Moon, 2010

New Zealand

Birth Certificates

50 OF NEW ZEALAND’S FOUNDING DOCUMENTS

Paul Moon
Busby's Appointment
1832

Facing increasing pressure from missionaries in New Zealand, businessmen in Sydney, and humanitarian groups in England, in 1832, the Colonial Office — the British Government department charged with managing the Empire — made the decision to appoint a Resident to New Zealand. Residents were normally sent to areas of British involvement to develop commercial opportunities and to represent the interests of the Crown in the region. Colonial Office officials hoped that by appointing a Resident to New Zealand, the concerns being expressed about New Zealand from a number of quarters would abate.

Richard Bourke (1777-1855), the Governor of New South Wales, had nominal responsibility for British interests in New Zealand, and had also lobbied the Colonial Office and other branches of the British Government for a Resident to be installed in New Zealand. He wrote to the Colonial Secretary in January 1832 arguing that Britain had a "...sacred duty to rescue the natives of those extensive Islands from the further evils which impend over them", as a result of the influx of unruly Europeans.

James Busby (1802-1871) was selected by Bourke for the position in New Zealand. Busby was a likely choice because in the previous few years he had furnished the Colonial Office with reports on a wide range of topics relating to colonial government. The decision to appoint a Resident was the first clear indication that the British Government was taking a more responsible approach to the lawlessness of some of its citizens in New Zealand, and although there was no policy at this stage to annex New Zealand, the establishment of a Residency in the country turned out to be a major step in that direction.
Cook's Map
1772

During the 1760s, there was heightened interest within Britain in the fabled great southern continent, which Tasman's map—among others—had alluded to. To this general enthusiasm in exploration in the South Pacific was added the specific interest of the Royal Society in tracking what was known as the 'transit of Venus'. The Royal Society convinced the British Government of the need to examine this planetary movement in the southern hemisphere, and Captain James Cook (1728-1779) was appointed to head the expedition on the ship Endeavour.

From April to August 1769, Cook stayed in Tahiti to observe the transit of Venus, and with this done, he departed on 9 August to discover more about the territory Tasman had mentioned as 'a large land, uplifted high'. Cook sighted the far east coast of the North Island on 6 October 1769, and three days later became the first known European to set foot in the country. He spent a further five months travelling around the country, producing the first comprehensive map of New Zealand. On 1 April 1770, Cook departed for New Zealand for Australia. During this and two subsequent visits, Cook spent a total of 328 days either in New Zealand or off its coast.

One of the significant features of Cook's explorations is that he renamed several parts of the country, and provided charts and maps of New Zealand that were used by subsequent visitors—helping open New Zealand up to the outside world.
Capital Moved to Auckland
1840

The first seat of Hobson’s administration in New Zealand was Russell, but following some imprudent land purchases in the area Hobson decided to relocate the capital to what is now Auckland. The name Auckland was chosen by the Governor after his patron, Lord Auckland (1784-1869), who had once been Governor-General of India.

The choice of Auckland as capital was announced on 18 September 1840, with the raising of a flagstaff at Point Britomart. Hobson informed the Governor of New South Wales of this decision on 15 October. Most of the government’s officials moved to Auckland in the following months, but it was not until Hobson’s house was completed in March 1841 that the Lieutenant Governor moved to his new capital. The population of the town grew rapidly, as did land prices, as settlers flooded into the area. In July 1841, the Tamaki Land Deed was formally signed by George Clarke — the Protector of Aborigines, acting on behalf of the government — and the chiefs Kawau, Tūīnua, Horo, and Reweti Tamaki, transferring territory in the area from Māori to the Crown.
'A Korao no New Zealand'
1815

The first book in Maori: A Korao no New Zealand, or, the New Zealanders first book; being an attempt to compose some lessons for the instruction of the native, was printed and published by George Howe in Sydney in 1815. It was written by the Church Missionary Society missionary Thomas Kendall (1778-1832), who had only arrived in the country the previous year, but who quickly developed a keen interest in Maori language and orthography. In August 1816, Kendall opened the country's first school house, which was used for Maori students, and for which his book had been written as the principal text.

A Korao no New Zealand was followed in 1820 by the Cambridge scholar Samuel Lee (1783-1832) and Kendall's Grammar and vocabulary of the language of New Zealand, which included a 100-page basic dictionary of Maori as well as laying down some observations its authors had made of Maori grammar.

