

the Journey OF THE TREATY

STATE SERVICES COMMISSION
Te Komihana O Ngā Tari Kāwanatanga



Introduction

New Zealand's founding document, the Treaty of Waitangi, was first signed on 6 February 1840. Subsequently, nine copies of the Treaty were used for signature gathering in different parts of New Zealand, and these were eventually signed by some 500 chiefs. In the 165 years since then, there have been many difficulties with the storage and preservation of the Treaty. The nine surviving documents comprising the Treaty, two on parchment and the rest on paper, have moved around New Zealand and have been forgotten about, threatened by fire and eaten by rats.

“New Zealand’s founding document, the Treaty of Waitangi, was first signed on 6 February 1840.”

The Treaty of Waitangi is New Zealand’s founding document. Over 500 Māori chiefs and representatives of the British Crown signed the Treaty in 1840. Like all treaties it is an exchange of promises; the promises that were exchanged in 1840 were the basis on which the British Crown acquired New Zealand. The Treaty of Waitangi agreed the terms on which New Zealand would become a British colony.

This is one of a series of booklets on the Treaty of Waitangi which are drawn from the Treaty of Waitangi Information Programme’s website www.treatyofwaitangi.govt.nz.

Many historians have contributed to the material in these booklets to ensure it is as accurate and balanced as possible. Their contribution is gratefully acknowledged.

Further copies of this booklet are available from:

The Treaty of Waitangi Information Programme
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Note:

ATL = Alexander Turnbull Library, National Library of New Zealand
 Te Puna Matauranga o Aotearoa

Archives = Archives New Zealand, Te Rua Mahara o te Kawanatanga.

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The signing of the Treaty of Waitangi,
 6 February 1840.
 Artist: Marcus King.
 ATL: C-033-007.

The Signings

In 1840, communication around the country was difficult and hazardous. Rather than risk losing one document as it travelled all around New Zealand over a long period, several copies of the Treaty text were made. These were given to various officials and missionaries, who were asked to gather more Māori signatures from around the country. Each copy, aside from the Waikato sheet, was written in Māori. It remains unclear why the Waikato copy was the only one written in English, although it is thought that it was probably used in conjunction with printed copies of the Treaty which were in Māori.

Rev. Richard Taylor.
Photographed by Unknown.
ATL: 1/2-C-14302.



The original English and Māori drafts of the Treaty have both disappeared. Because the draft in Māori had alterations made to it on 4 and 5 February, the Church Missionary Society (CMS) missionary, Richard Taylor, made a clean copy for the February 6 meeting, keeping the original paper copy. This copy was made on parchment, a writing material made from the split skin of goats or sheep and commonly used for legal documents at the time as it was more durable than paper.

“The original English and Māori drafts of the Treaty have both disappeared.”

1. The Waitangi Sheet

There is much uncertainty regarding both names and the dates of signing on this sheet. At first, on 6 February, there were three columns with an estimated 40 signatures or marks. At least eleven chiefs signed with their names, the others with marks beside an identifying phrase, for example, "Te tohu o Hori Kingi Warerahi" (the mark of Hori Kingi Te Wharerahi). Seven chiefs signed on 9 February at Te Waimate. Many of the Hokianga chiefs signed with simple crosses at Hokianga on 12 February, witnessed by Shortland, and a further column was added at this time.

The Treaty of Waitangi
- The Waitangi Sheet.
Archives New Zealand: IA 9/9.



By 17 February, when the marks of the prominent chiefs Kawiti, Te Tirarau and Pomare were inserted above the name of Hone Heke (the first chief to sign the treaty), the sheet was already becoming confusing. Confusion continued when other batches of signatures and marks were gathered at Waitemātā on 4 March. At this point there was no further space and Captain Nias of the H.M.S. Herald and the Colonial Treasurer, George Cooper, had a second sheet of parchment added at the bottom. This sheet was subsequently used to gather signatures at Kaitaia, Auckland (Tamaki) and Russell. Although this complex situation makes it difficult to be sure exactly how many chiefs signed this sheet, it is usually estimated at about 240.

