

Would King Isaac the First lose his head?

The power of personality in Wellington provincial politics, 1857-1861

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Between 1853 and 1876 New Zealand was the laboratory for a constitutional experiment. For nearly a quarter century the colony was administered under a constitution which attempted to combine the perceived advantages of the federal and unitary systems of government. In New Zealand historiography the period has been referred to as 'the provincial years', placing emphasis, whether consciously or unconsciously, on the federal side of the arrangement.

Yet, despite a vast expansion in New Zealand historical research since the 1960s, despite pulses of revisionism, even revisions of revisionism, scant attention has been paid to the operation of the provincial system of government. It must remain an indictment that in 1995 the sole specialist work is still W.P. Morrell's *The Provincial System in New Zealand*,¹ first published in 1932, based on a thesis presented in 1923. Morrell, of course, was well aware of the limitations of his pioneering work. He writes: 'this book does not profess to exhaust the subject it discusses ... the working of provincial government in the ten different provinces, here relegated to a short concluding chapter, ought to be fully studied and compared'.²

Being a careful scholar, Professor Morrell well recognised that his study was heavily, perhaps unduly, influenced by the Otago sources from which he had primarily drawn. Yet for 60 years his call for comparative investigations has gone largely unheeded. With the exception of passing comment in wider work, somewhat more extended treatments in the Canterbury and Otago provincial histories, and occasional theses, most of the last presented before 1960, there has been little.³ In the case of Wellington Province, several theses touch on aspects of provincial government, but the only attempt to survey Wellington provincial politics as a whole is a single chapter presented in a doctoral thesis over a decade ago.⁴

It is not the intention of the present paper to fill the lacuna identified by Professor Morrell, not even for Wellington. Rather, it is proposed to present a contributive vignette. It will focus on less than five years in the life of the Wellington Provincial Government, the years 1857-1861. Within that limited time frame the struggle for supremacy between an elected Superintendent and an elected provincial legislature will be highlighted. While the paper had its genesis in research originally undertaken in the early 1980s, it has subsequently been refined in the course of a more recent exploration of the interrelationships between economic and political power in Wellington Province to 1876. Though the primary purpose is to shed partial light on the dynamics of 'settler capitalism' in Wellington's founding decades, it might be suggested there are also wider lessons about the exercise of political power, in particular the ability of a dominant political personality to turn accepted constitutional principles on their head.

It is perhaps appropriate to commence with a lightning sketch of context. The 1852 Constitution Act provided for the erection of two separate, but dovetailed, legislatures: the General Assembly, responsible for the conduct of specifically colonial affairs; and a clutch of Provincial Assemblies, initially six, later ten, charged with responsibility for matters of local administration.⁵ [Fig 1] The General Assembly was to consist of an upper chamber, the Legislative Council, entirely nominated by the Crown, and a popularly elected House of Representatives. In conjunction with the Governor and, it was originally envisaged, senior Crown officers, a ministry drawn from these houses was to function as the executive arm of colonial government. Each of the newly created provinces, in contrast, was to have an elected chief executive, the Superintendent, together with an elected Provincial Council. In each of the provinces, a Provincial Executive, or local ministry, was to be drawn from the ranks of the Provincial Council. In the light of the conflict to be explored, it is important to dwell briefly on the role of the Superintendent.⁶ From the outset, the Superintendent was envisaged as a central figure in local politics, and also in the con-