By the end of the nineteenth century there were possibly over a thousand titles — books, pamphlets, religious tracts, and other types of published works — that had been issued in Maori. This process of converting knowledge into written Maori had a dramatic effect not only on the spread of European ideas, but also on the integration of many Maori into European culture during the 1800s. In addition, it was also part of the process of preserving a great deal of knowledge about Maori history, culture, and language.
Wakefield's Plan
1829

In 1829, Edward Gibbon Wakefield (1796–1862) published *A Letter from Sydney*, although, despite the title, the book was actually written while Wakefield was in gaol in London for kidnapping. This was the first important work that suggested the systematic British colonisation of Australasia. Wakefield was convinced that the growing population in England and the poverty that accompanied this growth — especially in the newly industrialised cities in the north of the country — were creating problems that could be alleviated by establishing settlements in parts of Australia and New Zealand. He developed a theory in which land would be acquired in particular areas and then sold in small lots to settlers. These sales would fund more extensive colonisation and a small government to administer the settlements.

These ideas were to be hugely influential in the later formation of the New Zealand Association and its successor the New Zealand Company — both of which were essentially land-trading organisations responsible for settling many thousands of Britons in New Zealand from the late 1830s. *A Letter from Sydney* set the blueprint for much of the early colonisation of New Zealand.
Hobson's Report
1837

At the beginning of 1836, a Royal Navy captain, William Hobson (1795-1842), was sent to Australia to undertake exploration and charting work. In early 1837, Bourke instructed Hobson to visit New Zealand and write a report on the prospects of the country. Hobson arrived in the Bay of Islands in May and visited parts of the country, making notes as he went, before leaving for Australia in July. The fact that Hobson, not Busby, was chosen to undertake this task was a vote of no confidence in the Resident.

In his report, Hobson recommended that British sovereignty apply to small pockets of territory in New Zealand where British commercial enterprises could be established, similar to the Hudson Bay and East India Companies. He suggested that taxes could be imposed in these enclaves, that British laws would apply to those living there, and that some sort of treaty might be necessary to gain permission from Māori for this system to be set up. He was also full of praise for the work that the missionaries were doing in New Zealand. Bourke was enthusiastic about Hobson's report and sent it to the Colonial Office, where it became one of the key documents that influenced officials to consider annexing New Zealand, and which also led to the appointment of Hobson as the country's first governor.
During April and May 1838, a select committee of the British House of Lords sat to bear evidence on the state of New Zealand, and to consider suggestions from a variety of interested parties on the possible options for the country. Among those giving testimony before the committee were individuals such as the traders Joel Polack (1807-1882) and Joseph Montefiore (1803-1889), and the naval captain Robert Fitzroy (1805-1865), who would later serve as New Zealand's Governor. Of the organization that appeared before the committee, the Church Missionary Society and the New Zealand Association (a land-trading company) provided the most substantial submissions.

The traders urged the committee to consider greater official British involvement in New Zealand as a way of protecting their commercial interests. Fitzroy advised that it would be very difficult to impose British law over the whole of the country, while the Reverend Frederick Wilkinson, a chaplain based in New South Wales, suggested that Maori would welcome the introduction of British rule. The New Zealand Association's representative, the Reverend Samuel Hinds, said that official British intervention was unavoidable as Maori held no sovereign rights, and that the Association's principles of systematic colonization would complement greater British involvement. The Church Missionary Society and the Wesleyan Missionary Society were opposed to the New Zealand Association's schemes, and urged that Maori be protected from rampant colonization.

After hearing all the testimony, the committee issued the Report from the Select Committee of the House of Lords on the Present State of the Islands of New Zealand. It recommended that a treaty be concluded with Maori as part of a broader policy of extending British rule to cover New Zealand, and that the rights of Maori be protected during this intervention.
New Zealand Company
Deed of Purchase
1839

On 27 September 1839, agents of the New Zealand Company concluded a deed of purchase with chiefs in the Port Nicholson area (now known as Wellington) to purchase territory there. It was a major part of the New Zealand Company’s plans to acquire land from Māori to settle immigrants on it, and involved up to twenty million acres of territory. This was a major purchase of land in New Zealand, and, significantly, was done so without any authorisation of the British Government. Consequently, it forced the government’s hand and led to it developing a more interventionist policy on New Zealand.

The translation of the deed, hastily made by the trader Dicky Barron, failed to convey both the essence of the transaction and the details of what was being agreed to. For many of the Māori who put their names to the deed, its contents — or at least what they understood of them — resembled more of a right-of-use or lease type arrangement, rather than a full and final transfer of ownership.

