

The *Morning Chronicle* of the 16th published an account of the leave-taking ceremonies, and gave a graphic description of the scene at Gravesend prior to the departure of the first three ships—the “*Oriental*,” “*Aurora*,” and “*Adelaide*”—with nearly five hundred emigrants on board.⁽¹⁾ The same paper also referred to the foundation by the colonists of an “Association for Defence and the Administration of Justice.” British sovereignty had not yet been established in New Zealand, and the colonists, at the request of the directors, signed an agreement to a form of self-government which provided for the mustering and drilling of forces, and for the trial and punishment of offences according to the law of England. Diplomatic relations between the Colonial Office and the Company had been severed after the despatch of the “*Tory*,” but the Government now broke silence and demanded a copy of the agreement. The directors consulted counsel, and were dismayed to find that their action was illegal. As the colonists had already sailed, instructions were posted to Colonel Wakefield for the disbanding of the Association, and a copy of the letter was forwarded to the Colonial Office. One sentence is worthy of note⁽²⁾ :—

“In the Company’s settlement the law of England must be respected, even to the extent of inducing the settlers to abstain from adopting any means of enforcing the law of England.”

8. A MAN-OF-WAR WITHOUT GUNS.

Leaving for a moment the pioneers of Wellington embarked upon their long voyage southwards, and followed shortly after by the “*Duke of Roxburgh*,” “*Bengal Merchant*,” and “*Bolton*,”⁽³⁾ it is necessary to refer very briefly to those events which led up to the signing of the historic Treaty of Waitangi and the proclaiming of British sovereignty over New Zealand.

The absence of any law in New Zealand at the beginning of the last century attracted the worst elements of society, and escaped convicts, runaway sailors, beachcombers, and other desperadoes soon made their influence felt. The appointment of Mr. Kendall as Resident Magistrate in the Bay of Islands in 1814, the same year that the Rev. Marsden and his band of missionaries commenced their labours, was the first step in the direction of establishing some form of authority, but by 1830 lawlessness had increased to such an extent that New Zealand was in the throes of anarchy. The doings of the infamous Captain Stewart and the ghastly traffic in human heads were instances of crime and outrage. The representations of the missionaries and the petition by leading chiefs to King William IV led to the appointment in 1833 of Mr. James Busby as British Resident. Without any force to sustain his authority, except the moral influence of the missionaries, the Resident was powerless to prevent the wars of the Natives and the outrages committed by the white settlers, and his position has been summed up as that of “a man-of-war without guns.” Kororareka, the principal town, with its grog-shops and gambling-dens, was becoming a second Alsatia, and the iniquities of its inhabitants are vividly described by early writers. The dangers of French intervention and the claims of the Baron de Thierry resulted in the signing of the “Declaration of Independence of New Zealand” by thirty-five of the leading chiefs. In 1838 a Vigilance Committee was formed at Kororareka, then with a population of one thousand people, as a means of affording some protection to the residents both European and Native. Its form of justice, however, savoured strongly of Lynch law. In the same year a Committee of the House of Lords was set up to inquire into “the present state of affairs in New Zealand,” and the conclusion reached was that, while the extension of colonial possessions of the Crown was a question of public policy, support of the exertions which had already beneficially affected the rapid advancement of the religious condition of the aborigines afforded the best present hopes of their future progress in civilization. The powerful Church Missionary Society had sufficient influence at that time to sway the Colonial Office, and its lay secretary, Mr. Dandeson Coates, declared openly that he was opposed to the colonization of New Zealand upon any plan, and would thwart it by every means in his power.

9. PROCLAIMING BRITISH SOVEREIGNTY.

Pressure from New South Wales and the Colonization Association, together with the knowledge that a French colonizing company, La Compagnie Nanto-Bordelaise, was forming under the auspices of Louis Philippe to establish a settlement in New Zealand, forced Lord Glenelg, however, into suggesting that a Consul should be appointed, and with this suggestion the Foreign Office agreed. On the 13th June, 1839, the Colonial Office, in a despatch to the Treasury, stated that⁽⁴⁾—

“It is proposed that certain parts of the Islands of New Zealand should be added to the Colony of New South Wales as a dependency of that Government, and Captain Hobson, R.N., who has been selected to proceed as British Consul, will also be appointed to the office of Lieutenant-Governor.”

In July the full authority of the Treasury was conferred by the famous Treasury minute of the 19th July, 1839, which sanctioned an advance from the revenues of New South Wales on account of the expenses of the officer about to proceed to New Zealand as Consul⁽⁴⁾. In his instructions to Captain Hobson, dated the 14th August, 1839, Lord Normanby stated that the Ministers of the Crown had been restrained by high motives from engaging in such an enterprise, but circumstances entirely beyond their control had at length compelled them to alter their course⁽⁴⁾.

Captain Hobson reached Sydney in December, 1839, where the necessary oaths of office were administered to him by Governor Gipps, of New South Wales, and he was furnished with a small staff of Civil officers and advances of money to commence operations. Thus provided, he sailed for New Zealand and stepped on shore at Kororareka on the 29th January, 1840. He proceeded without

(1) “*Oriental*,” 506 tons, 154 passengers; “*Aurora*,” 550 tons, 148 passengers; “*Adelaide*,” 640 tons, 176 passengers. Table of sailings from John Ward’s “Information relative to New Zealand”; 1840.

(2) “New Zealand: its Political Connection with Great Britain,” by Miss J. I. Hetherington, M.A.

(3) “Information relative to New Zealand,” 2nd ed., by John Ward; 1840.

(4) Great Britain—Parliamentary Papers, 1840.