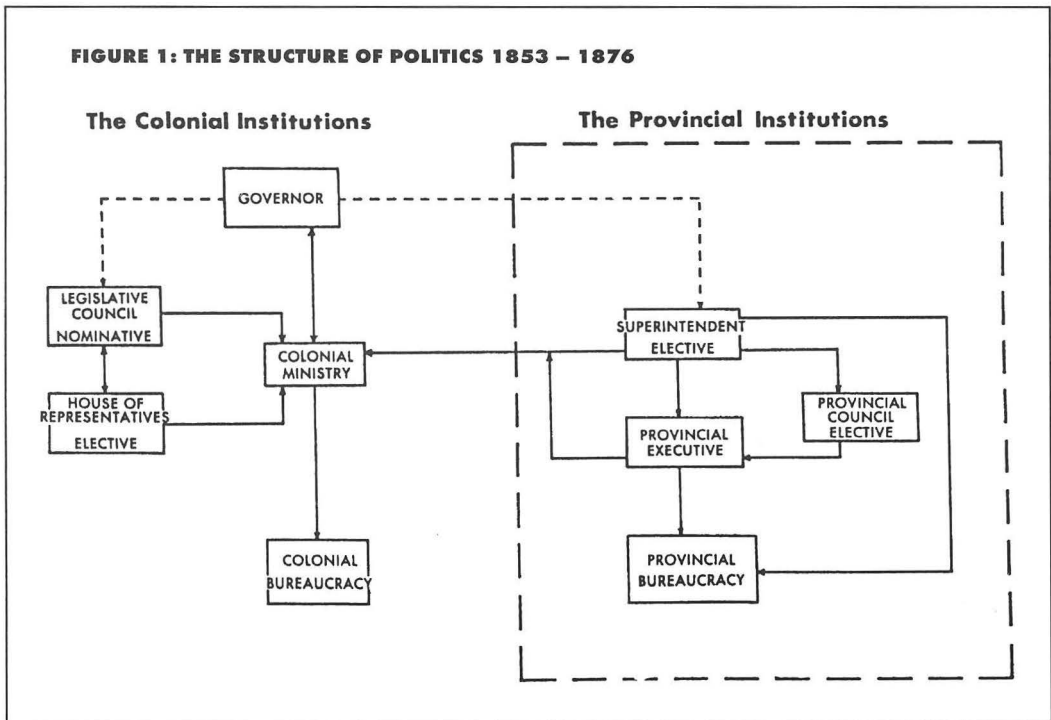
duct of public administration. He was to be clearly far more than a provincial premier. Cast almost as a gubernatorial substitute, the Superintendent initiated all local money bills. He might transmit drafts of local laws or ordinances to the Council for consideration. He might, on behalf of the Governor, assent to, or withhold assent from, bills; or he might reserve them for signification of the Governor's pleasure. On his own initiative, he could suggest amendments to Council-proposed legislation, or refer it back to the Council for further consideration. Moreover, with the Provincial Executive, the Superintendent had ultimate control of the provincial bureaucracy. Thus, his powers were always considerable, and were intended to be. But, no less critically, it was also always envisaged the elected chief executive would govern in concert with his elected provincial legislature, not independently.

Despite the opportunity provided for settlers to participate actively in politics at two levels, post 1853 political interest, certainly in Wellington Province, remained localised to a high degree, at least till the late 1860s.⁷ This local concentration was entrenched by the 'Compact' of 1856,⁸ responsibility for such matters as lands disposal policy, public works and immigration being almost completely yielded to the provinces. Provincial politics were close to hand; the effects omnipresent. Topics debated within the Provincial Council had a potential to touch the lives of each and every

individual. Central politics, conversely, were geographically distant; their effects did not so readily obtrude. It is scarcely surprising, then, that contests for the Superintendency and seats in the Provincial Council generally aroused the greater clamour. Amongst the New Zealand provinces, Wellington, perhaps not unjustly, earned a reputation for the bitterness of contests and the corruptness of its electoral practices. As the Rev. Richard Taylor observed: 'It is generally acknowledged that it is chiefly owing to the high winds, which render the minds of the settlers so irritable, that were it not for politics, which act as the safety valve for the place, there is no saying what would be the result'.⁹ On polling days, amidst drunken revelry and altercations, each enfranchised citizen was required to cast his vote publicly on the hustings, this lending a quaint Dickensian flavour to the proceedings. Thereafter, once results were known, there was potential for even greater degeneration of public order. Yet, while shenanigans were frequently experienced, intense interest, even in local politics, was by no means constant. There were times when almost complete apathy prevailed.

A final preliminary point should be made. The 'popular election' of the Superintendent and Provincial Council has already been referred to. What did this mean? Regardless of the general euphoria following passage of the 1852 Constitution Act, effective par-

FIGURE 1: THE STRUCTURE OF POLITICS 1853 – 1876



ticipation in provincial politics, through exercise of the vote, was confined to an élite minority: those holding property.¹⁰ The franchise was restricted to those possessing freehold land to a value of £50, or leasehold at an annual minimum rental of £10. With the 'have nots', with respect to real property, thus disposed of, the provincial electorate broadly divided into two categories: 'the haves' and 'the have less'. They were linked only by a powerful general desire to have considerably more.