From 1842 to 1844, William Spain, a land commissioner working on behalf of the New Zealand Government, investigated this purchase. At the end of the investigation Governor FitzRoy concluded that, ‘yet an acre, not an inch of land belonging to the natives shall be touched without their consent’, and was extremely critical of the methods the New Zealand Company used to acquire the land.
Normanby’s Instructions
1839

On 14 August 1839, instructions to conclude a treaty between the British Crown and Maori chiefs were issued to Hobson by Lord Normanby (1797-1863), the Colonial Secretary, although they were most probably written by the Permanent Undersecretary of the Colonial Office, Sir James Stephen (1789-1859). This was the most thorough statement yet on British intentions for New Zealand. The instructions stressed the need to regulate the Europeans already living in New Zealand, and recognize Maori sovereignty over the country — which was a prerequisite for a treaty to be concluded. There were also directions on how Hobson was to establish the new colonial government, including the formation of the Office of Protector of Aborigines, which would be charged with bringing Maori ‘within the pale of civilized life’.

When it came to getting signatures for the proposed treaty, Hobson would be required to obtain the ‘free and intelligent consent’ of the chiefs, and to deal with them with ‘mildness, justice and perfect sincerity’. Once this was done, his position would change from Consult to Lieutenant Governor. The administration he would preside over in this new colony was also, according to the instructions, expected to shortly become self-sustaining.

However, although the instructions contained several known indications as to what was to be the approach to governing New Zealand, there was no draft treaty included with them. Hobson would have to rely on other sources when assembling the text of this agreement.

Sincerely,

Lord Normanby

(Signed)

New Zealand Birth Certificate

[Signature]
Union Bank of Australia
1840

Even though by 1840 there had been British settlers in New Zealand for a few decades, there was still uncertainty over the use of currency. The currency of Britain and other countries was in circulation in New Zealand, but its legal basis was unclear. Values were based on what the currency could be exchanged for locally, and what individuals were prepared to accept in various locations around the country. There was little sense of an agreed value for most of the coins and notes in circulation.

One of the major developments in New Zealand's economy took place in March 1840 when the Union Bank of Australia—a British bank formed three years earlier—began issuing banknotes in New Zealand (under English law). The first branch of the bank opened in a shed on Petone, near Wellington.

Although this was only the start of banking in New Zealand, it predicated the establishment of the Colonial Bank of Issue, which was authorised by the government to issue paper currency in 1847. It was an indication that the backers of the Union Bank of Australia felt that there was a sufficiently prosperous economic future for New Zealand to establish a branch in the colony.
New South Wales Continuance Act
1840

The New South Wales Continuance Act was passed in Britain on 2 May 1840. It pronounced the islands of New Zealand to be a British settlement that "now are or at any time hereafter may be" dependencies of New South Wales. This legislation suggests that there was some impatience in Britain over the treaty Hobson had been instructed to conclude. At the time the act was passed, no confirmation had yet reached London that Hobson had secured British sovereignty over New Zealand. It was not until 28 September that his proclamations arrived at the Colonial Office. The act also suggests that the British Government was just as willing to treat New Zealand as a colony by virtue of the growing British settlement, as opposed to the country entering the British Empire by way of a treaty.

In addition, the act paved the way for Hobson to establish a Legislative Council and an Executive Council, and to appoint judges. In practice, however, Hobson had already been running his Legislative and Executive Councils for several months at the time the act was passed.
FitzRoy’s Debenture Notes
1844

By the end of 1843, New Zealand’s economy was in a crisis. The money collected from customs duties was falling and tax revenues were almost non-existent. Yet despite a dramatically reduced income, administration of New Zealand’s second Governor, Robert FitzRoy (1841-1865), was still expected to pay for roads, civic buildings, officials and the other functions of government.

To make matters worse, when FitzRoy arrived in New Zealand early in 1844 to take up his post, he discovered that Hobson’s regime had incurred huge debts, which the new Governor was obliged to honour. FitzRoy’s solution was to issue an ordinance in March 1844 that authorized the issuing of debenture notes. This was effectively a new currency, although in the familiar denominations of £5, £10, £20, £50 and £100. These debentures were initially used by the government to pay wages and for goods, and slowly crept into circulation in the colony—despite having no guarantees and not being approved by the British Government. Although they only eventually served as a temporary measure, these notes did alleviate a financial crisis, and effectively became New Zealand’s first state-approved currency.
The First Treaty Settlement
1844

Up until 1844, most Europeans in New Zealand paid little attention to the Treaty of Waitangi. It may have ushered in British rule, but now that the rule was established the treaty had served its purpose. However, some took a different view and saw the guarantees contained in the treaty as particularly important. This led to the country's first treaty settlement.

