards. Medium, 40 cubic yards at 6d – 20s. But some of the men have hinted to me, through a timekeeper that they would take weekly piece work at 9d per cubic yard for their weekly pay. This is high: but they are willing to employ their spare time on land which they have or will take, and would bind themselves to do so, which is an agreement worth purchasing. Doubtless the men name this sum because Walker on the spot has had the same amount proposed to him: examples which are now very difficult to overcome. Let me suppose eightpence per cubic yard, dug spread and cleared were accepted by the men: that for the pay of 16s per week would give 24 cubic yards per week per man.

Then 100 men at 16s each per week	£80
Five overseers at 3s extra	£ 0 15s
Total 100 men	£80 15s
100 men's cost as per contra	£83 0s 10d
Leaving to the Landowners fund per week	£2 5s 10d

But let me suppose the men's terms were accepted. Then 9d per cubic yard, dug spread and cleared, would give 18s per week for 24 cubic yards per man. This is the amount which about 1/4<sup>th</sup> of the men now receive.

Then 100 men at 18s each per week	£90
Five overseers at 3s extra	<u>£0 15s</u>
Total 100 men	£90 15s
Present cost of 100 men as per contra	<u>£83 0s 10d</u>
Increased charge to the land owners fund per week	<u>£7 14s 2d</u>

But with this last amount, I think the men might be expected to find their own tools. I have made this calculation upon the principle that laborers equal work should have equal pay. But if it should be thought necessary to allow a gratuity to those who have infant families at the rate of a given sum per week per child under 14 years of age, that could be given out of some other fund, belonging to the New Zealand Company, but should not come out of the land owners labour fund.

Now 100 men at 24 cubic yards per man per week	2400 cubic yards
100 men as shown above	1013 16/106
Gain to the Colony per week on 100 men's work	1386 90/106 cubic yards

As labour  $\times 2 \frac{373}{1013}$  (about  $2\frac{1}{3}$ ) is to expense  $\times$  (about)  $1/11^{\text{th}}$  minus tools or taking the average of the present swamp labour

As labour  $\times 2 \frac{3}{5}$  is to expense  $\times 1/11^{\text{th}}$  – tools

But under this plan of piece work there would be no need of time-keepers; that therefore would be one expense saved viz

Three timekeepers at 25s per week = 75s which is	£195 per annum
Extra expense, as above at 18s per 24 cubic yards per week	<u>£400 16s 8d</u>
Extra charge per annum on the land owners fund for 100 men, less tools	<u>£205 16s 8d</u>

In the swamp in the east Waimea there are ditches six feet wide top, two feet bottom, by four feet deep: five feet wide top, two feet bottom, by four feet deep – and for feed wide top, two feet, by three feet deep. The average of these gives  $1 \frac{12}{27}$  cubic yards for one SI yard. Thus 100 men would average weekly  $1661 \frac{21}{39}$  SI yards, on  $7\frac{1}{2}$  furlongs, nearly one mile; or  $24\frac{1}{2}$  miles in six months, being  $12 \frac{1}{4}$  miles of road in the same time. Thus under the laborers own terms of 9d per cubic yard the Colony would gain double and three fifths more work per week, than it gets now, at an extra expense per annum of only £205 16s 8d, which would be a very small bonus to fix a body of men upon land which they will cultivate and consequently gradually reduce the number of men who claim subsistence from the New Zealand Company. I think at first about one half the men would gradually fall into these terms, and that ultimately, example and shame would bring in from  $\frac{3}{4}$  to  $5/6$ ths, but I fear that there will always remain a worthless crew who will do nothing.

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Folio 296: Nelson 01 Nov 1843 William Fox to Colonel Wakefield

Sir, I beg to inform you that on the receipt of your despatch of the 23<sup>rd</sup> September relative to the appointment of Immigration Agent in this Settlement I gave notice to Dr McShane, who has held that office since the death of Mr Young, that his services would be dispensed with, in pursuance of the Resolution of the Court of Directors referred to in your Despatch. At the time when the Court came to the determination, that six months notice was not due to Mr Young's successor, the Directors could not be aware of the difficult position in which the Resident Agent would be placed by the sudden suspension of the office of Immigration Agent. There are no nearly 300 persons employed upon the public works in this Settlement giving rise to a multiplicity of applications and investigations which can only be properly conducted by an officer possessed of that acquaintance with the Emigrants which the Immigration Agent possesses. The temper which has lately been manifested by the laborers and the attempts which I am making to carry out a more efficient system of employment, render the services of the Immigration Agent absolutely essential at this moment, and in the absence of Mr Bell (Dr McShane's successor) at Auckland for some weeks, it would be impossible, if I were immediately deprived of the services of the latter, that I could carry on the Public Work department with efficiency. I have therefore requested

Dr McShane to retain his office and salary till Mr Bell's return which he has consented to do. The Directors probably conceive that except in connection with the disembarkations and just disposal of Immigrants the office of Immigration Agent is nearly a sinecure. It would be such if the employment of so many laborers by the Company on the Public Works did not require the continual attention of that officer, without whose check every species of imposition would be practised. I may perhaps be permitted to add that in Dr McShane I have found a most efficient coadjutor, and that the Company have at his hands received the services of a very able and faithful servant.