To properly understand what happened at Wellington between 1857-61 it is necessary to go back at least ten years, to the 1840s. Factionalism was something that emerged early in the Wellington settlement.¹¹ Indeed, when the first elections for a Superintendent and Provincial Council were called in 1853, ready-made political alignments already existed. Predictably, the 'haves' were already in the ascendancy. An alliance of the settlement's largest landholders, the leading main town merchants, and a new group, the flockmasters of the pastoral districts, had already taken shape by 1847. Curiously, though the Wellington settlement was established in the 'Great Reform Decade', there had initially been little scope for true political activism. Political consciousness had had to be stimulated. Foremost amongst the stimulators was an almost anonymous arrival, in May 1841: Dr Isaac Earle Featherston.¹² The son of a prosperous Durham retail grocer, Featherston had graduated from Edinburgh University in 1836. Beseet by chronic illness, he sought restored health in new climes. Once settled in Wellington, the doctor set about making his mark, raising his profile by any means possible. It was in his calculating approach to politics, to life generally, that Featherston was different to most of his fellows. A small man, with an unusually large head, 'the Doctor' cut something of an incongruous figure; but never one of fun. There was too much pent-up energy, too strong a hint of the fanatical in his personality, for that. As events were to show, there were, in fact, two political Featherstons. On the one hand, there was the demagogue, a populist of the first order, one all too capable of rousing what might be termed 'Isaac's mob'. On the other, some-



times less public, there was the ruthless political schemer, ever plotting strategies, his natural skills marred only by the unpredictability of his temper.

What further set Featherston apart was that, from an early date, he had a clear vision of just how the Wellington settlement should develop. Envisaging expansion based on extensive pastoralism, he reasoned that such development could only be fostered by local entrepreneurs of substance; and if he personally should be one of that number, as he fully intended to be, there could be no harm in that.¹³ To achieve this, however, the influence of the New Zealand Company would have to be superseded, and the Crown Colony system of government done away with. Power, effective power, must be delivered into the hands of the settlers themselves or, more properly, of those whom 'the Doctor' and his supporters considered most fitted to rule. Featherston's first major campaign was one for the compensation of settlers by the New Zealand Company for losses arising from delays in, or the non delivery of, lands purchased in the settlement.¹⁴ When this was successfully concluded, the élite of the settlement gathered admiringly round him. With his gen-

*Above: Isaac Earle Featherston 'The Little Doctor'.
General Assembly Library, Wellington.*

eral popularity high, Featherston was also well placed to launch the second phase of his drive for power. This time, however, he sought further support. His vehicle was the Wellington Settlers' Constitutional Association, formed in December 1848.¹⁵ Its stated aim was nothing less than responsible government, for the colony and the settlement. What is pertinent to the present discussion is the composition of this body:

**WELLINGTON SETTLERS'
CONSTITUTIONAL ASSOCIATION
1851**

CHAIRMAN	John Dorset	Surgeon
SECRETARY	I.E. Featherston	Surgeon
TREASURER	Wm. Lyon	Merchant
COUNCIL	Wm. Fox	Landowner
	Wm. Fitzherbert	Merchant
	F.A. Weld	Pastoralist
	Ed. Daniell	Landowner
	W.B. Rhodes	Merchant
	K. Bethune	Merchant
	R. Waitt	Merchant
	Jas. Smith	Merchant
	John Johnston	Merchant
	A. DeB. Brandon	Solicitor
	R. Davis	Publican
	J. McBeth	Storekeeper
	G. Waters	Storekeeper
	W. A. Dorset	Gentleman
	J. Joseph	Merchant
	Jas McDonnell	Tradesman

Source: Cooks Strait Almanac (1851)

At the height of its influence, in 1851, although a sprinkling of lesser dealers and a single tradesman afforded a nod to democracy, the Association was dominated by representatives of the settlement's incipient wealthy. For over four years Featherston and his cohorts constantly harried both the Imperial Government and the Governor. With this second campaign having been described in detail elsewhere,¹⁶ it is sufficient here to note that it was savage, and that it further deepened divisions within the settlement. In the course of drawing his own troops together, Featherston, perhaps unwittingly, drove dissenters into a loose-knit pro-colonial government lobby. Moreover, as the pro- and anti-government factions jostled, the majority of the settlers could only watch anxiously. They were already excluded.