The area in question was in Taranaki. The New Zealand Company established a settlement there on 60,300 acres of land it claimed to have purchased from local Maori. In justifying the purchase, a lawyer for the company described the treaty as "...shallow, flimsy sophistry". In April 1844, FitzRoy arrived in New Plymouth to investigate the purchase. He said the company's purchase of the land was "...a complete nullity" and that it had ignored the absentee Maori owners of the land when making the transaction.

The solution the Governor proposed was enacted shortly after and he determined that the absentee Maori owners still had rights to the land, and that therefore the New Zealand Company purchase was invalid. The original Maori owners had their land returned to them, and they paid compensation to the settlers who had established themselves on the disputed site — compensation for which the New Zealand Company was required to reimburse the government.
European Population becomes Majority 1858

As a result of previous unsatisfactory efforts to collect census data, in the early 1850s, the Census Act was passed in 1856, requiring triennial censuses to be carried out (although a new Census Act, passed in 1877, required censuses to be held only every five years). A reasonably accurate census carried out in 1851 showed New Zealand as having a European population of 20,707. Maori were not included in the enumeration, however.

Between September 1857 and September 1858, the first census of the country's Maori population was undertaken. The total number of Maori in the country was stated as 36,049 (of whom 38,262 lived in the greater Auckland area). In 1858, the European population was 50,413, which represented roughly fifty-one per cent of the country's total population. This was the point at which Maori became a minority in New Zealand. By the end of the century, such was the increase in the proportion of settlers in the country that New Zealand was referred to as one of the 'white colonies', and by 1901 Europeans made up almost ninety-five per cent of the population.
Britain Withdraws Last Imperial Troops
1870

British troops had been stationed in New Zealand since 1840. However, their numbers were increased during the Northland wars of 1845-56, and substantially more so during the New Zealand Wars in the 1860s. By 1865, the number of British troops in New Zealand had risen to around 10,000 men, from seventeen regiments, as well as two batteries of field artillery, and the Royal Engineers.

However, the British Government was increasingly concerned at the enormous costs associated with maintaining these troops in New Zealand, and was also becoming less sympathetic to New Zealand Government policies on Maori generally, and land confiscations in particular, for which this large number of troops was required to enforce.

At the beginning of 1869, as the New Zealand Wars were drawing to an end, orders were issued from Britain for the 18th (Royal Irish) Regiment to leave New Zealand. However, anxiety over the guerrilla attacks being waged by Te Kooti (c. 1822-1891) in the East Coast of the North Island resulted in the regiment's commander, General Clarke, ordering the main body of his troops to remain in the country, which they did until their departure in February 1870. The New Zealand Governor at the time, George Bowen (1821-1899), urged the regiment to stay, but there was no longer any military crisis to justify the troops remaining in the country and his requests were refused. From this point, New Zealand was obliged to take care of its own military requirements.
Ballance Defies Governor 1892

John Ballance (1839-1893) became Premier of New Zealand in 1891 following the resignation of sitting Premier Harry Atkinson (1831-1892). However, prior to his departure, Atkinson had appointed seven new members to the Legislative Council — parliament's upper house — as a means of frustrating the policies of the incoming government.

Atkinson's desired effect was achieved, and the Legislative Council rejected several measures Ballance and his administration attempted to get passed into law. The Governor refused to appoint additional nominees selected by Ballance to address this problem in the Legislative Council. Ballance was exceptionally frustrated and appealed directly to the Colonial Office in London to overrule the Governor's decision. The Colonial Office decided in Ballance's favour in 1892. The Premier's legislation was able to be passed but, of more significance constitutionally, a precedent was now established that the Governor was obliged to act on the advice of government ministers on appointments to the Legislative Council. This was a significant advance in the ascendancy and autonomy of the New Zealand parliament.
Troops Sent to Boer War
1899.

Since 1840, New Zealand had been a destination for British imperial troops, particularly during Hone Heke's rebellion in 1845-6 and during the New Zealand Wars in the 1860s. However, in 1899, for the first time, New Zealand served as a supplier of troops to an external colonial conflict.

There was widespread popular support in New Zealand for troops to be sent to the Boer War. Sometimes known as the Second Boer War, public donations to help equip the contingents exceeded £113,000. Maori communities were also keen to send troops, but were initially excluded because of a British policy forbidding the involvement of 'native troops' in conflicts of this sort.