The warrior chieftains of New Zealand.
Shows Harriet, Heke's wife, Hone Heke and Kawiti.
Artist: Joseph Jenner Merett.
ATL: C-012-019.



2. The Manukau Kāwhia Treaty Sheet

The second Treaty sheet was sent to Captain William Symonds on 13 March 1840, and he gathered signatures from chiefs around the Manukau Harbour. Although none of the Waikato chiefs would sign, three from Ngāti Whātua did on 20 March (Te Kawau, Te Tinana, Te Reweti).

Wesleyan missionaries James Wallis and John Whiteley gathered 10 more signatures at Kāwhia, between April and September, and the sheet was the last to be returned, in 1841. This sheet was signed by Shortland (as Colonial Secretary) rather than by Hobson, who had been paralysed as the result of a stroke on 1 March.

3. The Waikato-Manukau Treaty

This sheet, the only one written in English, using the "official English text", is a neatly written copy on paper bearing Hobson's seal and his signature. The signature is strange because it was written using Hobson's left hand, his right hand being paralysed on account of his stroke. It was sent to the missionary Robert Maunsell in late March, most likely accompanied by printed copies of the Māori text. Authenticated by Maunsell and B.Y. Ashwell as witnesses on 11 April, it contains 32 marks and names, taken down by Ashwell. Seven further names were added by Symonds at Manukau (probably at Awhitu) on 26 April.

4. The Printed Sheet

The printed sheet with five Waikato chiefly marks, without a date, is probably an adjunct to the Waikato-Manukau sheet. The chiefs from Ngāti Pou on the Waikato River and Ngāti Te Wehi at Raglan, may have been visiting Maunsell's station at the time. This sheet was one of 200 copies of the Māori text printed at the CMS press in Paihia on 17 February.



The Manukau-Kāwhia Treaty Sheet.
Archives New Zealand: IA 9/9.



The Waikato-Manukau Treaty Sheet.
Archives New Zealand: IA 9/9.

5. The Tauranga Treaty Sheet

Two sheets of the Treaty were sent to Tauranga for Alfred Brown, the CMS missionary there. One of these was a finely-written copy on paper with three wax seals, but it was never used and never returned. It is now in private ownership. Another copy, without seals and on which the signature of Hobson is thought to be forged, is the so-called Tauranga sheet. The Tauranga sheet was signed by 21 chiefs, but it has no dates to indicate when it was signed. The small number of signatures has been variously attributed to a local tribal conflict, the eye disease of Brown, or the presence of the Roman Catholic Bishop Pompallier, who arrived on 7 March. Brown received Hobson's communication "wishing me to procure the signatures of any leading chiefs in the neighbourhood" on 1 April. Brown's diary entry for 10 April mentions that a day was given up to trying to get signatures, but without success, and there are no further references to it in the journal. Major Thomas Bunbury, Hobson's second in command, arrived at Tauranga on 11 May, to see how Brown was progressing with the gathering of signatures and found that nothing much had been done. He subsequently got missionary James Stack to produce two more copies of the Treaty, one of which was sent inland to Rotorua and Taupō where local tribes Te Arawa and Ngāti Tūwharetoa refused to sign. This copy has since been lost.

John Whiteley, 1866.
Photographed by Hartley Webster.
ATL: PA2-2210.



The Tauranga Treaty Sheet.
Archives New Zealand: IA 9/9.

"Local tribes Te Arawa and Ngāti Tūwharetoa refused to sign."