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Folio 298: Nelson 07 Nov 1843 William Fox to Colonel Wakefield

Sir, I beg to enclose copies of a correspondence between Mr Beit and myself relative to the German Immigrants in this Settlement. I find in the office here very little information respecting them, or the intentions of the Company with regard to them. My impression as expressed in the enclosed correspondence, has been since confirmed by Mr Dillon Bell, who is ignorant of the Company's lying under any obligation to maintain or employ them. Mr Beit having however so distinctly disclaimed any such obligation on his part, and having unfortunately suffered serious misunderstandings to arise between himself and them, which preclude the possibility of his being useful to them if he possessed the inclination, I have felt it necessary to take some of them into the employment of the Company upon the Public Works.

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Folio 300: Wellington 23 Dec 1843 Colonel Wakefield to ?

Sir, I have to forward you the submission to the Court of Directors the copies of a correspondence which took place between the Chief Police Magistrate, of Cook's Strait, Major Richmond, and myself relative to the survey of the Wairau plain and the robbery of a boat belonging to the Company.

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Folio 302: Wellington 22 Sep 1843 Major Richmond to Colonel Wakefield

Sir, A report having just reached me that a party from the Company's Survey Department at Nelson had proceeded to the Wairau, and recommended the Survey of that District, I lose no time in making you acquainted with it, but I can scarcely, after the conversation which took place between us on the subject in July last, give credit to the rumour, and feel convinced, that if true the measure has been adopted without your sanction or knowledge. I referred the question you put to me at Nelson to His Excellency the Officer administering the Government and pending his reply, you will I am persuaded, see the necessity of putting a stop to their proceeding with a work in such direct opposition to His Excellency's Proclamation, and so calculated, from the excitement it will create among the natives who lay claim to that District, to bring on another collision, which in the present state of feeling of both races would no doubt be attended with the most fatal consequences.

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Folio 304: Wellington 23 Sep 1843 Colonel Wakefield to Major Richmond, 96<sup>th</sup> Regiment, Chief Police Magistrate - Sir, I have the honor to acknowledge the receipt of your letter of yesterday respecting the survey of the Wairao district, which, as you correctly supposed, has been recommenced without my sanction or knowledge. The person who is thus engaged is not in the New Zealand Company's employment, but had taken a contract to survey a portion of the Wairao valley which he is now desirous to complete in order that he may receive payment as stipulated, upon the completion of the work. Since receiving your letter I have had a communication from the Company's Resident Agent at Nelson from which I extract the following passages for your information.

"I found on my arrival that Mr Parkinson one of the Contractors for the Survey of the Wairao plain had chosen to proceed there again with the intention of completing his contract if possible. This of course he did upon his own responsibility and not under the authority of the New Zealand Company. Previously to his departure an attempt was made by Mr White the Police Magistrate to bind him over to answer any charge which might be brought against him a proceeding which I presume was beyond the legal power of the Magistrate since on Mr Parkinson's refusal to submit to it the attempt was abandoned. Mr Parkinson himself proceeded over land and has not since been heard of; but a boat which he sent round to Cloudy Bay with provisions was not permitted to land them, and has returned without having communicated with Mr Parkinson. The native chief E'Powaha has written to Mr Tuckett to the effect that before the surveys are proceeded with the land must be paid for."

"I regret to say that the Natives at Motueka have commenced aggressions and have attacked assaulted and driven off a number of settlers who had recently been placed upon a section there. This they did with the late Government proclamation in one hand whilst they flourished their tomahawks with the other. I understand that Mr White the Police Magistrate has proceeded there this morning for the purpose of making some enquiries respecting the affair."

"The Company's boat which was stolen by the natives after the massacre at Wairao was seen in their possession a few days since by Mr Parkinson's boatmen, cruising about in Cloudy Bay. Its loss is a considerable inconvenience to us here; and the fact of the Natives being allowed to retain it cannot but encourage them in the aggressive temper they manifest, since its exercise is attended with such beneficial results to them. I would suggest the propriety of an application being made to the Commander of the *North Star* to lend the assistance of that vessel or of her boats to enforce the restoration of the Company's boat. I observe in one of Major Bunbury's despatches printed in the Parliamentary papers relative to New Zealand for 1841 page 111 the theft of a boat by the natives from a private individual was considered a proper case for the interference of Her Majesty's ship *Herald* and that the threat of such interference was sufficient to procure the restoration of the boat."