The First Contingent, made up of 215 men, left Wellington on 21 October 1899, and were followed over the next three years by further and larger contingents. It was a major event in the development of an independent foreign policy for New Zealand, and was a further indication that the country was participating as an equal with other members of the British Empire. Seddon later boasted that New Zealand was the first country in the Empire to offer assistance to Britain for the war.
New Zealand Votes Against Joining Australia 1901

In 1890, the Australasian Federation Conference was held in Melbourne. Its aim was to establish a federation of the seven British colonies in the region: New South Wales, Victoria, South Australia, Tasmania, Queensland, Western Australia and New Zealand. Although New Zealand attended this and subsequent meetings, its delegates were forbidden to make any commitment to the country joining the planned federation. By 1900, the British Government agreed to pass the Commonwealth of Australia Bill. The New Zealand Government expressed its wish to remain outside the federation for the present, but to have the opportunity to apply for entry at some point in the future. Australia opposed this amendment to the legislation.

In New Zealand, a Royal Commission was established to examine the issues associated with federation with Australia, but concluded that the benefits were slim, and that such a union would diminish New Zealand's "independence as a separate colony".

On 1 January 1901, the Commonwealth of Australia — comprising the six former colonies — formally came into being, with New Zealand opting to remain independent.
Trade Agreement with Japan
1928

Before the First World War, New Zealand's trade relationships with Japan were negligible, with most of the country's primary goods being exported to Britain. However, by 1928, New Zealand's exports to Japan — mostly wool — had risen to £600,000, with roughly the same value of goods being imported to New Zealand. Exchange on this scale rendered the then treaty being concluded between the two countries in 1928 covering commerce, customs and navigation. This was the first treaty signed by New Zealand since becoming a self-governing dominion, and significantly, was with a country outside the British Empire.
Royal New Zealand Navy Founded 1941

New Zealand's naval reserve was established in 1925, but this was essentially aimed at providing manpower to the Royal Navy. With the onset of the Second World War, New Zealand was able to supply eight officers and 716 continuous service ratings to the Royal Navy. The New Zealand division of the Royal Navy consisted of two modern cruisers and one minesweeping vessel.

On 1 October 1941, King George VI granted New Zealand's naval forces the title of Royal New Zealand Navy (RNZN), effectively creating an autonomous naval force. This was inevitable in the wake of the growing size and self-sufficiency of New Zealand's naval force. By the end of the Second World War, the RNZN had over sixty ships in commission and had reached a total strength of 10,649 officers and ratings.
200-Mile Exclusive Economic Zone

New Zealand's 200-mile Exclusive Economic Zone came into effect in April 1978 following the passage of the 1977 Territorial Sea and Exclusive Economic Zone Act. The act extended the country's commercial fishing area a further 188 miles beyond the conventional territorial zone, making the new zone equivalent to fifteen times the size of the land area of New Zealand, and the fourth largest zone of its type in the world, covering 2.2 million square kilometres.
South Pacific Nuclear Free Treaty
1985

Sometimes known as the Treaty of Rarotonga, the South Pacific Nuclear Free Treaty had its origins in New Zealand's opposition to continued French atmospheric nuclear tests at Moruroa in the early 1970s. In 1973, the New Zealand Government, along with its counterparts in Australia and Fiji, sought an injunction through the International Court of Justice to stop the tests, and to determine their legality. The French responded by carrying out subsequent tests underground.

In 1973 New Zealand sponsored a United Nations resolution, with the support of Fiji and Papua New Guinea, calling for the South Pacific to be declared nuclear free through a treaty. The treaty was signed in 1983 and came into effect for New Zealand following its ratification by the government at the end of 1986. Ten years later, the United States, Britain and France also became parties to the treaty, leading eventually to a complete ban on nuclear testing in the region. This was a key international development led by New Zealand affecting dozens of territories in the South Pacific.
were not discussed. This defeated the aim of the appeal, which was to seek justice, especially over the confiscation of Waikato land. In 1924, Tahupotiki Wiremu Ratana, the leader of a new Maori religious and political movement that based its rights on the Treaty, also took a petition to England, again without success.

The failure of these appeals was tangible proof of the extent to which officialdom could set the Treaty aside. And official attitudes were unlikely to change unless the colonial government took a different view or the Maori people could find an effective strategy to influence public opinion in favour of their rights. Maori protest and the search for change would continue nonetheless, and take on new shape over the following century.
Cook's Map 1772

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