6. Bay of Plenty (Fedarb) Treaty Sheet

The second of the two copies of the Treaty that Major Bunbury had missionary James Stack produce is known as the Bay of Plenty (Fedarb) Treaty sheet. It was given to James Fedarb, a private trader, and is on a long sheet of paper with the signature "William Hobson" certainly forged (Hobson always wrote "W Hobson") and no governor's title. It has this feature in common with the Tauranga sheet. Fedarb left Tauranga on 22 May, gathering 26 signatures at Ōpōtiki, Te Kaha, Tōrere and Whakatāne. He returned to the Bay of Islands on 19 June and gave the copy to William Colenso, the Church Mission printer for whom he had once worked, to pass on to Hobson. An interesting feature of this copy is the presence of Christian crosses against some of the names, intended to show that these chiefs were Roman Catholic converts. It suggests that the effort to get these marks was to counter the influence of Pompallier, who had been in the Bay of Plenty and had had harsh words with the Protestant missionaries there.

Thomas Bunbury, 1861.
ATL: PAColl-6075-15.



The Bay of Plenty (Fedarb) Treaty Sheet.
Archives New Zealand: IA 9/9.

7. The Herald-Bunbury Treaty Sheet

Major Bunbury had responsibility for a copy of the Treaty, which was taken south on the H.M.S Herald in early May. He got a few signatures at Coromandel harbour on 4-5 May with some chiefs refusing to sign. However, a few more did sign on 7 May at Mercury Islands. He then reached Tauranga on 11 May where he failed to get any more signatures, and discovered that Brown and Stack had accomplished little. Leaving Tauranga, Bunbury went to Akaroa in the South Island on 28 May, where two chiefs signed. Bad weather forced the ship to bypass Otago but at Ruapuke, an island in Foveaux Strait, three chiefs signed on 10 June. The Herald then returned up the east coast, sending a boat ashore in Otago Harbour before moving on to the Cook Strait and Kapiti. Despite this long voyage Bunbury gathered only 27 signatures, but he did proclaim sovereignty over Stewart Island (where no Māori were found) by discovery, and over the "middle island" (now the South Island). The Herald copy is on parchment and suffered severe damage from its later encounter with rats. The copy bears Hobson's normal signature, and the handwriting suggests that it was written by Henry Tacy Kemp, one of the government's best translators.



The Herald-Bunbury Treaty Sheet.
Archives New Zealand: IA 9/9.



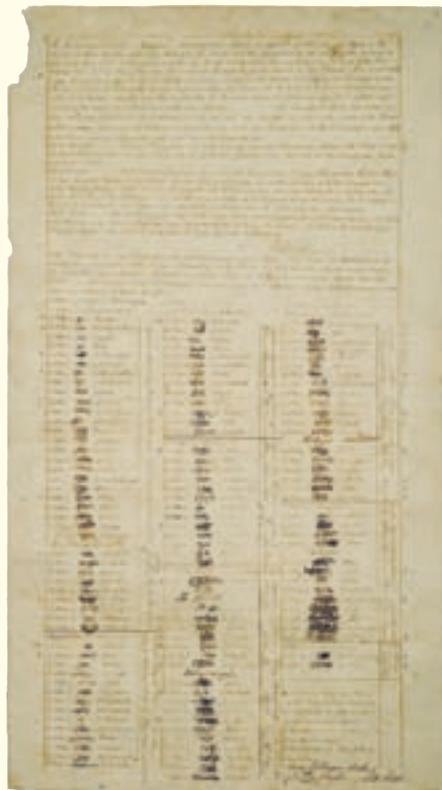
Te Rauparaha in 1842. Determined to secure the agreement of the powerful Ngāti Toa chief, Bunbury insisted that Te Rauparaha sign his copy of the Treaty, although the chief assured him he had already given his agreement to Henry Williams a month earlier. Te Rauparaha signed both the Herald and the Henry Williams Treaty sheets.
Artist: J.A. Gilfillan.
ATL: A-114-023.

Taraia Ngakuti Te Tumuhua. When Major Bunbury presented the Treaty to the Coromandel chiefs on 4 May 1840, Taraia was very likely one of the two chiefs who were present but refused to sign.
ATL: PA2-2820.



