

The association then changed its plan, and attempted to form a Colony by another method. In June, 1838, Mr. Francis Baring, the chairman of the association, introduced a Bill into Parliament which embodied the views of the association as modified by the suggestions they had received from Lord Melbourne and Lord Howick. The Bill, however, was opposed by Her Majesty's Ministers for many reasons, and the House of Commons concurring in their opinion the Bill was thrown out by a large majority.

On the rejection of the Bill the New Zealand Association dissolved itself, but it shortly reappeared under a somewhat altered form and denomination as a Joint Stock Association, which was at first designated the New Zealand Colonization Company, afterwards the New Zealand Land Company, and eventually the New Zealand Company on the issue of a charter in 1840.

It was soon ascertained that Her Majesty's Ministers were as much opposed to the New Zealand Land Company as to the association, and the directors knowing from past experience that it was impossible to move the Colonial Office, determined to consider New Zealand a foreign country and to establish settlements in it without the Crown's permission. With this view they resolved to send an expedition to New Zealand under the direction of an agent for the purpose of acquiring land from the Natives. This charge was confided to Colonel William Wakefield, with instructions to select the spot which he should deem most eligible as the site of a considerable Colony, and to make preparations for the arrival and settlement of the emigrants.

On the 2nd May, 1839, the Company issued a prospectus: Capital, £400,000 in 4,000 shares of £100 each; deposit £10 per share. This was subsequently reduced to £100,000 in 4,000 shares of £25 each. Governor, the Earl of Durham; Deputy Governor, Mr. Joseph Somes; and a directory consisting of Lord Petre, Sir George Sinclair, M.P., and Sir Henry Webb, baronets, Colonel Torrens, Aldermen Thompson, M.P., and Pirie; Messrs John Abel Smith, W. Hutt, M.P., G. Palmer, M.P., George F. Young, Russell Ellice, Stewart Marjoribanks, and several other gentlemen of high standing.

On the 12th May, 1839, before the Directors had divulged their scheme to the public the ship "Tory," 400 tons burden, sailed for New Zealand, having on board Colonel Wakefield, the company's chief agent, and other gentlemen, as a preliminary expedition to make preparations for the colonization of the country. Two days after the ship was clear of England's shores, the directors announced that the company was formed to purchase land in New Zealand, promote emigration, lay out settlements, re-sell such lands according to the value bestowed on them by emigration, and with the surplus money give free passages to skilled tradesmen and agricultural labourers.

The Colonial Office was completely surprised at this step; an explanation and an account of the whole affair were immediately demanded by the Secretary of State, and Lord John Russell informed the directors that the instructions sent out for the government of the emigrants and the entire expedition was illegal, because no body of Englishmen could form a Colony in any country without the consent of the Crown.

After a considerable display of wordy resistance, the directors admitted their mistake, asked for a favorable construction of their motives, and put themselves under the protection of Her Majesty's Ministers.

In the same year (1839) that the New Zealand Company commenced their operations, the Imperial Government, in consequence of a large body of Her Majesty's subjects having taken up their abode in New Zealand, and from other persons residing in the United Kingdom having formed themselves into a society, having for its object the acquisition of lands and the removal of emigrants to those Islands, considered it advisable for the protection of the inhabitants, whether European or aboriginal, to establish a form of civil Government amongst them as the only means of averting the evils which an unauthorized settlement of the Islands appear to threaten. Accordingly in June, 1839, letters patent were issued authorizing the Governor of New South Wales "to include within the limits of that Colony any territory which is or may be acquired in Sovereignty by Her Majesty, her heirs and successors, within the group of Islands commonly called New Zealand lying between 34° 30' and 47° 10' S. lat." In the following month Captain Hobson, of H.M.S. Rattlesnake, who had formerly visited and reported on New Zealand, received the appointment of British consul.

July 30, 1839.

January 14th,
1840.

Captain Hobson called at Sydney on his way out from England, and after taking the necessary *oath of office* and receiving his commission, he sailed for New Zealand, accompanied by the officials who had been appointed to assist him in the administration of affairs. He arrived at the Bay of Islands on the 29th January, 1840. On the following day the commission extending the limits of New South Wales so as to comprehend New Zealand, and appointing Captain Hobson Lieutenant Governor over such parts of the Islands as had been or should hereafter be ceded in Sovereignty to the British Crown, and the proclamation framed by Sir George Gipps, announcing the assertion of Her Majesty's rights over New Zealand and the illegality of any title to land not confirmed by the Crown, were formally read to the settlers assembled at or near the site of the present town of Russell.

On the 1st June, 1839, the company issued proposals for the sale of nine tenths of a township of 110,000 acres, in lots of 101 acres for £100 per lot, each lot comprising 100 acres of country land and one town section. One tenth of the land offered for sale was to be reserved for the benefit of the Natives; priority of choice for the whole of the sections was to be decided by lottery. According to the terms of the prospectus, an officer of the company was to draw in the same manner for the 110 sections reserved and intended for the Native chiefs, and the choice of these reserved sections was to be made by an officer of the company in the settlement according to the priority so determined.

In consequence of the rapid disposal of the land contained in the preliminary sales, the directors issued another prospectus on the 30th July, 1839, announcing their readiness to receive applications for country lands to the extent of 50,000 acres in sections of 100 acres, at the price of £100 a section, or £1 an acre; the whole amount to be paid in full in exchange for a land order. The holders or their agents to be entitled to select land either at the company's principal settlements, or at Hokianga, Kaipara, Manakau, or any other part of the present or future territories of the company, so soon as the requisite surveys thereof shall have been completed. No mention, however, of Native reserves is made in these proposals.