I shall take the earliest opportunity of instructing the Company's Agent at Nelson in no way to sanction or countenance the progress of the survey at the Wairao by the contractors until authorised so to do.

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Folio 308: Wellington 17 Oct 1843 Major Richmond to Colonel Wakefield

Sir, After receiving your letter of the 23<sup>rd</sup> ultimo and the verbal communication you made before my departure from Wellington, I was greatly surprised, on my arrival at Nelson, to find that the survey of the District of the Wairau was still in progress, and feel persuaded that your instructions on this subject must either have been misunderstood, or not received, I therefore trust you will see the necessity of sending others by the earliest opportunity so as to insure a stop being put to a work which is fraught with so much danger to the whole community, in the meantime in order to prevent any mischief accruing (which decidedly would be the case were it to come to the knowledge of the natives) Mr Parkinson at my request has suspended the survey until further directions are received from you.

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Folio 310: Wellington 17 Oct 1843 Major Richmond to Colonel Wakefield

Sir, In consequence of your repeated communications relative to the detention of the New Zealand Company's boat by the Natives I requested the interference of Sir Everard Home, and have the satisfaction of acquainting you that it has been willingly given up to us, and conveyed in the *North Star* to Nelson, where it was delivered over to the Resident Agent for the Company.

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Folio 312: Wellington 18 Oct 1843 Colonel Wakefield to Major Richmond

Sir, I have the honor to acknowledge the receipt of your two letters of yesterday's date informing me that Mr Parkinson had, notwithstanding my directions to the Resident Agent of the New Zealand Company, persisted in the survey of the Wairau district and that the Company's boat taken at Wairau had been given up by the Natives and conveyed to Nelson by the *North Star* frigate. In reference to the former subject I beg to repeat that Mr Parkinson is not a servant of the New Zealand Company and that he continued the survey in direct opposition to the wishes of the Chief Surveyor of the Company at Nelson repeatedly expressed to him. I cannot, therefore, in any way consider the Company's servants responsible for his conduct. For your satisfaction I beg to enclose an extract from a letter of mine to the Resident Agent at Nelson under date the 23<sup>rd</sup> ultimo. I beg you will accept my acknowledgments of the prompt attention paid by you to my request that the Company's boat should be demanded of the natives and to have the kindness to tender to Captain Sir Everard Home my thanks on the part of the Company for his successful efforts for its restoration and for its safe conveyance to Nelson.

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Folio 314: Wellington 23 Dec 1843 Colonel Wakefield to Secretary NZ Company

Sir, I herewith forward to you for submission to the Court of Directors of the Company the despatches... from the Company's Resident Agent at Nelson. I shall be glad to learn that the Directors confirm my concurrence in Mr Fox's proceedings relative to the German immigrants. During my stay at Nelson last July and ever since, Mr Beit has persevered in the course which he had adopted previously of denying all liability to employ or maintain his countrymen and I regret to be obliged to say, of embarrassing the Company's other agents by opposition to their measures to reconcile this useful body of settlers with whom, as you have previously been made aware, he had disputes during their voyage to this country. In forwarding a copy of the estimate of expenditure for this month, I beg to refer to my former letters on the subject of the great outlay of money now in progress in the Nelson settlement and to remind the Directors that the want of a sufficient Police force in the settlement and of military to suppress combinations amongst the workmen render any attempt at reduction of expenditure on public works and maintenance of the labouring classes unavailable. I trust, however, that representations which I purpose making to the new Governor, now shortly expected here, on the subject, will not be without effect. The Company's servants will then upon the cessation of employment of men upon "public works" be in a position to resist the violent proceedings of the laborers when refused employment and the latter will be compelled as in this settlement to betake themselves to the hire and cultivation of land for their support.

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Folio 316: Nelson 20 Nov 1843 William Fox to Colonel Wakefield