8. The Henry Williams Treaty Sheet

The Rev. Henry Williams, the translator of the Treaty, left the Bay of Islands on the Ariel on 2 April with two copies of the Treaty, dropping one off for his brother William Williams at Tūranga (Gisborne) on 8 April. He arrived at Port Nicholson (Wellington) in mid-April and on 29 April, 39 chiefs signed the Treaty there. Another 34 signed at Queen Charlotte Sound and Rangitoto (D'Urville Island). During May he travelled along the west coast of the North Island and received the agreement of several chiefs at Ōtaki, Waikanae, in the Manawatū, at Wanganui and Motu Ngārara, a small island off Kapiti. When he returned to Kapiti in early June he learned that Bunbury had taken his own copy south. Williams then returned to the Bay of Islands with his 132 signatures. His copy of the Treaty is quite different from the rest: carefully set out within a double border, the text is set out in three neat columns with marks indicating which are the principal chiefs of different tribes and other explanatory symbols. The signature of Hobson is genuine but shaky.



The Henry Williams Treaty Sheet. ➤
Archives New Zealand: IA 9/9.

Port Hardy, Durville Islands, Cooks Strait. ▼
Swainson, William.
ATL: A-187-056.



9. The East Coast Treaty Sheet

This sheet is in the same handwriting as the one used by Henry Williams and also has a ruled double border. It has another genuine but shaky signature by Hobson, showing that he was recovering from his stroke. Henry Williams passed it to his brother William Williams on 8 April, to get signatures from chiefs from the East Cape through to Ahuriri (Napier). Between 5 and 12 May, 25 chiefs at Tūranga signed this copy and further marks were gathered at other places. These were witnessed by William Williams, Henry Williams Jnr, and George Clarke Jnr, and made a total of 41. In his letter to Shortland on 8 May, William Williams refers to it as a "draft of [a] Treaty", indicating that he expected a subsequent confirmation or ratification. He is the only missionary to suggest this. In his instructions to Bunbury dated 25 April, Hobson stated that all signatures taken after 6 February were merely testimonials of adherence.



The East Coast Treaty Sheet. ➤
Archives New Zealand: IA 9/9.

Fortified villages near Poverty Bay, New Zealand. ▼
Artist: Polack Joel Samuel.
ATL: PUBL-0115-2-120.



The Final Treaty Copy

In October 1840 a last copy of the Treaty a large sheet within a double border, bearing both the Māori text and the official English text and authenticated by a Hobson signature – was sent to the Colonial Office in London (now at the Public Record Office, CO 209/7, 178). This is marked "Signatures taken off", but the note is misleading because there was no attempt to transcribe the names or marks or even to count them. The despatch was simply to record that both official texts were being sent as fair copies, authenticated by the Lieutenant-Governor, for filing. This is the only copy of the Treaty which has the words "Treaty of Waitangi" at its head.

Preserving the Treaty Documents

The Treaty came close to being destroyed by fire when the Government Offices in Auckland burned to the ground in 1842. A records clerk, George Elliot, rescued the Treaty just in time. At this time the documents were stored in an iron safe.

After the fire, the Treaty documents were fastened together and put in a safe in the Colonial Secretary's Office (predecessor to the Department of Internal Affairs) in Auckland. They were later transferred to Wellington when the capital was relocated in 1864/65.

in 1877 the government published photographic facsimilies of the eight handwritten sheets of the Treaty. (The Printed Treaty Sheet was not included.)

The Treaty of Waitangi originals were hardly seen again until 1908, when Dr Thomas Hocken came across them in the basement of Government Buildings.

Dr Thomas Hocken.
ATL: 1/2-004542.



H.M.S. Herald in Sylvan Cove, Stewart Island, 1840.
The Herald was at Stewart Island to obtain signatures on the Treaty of Waitangi.
Artist: Edward Marsh Williams.
ATL: A-083-005.



He discovered that they had been damaged by water, and the two parchment sheets had been partially eaten by rats, resulting in damage along the margins.