Ultimately Featherston was again successful, being hailed as a 'people's champion'. The May 1852 Westminster passage of the Constitution Act appeared to leave him firmly in the Wellington saddle. When writs were posted in the following year for the first elections

of a Superintendent and Provincial Council, it was widely anticipated that any contest would be, at best, an unequal two horse race: on the one hand, the Constitutionalists stood ready and eager; on the other, former colonial government supporters milled nervously.¹⁷ There seemed no prospect that Featherston himself would be challenged for the Superintendency. So it eventually proved, at least in his case, although the Council elections were to be complicated by the late emergence of a working settler opposition, led by none other than Gibbon Wakefield.¹⁸ Perceiving they would continue to be excluded, the working settlers had attempted to organise, and they had sought a figurehead. Relatively, their efforts were for nought. It was a case of too little, too late; and of insufficient organisation. When the results were posted the 18-man Provincial Assembly was found to incorporate 11 Constitutionalist nominees:¹⁹

**WELLINGTON PROVINCIAL COUNCIL
1853**

TOWN OF WELLINGTON (7)

Chas. Clifford	Pastoralist
John Dorset	Surgeon
Wm. Fitzherbert	Merchant
Geo. Moore	Merchant
J. Wallace	Gentleman
W. Lyon	Merchant
K. Bethune	Merchant

WELLINGTON COUNTRY DISTRICTS (3)

A. DeB. Brandon	Solicitor
R. Waitt	Merchant
A. Brown	Farmer

HUTT (4)

A. Renall	Miller
A. Ludlam	Farmer
E.G. Wakefield	Gentleman
G. Hart	Landowner

WANGANUI-RANGITIKEI (2)

W.H. Watt	Merchant
H.W. Harrison	Landowner

WAIRARAPA - AHURIRI (2)

D. Gollan	Pastoralist
S. Revans	Pastoralist

While the opposition groupings split the Hutt seats, they made limited inroads elsewhere in the Province.

Notwithstanding this late electoral flurry, provincial government at Wellington opened with cautious optimism, with an expressed wish that past discord could be put behind. But it was inevitable strains should soon develop. Featherston had made no secret of his pro-capitalist agenda, and there was little likelihood he would deviate. When the newly elected Superin-

tendent found, to his displeasure, that doubters remained, he became overbearing, making it plain he considered the elected Provincial Council no more than an endorser of his decisions. Assisted by his principal aides, Fitzherbert and later Fox, the latter returned in an 1854 by-election, he proceeded to force the point home. For more than three years the elected Councilors were little more than ciphers for the Superintendent and his executive.²⁰ Sensing no need for subterfuge, the Provincial Government cynically set out to promote the interest of its leading members, and its less publicly conspicuous backers, ignoring the calls of the bulk of the settler community for access to the public lands. According to the *Spectator*, in mid 1855, a small group was being permitted 'the undisturbed possession, occupation or monopoly of large tracts ... at low price or rent ... to the exclusion of all others'.²¹ Whereas Featherston had promised to support 'small farm settlements', he had scarcely lifted a finger to honour the promise. Adding to the perceived injury, in late 1855 Featherston promulgated 'Additional Land Regulations' which, while further restricting general access to the public lands, made occupation by the élite even easier. And to the injuries were added insults. Partial legislation, for instance the Fencing and Thistle Acts, impacted unequally upon the settlers.

Understandably, public administration of this stamp bred resentment, not only amongst the Provinces' existing smaller landholders, but also amongst townsmen who aspired to become rural landholders. It was no less strongly felt by shopkeepers and lesser merchants, who soon found government contracts were invariably awarded to acknowledged market leaders, who were usually also supporters of the Constitutionalist government. The Provincial Council, it was proclaimed, 'had betrayed its trust to the public'.²² The 'political incapacity, selfishness and dishonesty of Messrs. Fox, Featherston and Fitzherbert'²³ was roundly condemned. Yet Featherston's government, now commonly referred to as the 'Feather-my-nesters', or the 'Bowie Knives', chose to ignore the mounting criticism. That a genuine threat could materialise was not recognised.