Sir, I beg to acknowledge the receipt on the 18<sup>th</sup> instant, of your despatches... With reference to your recommendation to discontinue any further expense connected with the fortification and special constabulary force, I have to inform you that on Major Richmond's refusal to give a guarantee similar to that given by Mr White, I entirely discontinued the expenditure connected with the Police department, and ceased to authorize any further expenditure on the fortifications, except for the purpose of completing such portions as, if incomplete, would have rendered the previous expenditure useless, and have left what was already done liable to injury arising from its imperfect condition. It was indeed very nearly completed at the period of Major Richmond's visit, and almost the whole of the expense was incurred previously to that event. With reference to the reduction of the General Expenditure of the Company in this Settlement, the subject is one which engrosses much of my attention, and I endeavour to keep the expenses down as much as I possibly can. On the employment of the laborers on the Public Works I have already addressed you at some length, and shall continue to report upon the subject from time to time. It is probable that in future I might occasionally be able to negotiate the Company's bills, otherwise than through the Bank, and thereby save the discount – but I apprehend, unless adopted to a very limited extent, the practice would bring the Company into collision with the Bank, and disturb the understanding under which business has hitherto been transacted between them. I enclose an Estimate of Expenditure for December, made up as exactly as it is possible to anticipate it, at this interval. With regards to the funds to meet the necessary purchases of stores &c, for the service of the Settlement, I am in hopes before long, of much curtailing the amount required in that department, but I am afraid it will not be practicable to effect such purchases in the way you direct – viz by Bills, unless indeed by my drawing upon yourself at Wellington, which I presume may be done. The distance and present uncertain intercourse between this place and Wellington, would almost invariably prove, as I am assured, an insurmountable obstacle in the way of accomplishing advantageous purchases by Bills upon England which should not be at once forthcoming.

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Folio 318: Nelson Settlement – Estimate of Expenditure for the month of December 1843

Salaries of Quarter ending on the 31<sup>st</sup>

Agent, at the rate of £300 per annum from 04 September	£100
Clerk to Agent at £150 per annum	£37 10s
Immigration Agent & Medical Officer at £300	£75
Storekeeper at £120 (for the month only)	£10
Accountant at £200 (for the month only)	£16 13s 4d
Clerk in Office at 21s per week	£5 5s
<b>TOTAL</b>	<b>£244 8s 4d</b>

Wages of (about 320) road laborers, with salaries of two Superintendents – Mr Valle for Mr Thompson, the former at £200 per annum, the other at £3 per week – appointment dating from 21<sup>st</sup> September last £1600

Wages of Blacksmith, Issuer of Stores, Overseer of Company's wood, two Boatmen and Hospital nurse £29; Pensions of 11 widows and two wounded men £55; Carriage of rations to road parties and surveyors £10; Post Office account for last nine months £6; Remuneration of exploring party (Messrs Spooner and Heaphy) £100; Other incidental charges £10 - TOTAL £210

Salary for half year (from June 30) of Chief Surveyor at £400 per annum	£200
Commutation allowance of Chief Surveyor for the Qter ending 31 Dec at 7s per diem	£32 14s
<b>Total</b>	<b>£232 14s</b>

Total so far £2054 8s 4d

A separate Bill for this amount will be necessary as Mr Tuckett expresses a wish to receive it in a Bill.

Salaries for two assistant surveyors, Messrs Davison & Brunner at £150 per annum with 5s per diem Commutation allowance	£121
Three improvers (Torlesse, Pelichet & Boys) at £2 16s per week	£42
Wages of ten survey laborers	£45
Contract Surveyor (Mr Budge)	£300
For purchase of Provisions and other stores	£200
Grand Total	£2995 2s 4d

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Folio 319: Nelson 21 Nov 1843 William Fox to Colonel Wakefield

Sir, Mr Beit (the German Immigration Agent) has informed me that it is his intention to write to Messrs De Chapeaurouge and Co, the Charterers of the *St Pauli*, to request those gentlemen to recover from the New Zealand Company, a sum of £2 13s expended by him for Hospital expenses connected with the Immigrants on board that vessel. It might perhaps have been excusable, if I had prevented the matter being referred home, by paying Mr Beit the amount, but Mr Beit being inclined to attribute to the New Zealand Company a greater degree of liability, connected with the German expedition, that from the Despatches received here, I have any reason to believe the Company ever contemplated, I have felt it my duty not to sanction any claims made by that gentleman, which do not come clearly within the Company's intentions. A contrary course would I am afraid lead to many similar applications, which it would be difficult to refuse if Mr Beit could produce a precedent for insisting upon them. With reference to this particular transaction the Company as far as I can gather from the few documents in my possession, simply took passages on board the *St Pauli* (chartered by Messrs De Chapeaurouge & Co on their own account) at so much per head; and the price fixed upon was I presume intended to cover all incidental expences. This seems to be the intention of Mr Ward's letter to Mr Beit in relation to the subject dated 20<sup>th</sup> September 1842, and for the reasons hinted at above I am unwilling to do anything which might be construed to admit a larger liability on the part of the Company.