Action was taken to restore and preserve the Treaty in March 1913, when the damaged documents were sent by the Internal Affairs Department to the Dominion Museum for repair by having the losses in the parchment sheets filled in. However, it was found that this was impossible as it was difficult to obtain suitable material.

The eventual repair took the form of two sheets of parchment mounted on canvas and nine sheets of paper mounted on linen, with what analysis now shows was a starch paste. This treatment caused more damage, including stains, delamination and hardening of the parchment documents. The Treaty sheets were returned in a tin case for storage in the strong room at the Department of Internal Affairs.

After the 1931 Hawke's Bay earthquake, Dr G.H. Scholefield, controller of Dominion Archives, advised the Secretary of Internal Affairs that important state documents such as the Treaty originals should be stored well away from earthquake fault lines. However, Scholefield was ignored, and the Treaty documents remained in the Government Buildings.

In 1940, the Treaty was sent to Waitangi for the celebrations marking the centenary of the signing. This was the first public display of the documents since 1840.

A growing public interest in the Treaty led C.R.H. Taylor, then Chief Librarian of the Alexander Turnbull Library, to ask, in 1949, that the documents be displayed in the Library so they would be available to the public. However, the Department of Internal Affairs opposed this since the Treaty was a state document and there was risk that sustained exposure to any light would cause the writing to fade.

Sir Apriana Ngata taking the lead in a haka on Waitangi Day, 1940. ATL: 1/2-029794.



In 1956, the Department of Internal Affairs recommended that the Treaty of Waitangi be placed in the care of the Alexander Turnbull Library. A special display case was designed, although it was not installed until 1961 when the Treaty was finally put on public display.

Leslie Lloyd, the Auckland City Art Gallery Conservator, visited Wellington in 1966 and was invited to inspect and report upon the condition of the Treaty. Lloyd recommended that it "should be treated as of first importance in conservation as it is unevenly attached to linen, is buckled and subjected to close fluorescent light and consequent fading". Steps were taken to find solutions that would enable the Treaty to be displayed.

In 1977 and 1978, more treatment was carried out. The backing on the sheets comprising the Treaty was found to consist of a strong paper underneath buckram, a book cloth made from cotton or linen that is used in book binding and for stiffening garments.

The buckram was removed and the documents were humidified to moisten the paste before the paper lining was carefully peeled away. The paper sheets were immersed in water to soften the remaining adhesive, which was then removed. The documents were then dried and pressed. Previous poor treatment had left the sheets fragile and sensitive to environmental conditions.

Further restoration work was still needed. In 1979, book binder and restorer Sydney Cockerell suggested that the losses in the parchment sheets be filled in with handmade paper rather than vellum or parchment, as new skin would cause cockling. Following Cockerell's advice, conservation treatment began in January 1980.

In 1981, Archives New Zealand decided that the Treaty should be placed under better security. It was deposited in a secure vault at the Reserve Bank until a suitable, secure display facility became available at Archives New Zealand. Then, in 1987, Archives New Zealand's Conservation Unit completed a thorough condition report on the

Treaty and repackaged the documents to minimise the risk of further physical damage.

Finally, a climate-controlled display facility, named the Constitution Room, was constructed at Archives New Zealand in Wellington. It provided a high degree of security with intruder alarms and climate monitors. It was opened in 1990 by then Prime Minister Jim Bolger as part of the 150th anniversary celebrations of the signing.

Continuing refurbishment of the new Archives New Zealand building led to the Treaty being relocated to the Reserve Bank. These refurbishments were completed in November 1991, and the Treaty of Waitangi was returned to the display case in the Constitution Room at Archives New Zealand, where it remains today.

C.R.H. Taylor.
ATL: 1/1-003842.



The Rev Jean Brookes and the Rev Earle Howe read the Treaty of Waitangi in the new Constitution Room, 19 November 1990.
Photographed by John Nicholson. ATL: EP/1990/3979.