Two connected developments transformed the discontented mutterings into a real challenge. The first, and probably the more crucial, was the emergence of a new opposition leader in the Provincial Council. In the hour of need another Wakefield, Jerningham,²⁴ son of Gibbon, stepped forward. One of Wellington's earliest settlers, the younger Wakefield had returned to England in 1845, spending some years there before re-embarking for the Canterbury settlement. Upon his reappearance in Wellington, the community was at first not quite sure what to make of him. His early

New Zealand years, under the nominal tutelage of his uncle William, had been tempestuous, and he had left with a personal reputation none too high. Yet, when in 1855, with a show of filial devotion, he replaced his ailing father in the Provincial Council, he did much to disarm his detractors. Scenting an opportunity to make his personal mark, he steered himself to the fore, plotting every move. Like his father before, he had ambition, and a strongly developed attachment to politics. Wakefield's precocious promise as a leader, and the prospect he offered of bearding the incumbent provincial laird, tended to obscure the fact that there were still very real character flaws. Even his father was conscious of his '... desultory application under inordinate excitement ... localism with respect to thought, as well as somewhat of a turn for wrangling'.²⁵ More debilitating still was a concealed, but overdeveloped, fondness for the bottle. In the fullness of time the flaws were to become all too evident, but in the short term the younger Wakefield's verve was seen as just the tonic needed. The second development was an August 1856 by-election to add 12 additional members to the Provincial Council.²⁶ From 1853 there had been agitation for an increase in popular representation, and by early 1856 the Constitutionlists, though initially reluctant, had been won over. The result of the poll, however, was scarcely what they had anticipated. Although the voter turnout was low, and the contest relatively spiritless, Wakefield's group succeeded in appropriating three of the six new town seats; even if one of those was only filled by Wakefield himself dashing into the street and waylaying a passing boatman! Three further seats were secured in the country districts. While these opposition additions scarcely challenged the Constitutionalist majority, Wakefield nevertheless took encouragement from the results. The myth of Constitutionalist invulnerability had been dispelled.

Between the August 1856 by-election and the regular elections for a Superintendent and Provincial Council scheduled for October/November 1857, Wakefield's most important work went on behind closed doors, almost certainly in smoke-filled rooms.²⁷ Shrewdly and meticulously he constructed a coalition of the discontented, at the same time assembling the organisational machinery to assure a large voter turnout. Wakefield soon recognised that old opposition alignments, fashioned in the 1840s, no longer held much meaning. With the General Assembly now distanced from provincial affairs, maintenance of a pro-central government stance was an anachronism. Nor could an election be successfully fought on a narrow appeal to working settlers alone. Too few, as yet, were enfranchised; and those who were, were concentrated in a few areas. But, if the

remnants of these two traditional support groupings could be held together, and if the combination could be augmented from elsewhere, the Constitutionlists might face a surprise. With this in mind, Wakefield ardently wooed the smaller town merchants and shopkeepers. Previously supporters of Featherston, Wellington's 'petit bourgeoisie', had looked askance at the benefits in which they had expected to share were channelled elsewhere. The signs were that significant numbers might defect if they could be offered adequate incentive. As a further marriage of convenience, Wakefield also joined forces with a small, but well-to-do, group styling itself the 'Independent Runholders'. This was perhaps the most incongruous union of all. Prosperous men, men such as George Hunter and Robert Stokes, although already substantial pastoralists yet smarted, for they had been excluded from Featherston's favoured circle. The objective of their opposition was to place more, rather than less, land in the hands of runholders such as themselves. This odd coalition, dubbed 'Radical Reform', was heterogeneous; it was unstable; but it at least made victory at the polls a possibility.