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Folio 321: Nelson 01 Dec 1843 William Fox to Colonel Wakefield

Sir, Having recently visited the various parts of this Settlement, in which the cultivation of land is progressing I have thought that a cursory account of the proceedings of the agriculturalists may not be uninteresting to the Directors. The Waimea plain is, as you are aware, the nearest available land, of any extent, to the town. It is entirely level, bounded on the East by mountains, on the west by a range of low barren hills separating it from the Moutere district, on the North by the bay, and converging on the South into a valley, through which flows the river Wai-iti from which the valley has its name. The plain commences about three miles south of Nelson. It consists partly of fern land, and partly of flax swamps, the former perfectly dry, and the latter capable of easy drainage, which is indeed effected in a great degree by the roads at present forming through the district. When drained, the quality of the flax land is very good; it bears a much better crop than the fern land, which appears to be soured or exhausted and requires exposure and tillage before it becomes very productive. The facilities however which fern land offers, compared with bush or flax land, has induced a large proportion of the settlers to prefer it for their first operations. On entering the plain from Nelson, the first cultivations met with are those of Messrs Thorpe, Ward, and Songer, each of whom has enclosed about five acres, which are at present cropped with barley and potatoes. The two latter are possessed of teams of bullocks, some milche Kine and pigs. A little further on are Messrs Rowe and Smith, the latter located on a swampy section partially drained by the road drains which bound it; he has three or four acres cropped with wheat and potatoes, looking remarkably well. He has also a couple of milche Kine and some heifers. For four or five miles south there are no occupants till we arrive at what is called the Waimea village, immediately after crossing the Wairoa & Wai-iti rivers which here run within a couple of hundred yards of each other. Here Mr Kerr, a Scotch farmer who has received considerable assistance from the Company, is cultivating two adjoining sections (a Colonial and a Company section). He has about 70 acres in crop, wheat, barley, oats, potatoes and turnips, looking on the whole very well, though here and there the corn crops indicate by

their colour the sourness of the soil. He has built a tolerable farm house and a large barn with stockyard and other outbuildings. He has two teams of bullocks and generally employs one or two more teams entrusted to him, to be broken in; milk cattle, pigs, and one or two horses. Adjoining Mr Kerr's are the Messrs Tytlers, who have enclosed the greater part of one section and have about 30 acres in crop (corn and potatoes) presenting a very similar appearance to Kerr's. They have also teams of bullocks, cows, pigs, poultry &c and have built a neat residence called Aldowrie. Adjoining Messrs Tytlers and Mr Kerr's sections are the Messrs Cooke (brothers). They have got about six acres in cultivation, have built a house, and are possessed of bullocks and other cattle. About a mile lower down the river is the Hon. C. A. Dillon, who has enclosed one section, and has about 15 acres in crop (corn and potatoes). He has also a considerable herd of cattle, both for stock and dairy purposes, teams of bullocks, a horse, pigs, poultry &c. His house is one of Mannings, which he brought out from England. Adjoining Mr Dillon is Lieut. Newcome, who has fenced in one Section, but not yet got more than four or five acres under crop. He has not at present any cattle and appears diffident of embarking in any operations which would involve an extensive outlay. A little further Northwest is Mr Redwood, formerly a Staffordshire farmer; his attention has been chiefly turned to grazing and dairy pursuits; he supplies a considerable quantity of the meat consumed in Nelson, both beef and mutton, and sends between 40 and 50 pounds of butter to market weekly. He has also a few acres under crop, and has built the best farm house in the Settlement. Nearer the river is Dr Monro, a son I believe of the professor of that name in Edinburgh. He has between two and three hundred sheep, and has enclosed about ten acres part of which is in crop. He has also built a comfortable house. Between Messrs Tytlers and Mr Dillon's sections a chapel is at present being erected under the superintendence of the Rev Mr Reay, which being of an orthodox design with chancel tower and belfry, recalls the recollections of English scenery, and is an appropriate addition to the fields in this neighbourhood, which already give it somewhat of the appearance of an agricultural district at home. Lower down the river than Dr Monro, are Messrs Palmer, Hipplesley, and Thompson. The first is, I believe, much occupied in carrying for the Company and other parties, having a good team of oxen. The two latter are farming actively and have several acres each in cultivation (Mr Hipplesley has 30 and Mr Thompson 15). Returning to Mr Kerr's and re-crossing the rivers eastward, we come to Mr Duppa's station. He is chiefly engaged in grazing and dairy pursuits, and has a considerable herd of remarkably well selected cattle, from which he supplies Nelson with beef of the very finest quality. He also sends to the Nelson market about 60 pounds butter per week and at present makes a cheese per day. He is erecting a neat house on the Swiss model, and proceeding with the fencing of his section, a considerable part of which I believe he will crop next season. Again crossing the Wairoa (which here trends westward) and advancing southward we come to Mr Hildreth's (Mount Heseltine) who with Mr Sterling is cultivating industriously. They have recently had the misfortune to be burnt out and lost property and money to a very serious amount, including the whole of his furniture and all the clothing of themselves and family. They are however not disheartened but proceeding with the cultivation of their section and the re-erection of their house. A little further south is Mr McRae, who is cultivating a section late belonging to Capt England who lost his life at the Wairou. He has several acres in crop, a team of bullocks and a considerable herd of cattle. Beyond this point southward there are no settlers of any capital, but a number of labouring men have established themselves at Wakefield Village, at the entrance of the Wai-iti valley, on a Colonial Section (on terms of purchase) and on a section belonging to Mr Saxton, where they occupy say five acres each, of which they have in cultivation from a few rods to an acre and a half a man. They are all employed upon the roads in the neighbourhood and considering that the land they occupy is bush land, though not heavily timbered, and that they have only been on the spot for about eight months, the result speaks favourably for their industry. They have established a Sunday School which is attended by nearly 30 children, and are erecting a chapel at their own cost, except a few trifling donations. The above mentioned are the whole of the settlers cultivating in the Waimea and Wai-iti; except a few scattered cottages here and there. On the west side of the plain commences a barren tract of undulating ground, extending about eight miles westward till we arrive at the Moutere district; where several of the men employed upon the Public Works in the district are located; but with a few exceptions they have done little towards cultivation. Here also the German missionaries, Messrs Wohlers & Riemenschneider, have a section; the former has a taste for agricultural pursuits and with two schoolmasters of the party is making a fair progress

towards the cultivation of the section. Mr Reimenschneider is less inclined to agriculture and attends chiefly to the spiritual affairs of that portion of the Germs who are living in and about Nelson. These gentlemen appear very well qualified for the office they have undertaken, and I am happy to have an opportunity of referring to the interest which they take in the welfare of the German Immigrants, and the assistance I have received at their hands, of which, owing to the unfortunate misunderstandings between the German Immigration Agent and the Immigrants, I have occasionally stood in need. On a Colonial Section adjoining that of the missionaries eight families of Germans and two single men are living. They have the Section on terms of purchase, having been placed upon it by Col Wakefield when here. I am at present employing them on the public works in their neighbourhood; they have had considerable difficulties to contend with, and having been only about three months on the land have not yet done much towards its cultivation; but they are industrious, frugal, and contented, and I think will form a valuable body of settlers when they are fairly established. Leaving the unavailable part of the Moutere district to the left and keeping along a range of fern hills for about eight miles westward, again descending and crossing the Moutere river about a mile from the mouth, we enter the Motueka district, where the first settlers encountered are Messrs Murray, Morse and Rodgers, who are cultivating in partnership. They arrived in the Colony by the *Mary* in August last, and lost no time in proceeding to their land, where they have commenced operations with great spirit. They will probably have 12 acres in crop this season; and have already built a good Pisá house, large enough to accommodate all the party. A mile further west is Dr Greenwood, a gentleman of education and general experience, married with a large family. He has not been long on his land, and its swampy nature required considerable drainage; which he has effected, and is now building a very substantial log-house. Near to Dr Greenwood is Mr Fearon, an active settler. He has cleared an acre of bush land and cropped it and a little adjoining fern & flax land. Further west are Messrs Moore and Heaphy, who have cropped two or three acres of bush land. Capt Thoms has here erected a saw mill worked by a water wheel of 20 horse power, which is now in operation and likely to work to a profit. Some orders have been received for Hobart Town, where good timber is scarce and probably some of the Australian Colonies will prove customers. There is also a considerable demand for sawn timber in this Settlement. In this district there are also several cottages but few of them have done much towards cultivation. A number of roadmen had taken a Colonial Section here, but were recently driven off by the natives with much violence, which has deterred them and others from taking land. I believe however that confidence is so far restored that some of the most courageous of the number are again inclined to try the experiment. Crossing the Motueka, a walk of four miles brings us to the Riwaka valley, a very pretty part of this settlement. The principal settler here is Mr Stephens, late assistant surveyor to the Company, who has built a house, and got three or four acres in crop (barley and potatoes). He has a cow and some smaller stock. Mr Brunner (one of the Improvers) has brought two or three acres into cultivation and built a house. A considerable number of small occupiers are to be found here, among whom one of the name of Askew deserves particular mention for his industry and perseverance. He has induced several others to take land, and some to remain upon it who were about quitting it. He has established a Sunday School in his own house. I have now mentioned all the agriculturalists to the South and Westward of Nelson. Northward, extending as far as Waka-pah-Waka, a few Sections have been given out, and Messrs Jollie, Tod and Wells have built and are cultivating. Mr Jollie has about six acres in crop, a team of bullocks, two cows, calves &c. Mr Wells has four or five acres in crop, and cows. Mr Tod has a considerable dairy and herd of cattle. There are also a few labouring men cultivating on a small scale in this district. The Brook St and Maitai valleys and the Wood which are in the immediate neighbourhood of the town, contain several respectable settlers, but there is little beyond garden cultivation going on in them. Many of the cottagers who live in the town, particularly in Little Scotland and near the Eel Pond, have gardens carefully cultivated. Upon the whole the agricultural progress of this settlement appears satisfactory, considering the capital which has been brought to bear upon it, and if the tranquillity which at the moment exists can be preserved, a few years will probably see it in a very prosperous state. I feel bound however to lose no opportunity of calling the attention of the Directors to the relative proportion of labour and private capital in the settlement; the former so greatly exceeding the demand which the latter can create, that if the Company's expenditure on the public works should cease while the proportion continues as at present, very serious consequences may be anticipated. The labouring class do not as a body make such

progress in the cultivation of land, as would justify me in expecting that many of them will be independent at the termination of the period appointed by Lord Stanley for the expenditure of the Public Works fund and unless some other source of employment arises in the meantime much distress will ensue, which if the settlement should remain in its present unprotected state, may lead to disturbances, which would prove a serious check to its further advancement.

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Folio 327: Nelson 11 Dec 1843 William Fox to Colonel Wakefield

Sir, I have been recently applied to by Messrs John Beit & Sons, for a grant of timber to be cut on the Company's lands for the purpose of assisting them in the erection of a wharf and warehouses. I was prepared to give them the assistance they requested, but on further enquiry learned that it was intended to erect the project building upon the ground between high and low water mark in front of the unsold section 29 on the Town plan. The sections which abut upon Wakefield Quay (of which 29 is one) and those along the Haven road (a continuation of Wakefield Quay) have very little to recommend them except their water frontage; with a view to that advantage they have been selected for early choices in many instances, and if deprived of it, I should consider their value almost entirely destroyed. The ground between high and low water, vests in the Crown, and in the correspondence I had with Messrs Beit upon the subject I was given to understand that those gentlemen had received from the local Government a grant of the portion in front of section 29. On conferring with the Police Magistrate I ascertained however that this was not the case; but that they had obtained a sort of squatting license from him, relying on which they intended commencing their buildings, in expectation that, when completed, they would be able to obtain a grant from the Crown. In consequence of this information, I have addressed to the Police Magistrate a protest against such grant, which he has undertaken to forward to Auckland. I think it necessary to call your immediate attention to the subject, as it involves a very serious question affecting the value of the Town sections, supposed at the time of selection to enjoy a water frontage. If the Crown should make grants of the land between high and low water mark to others than the owners of the sections, it will deprive their property of its most valuable ingredient, and unless required for purposes of public utility (and not merely for private speculation such as that of Messrs Beit) it can scarcely be regarded as an equitable exercise of the right of the Crown. The question derives additional importance from the fact that it equally affects the water frontage in the other settlements.

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Folio 329: Nelson 14 Dec 1843 William Fox to Colonel Wakefield

Sir, In accordance with your instructions given to me on leaving Wellington, I lately despatched an exploring party into the interior in the hope of discovering some extensive plains, which there was reason to believe, from the reports of the natives, existed within a moderate distance to the South West of this place. I regret to say that the expedition has not been attended with any other result, than that of affording tolerably conclusive evidence that there is no land in the direction referred to worth occupation, within such a distance of Nelson, as would make it of importance to the Settlement. A valley of about ten thousand acres of land of inferior quality was all that was discovered, and this so far off as not to be available. The report of the exploring party, which was conducted by Messrs Spooner and Heaphy will be found printed at length in the Nelson Examiner of the 9<sup>th</sup>... In the same number of the Examiner is a Report of a journey undertaken by Mr Tuckett and some other Gentlemen, with the object of examining a short route to the Wairau plain, lately pointed out by some Natives of the Rhangitane tribe, and partly travelled previously in their company by Messrs Drake and Parkinson. This expedition was frustrated by the flooded state of the Pelorus River, but at the suggestion of Mr Tuckett I have since despatched him and Mr Parkinson by sea to the Pelorus which they will ascend in the expectation of reaching the Kituni valley which is understood to communicate with the Wairau plain. It is an object of much importance to abridge the distance between this place and the Wairau plain which seem now to be the only district adapted to supply the deficiency of the rural lands of this settlement. Since the above was written Mr Tuckett and his party have returned from the Pelorus in consequence of having encountered several canoes of natives shortly after entering the river, under circumstances which induced them to think it unsafe to proceed, or at all events likely to frustrate their intended interview with the remnant of the Rangitane natives, who were to have acted as guides from the river to the Wairau. I have since conferred with Mr Parkinson, and he persists in his original opinion as to the feasibility of a cattle road by the route

he previously travelled, in opposition to Mr Tucketts opinion on the subject, and I still hope when we are relieved from the interruptions of the Natives, it may be effected.

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Folio 331: Nelson 15 Dec 1843 William Fox to Colonel Wakefield

Sir, I have been applied to by Mr T. K. Warburton to exchange Section 201 Company's Reserve on Town plan, for section 499, Town plan, chosen for his brother now in England, to whom he has written on the subject. Mr Warburton has squatted upon section 201 and erected a wooden house, occupied by him as the Collingwood Arms public house, which, as well as superiority of situation, induces him to desire the exchange. It is very desirable in some instances to effect exchanges of suburban and rural sections when it facilitates the operations of agriculturalists, but the same reason does not apply to Town lands, and I fear that if a precedent for exchange of the latter were established, it would give rise to innumerable applications have no other foundation than the caprice of their owners, and productive of no advantage to the Settlement. I have therefore declined acceding to Mr Warburton's request, but at his desire have undertaken to communicate it to the Board of Directors, and to request a reply at their earliest convenience.

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Folio 332: Nelson 18 Dec 1843 William Fox to Colonel Wakefield

Sir, I have to inform you that I have lent the sum of one hundred pounds to Mr Hildreth on the security of a mortgage of his Town and accommodation sections, and his order of choice for rural lands. Mr Hildreth had the misfortune to have his house in the South Waimea, destroyed by fire in the course of last month, and lost everything he possessed, including his clothes and money – altogether to the amount of £300 in value. He is a married man, with a family, and by this misfortune was reduced to a state of total destitution, and rendered incapable of continuing his farming operations. On his applying to me for assistance, I made enquiries, as to his character and credit, of the manager of the Bank and other parties, the result of which was so favourable that I thought it proper to assist him to the extent mentioned.

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Folio 334: Nelson 19 Dec 1843 William Fox to Colonel Wakefield

Sir, In the correspondence between the Colonial Office and the New Zealand Company, which occurred in the months of July and August 1842, published in the Parliamentary papers of that year relative to New Zealand, the Company binds itself to expend the sum of £40,000 stipulated to be expended on the Public Works "within two years from the 1<sup>st</sup> January 1842, with the reservation of a year of grace, if in the opinion of the Company and the Secretary of State, circumstances might seem to call for such an extension of time. For the guidance of the Board of Directors in this matter, I beg to inform you that on a rough estimate the sum of £16,000 has been expended to this date on the public objects, such as roads, bridges and the like, specified in the terms of purchase of the Nelson Settlement dated 15 Feb 1841. Unless a change should take place in the proportion of present existing between private capital and labour in this Settlement, or instructions should be received from England which might render an alteration of our expenditure imperative, it is probable that the future expenditure of the Public works fund will not be at a less rate than £1500 per month. On referring to the correspondence of the late Capt Wakefield with the Court, I find in his Despatch of the 4<sup>th</sup> March last he adverted to the expediency which he conceived to exist of appropriating a part of this fund to elementary education. I state the liberty of again calling the attention of the Directors to this very important subject. The late census gives a return of nearly 1200 children under 14 years of age, of whom (if infant schools existed) probably from 800 to 900 would be of an age to profit by education; while the number actually attending day schools is only 321. If no part of the Public Works fund can be applied, I beg respectfully to urge upon the Court the propriety of diverting a portion of the College fund into this channel.

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Folio 336: Nelson 25 Sep 1843 William Fox to Colonel Wakefield

Sir, I have this morning been waited upon by the Sheriff and Police Magistrate in consequence of information received by the former from various sources relative to a threatened attack upon this settlement by Rauperaha. Wether the information is to be depended upon or not we have no means of ascertaining, but proceeding as it does from several parties and corroborated in some degree by circumstances, I have thought it necessary to assist in taking immediate precautionary measures. For this purpose I am about to bring down Mr Valle's gangs from the Waimea who will be employed in completing the fortifications and providing for the defence of the inhabitants of the Town in such other ways as the Magistrates shall think proper. I need not inform you that this Settlement is totally without protection, and that if the rumoured attack should be executed the most serious results may be anticipated. I feel bound after the representations which have been made to me by the Sheriff and Police Magistrate to request you in the most urgent manner to use every effort to procure some protective force for the security of this Settlement without delay. I enclose letters from the Sheriff and Police Magistrate to yourself and Major Richmond which contain more detailed statements of the grounds of alarm. I also enclose a letter from Mr Tuckett to myself relative to the deportment of a party of stranger natives at the Motueka last week. This despatch and the enclosures will be entrusted to Mr Moline who will proceed to Wellington in the Pilot Boat hired for the occasion, the Company's boat being still in the hands of the natives who stole it after the massacre at the Wairau.

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