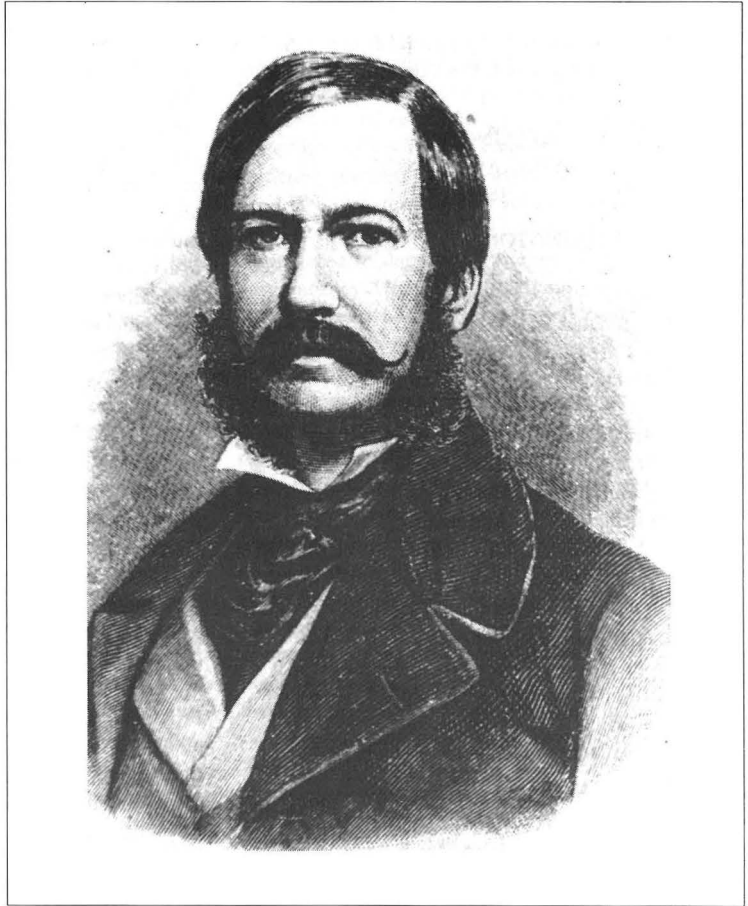
In the leadup to the late 1857 polls Wakefield and his new, as well as old, friends were outspoken in their criticisms of the established order. The 'arrogance' and 'self-seeking' of the outgoing Executive was consistently paraded, the 'poverty and partiality' of the waste lands administration being stressed.²⁸ The first confirmation that something, at least from the Constitutionalist point of view, was drastically amiss came with the Superintendency election in mid October.²⁹ On nomination day, after Featherston had been duly proposed, Wakefield stepped forward and nominated Dr Robert Porter Welch. Even in hindsight, Welch was a strange, and by no means appropriate, choice.³⁰ A man of small means, somewhat carping and ineffectual, also handicapped by his recent arrival at Wellington, Welch was essentially put in to test the water. Yet, when a show of hands was called for, Welch secured an overwhelming majority. Featherston, however, as was his right, demanded a formal poll. In the intervening days the tenor of the campaign took a decided turn for the worse.³¹ At Wakefield's urging, Welch concentrated entirely on Featherston's personal 'misdeeds'. As a widely circulated handbill queried: 'why [was] Dr Featherston so sheepish?'³² Conveniently, the broadsheet also attempted to provide answers. The Doctor, it was charged, personally occupied in excess of 44 square miles of the public lands at a yearly rental of £29. It was further alleged that even that modest rent was years in arrears. Though Featherston blustered, the charges were doubtless damaging, and the direction of the electoral current became evident when the

polling days arrived. In the main town a large number of electors declined to support either candidate; at the Hutt, Welch actually secured a large majority; elsewhere in the Province the majorities recorded for Featherston were unusually small.³³ In a close finish Featherston, probably by virtue of his strong personal following, just slipped back in. If a more eligible candidate than Dr Welch had been proposed, he would probably have been elected. And Featherston knew it.

The near reverse, however, in no way disposed the Superintendent and his followers to a show of reasonableness. Castigating the electors as ingrates, the ruling party demanded a strong turnout in its favour at the pending Council polls.³⁴ Amidst torrents of abuse, election fever grew to a pitch never before experienced at Wellington. Only a prudent minority regarded the uproar with some concern, sensing it to be a powder keg that might be set off by carelessness.³⁵ It was Provincial Secretary Fitzherbert who first applied a match to the fuse. Addressing a packed meeting in the main town, he warned of dire consequences if the voters should be so ill-advised as to return a Council not 'perfectly in accord' with his Honour's views.³⁶ There could only be deadlock, and the Superintendent must rule, with or without the assent of the majority. This barefaced attempt at intimidation was '... exactly the kind of doctrine which cost King Charles the First his head', raged a, by now, irate *Spectator* scribbler, and it would '... cost King Isaac the First his last chance of maintaining his place, patronage and power to help his particular friends'.³⁷ In the atmosphere of incited anger, the Reformers began to sense that victory was more than just a possibility. When Featherston himself chose to enter the controversy, he only made matters the worse. Sharply reiterating Fitzherbert's warning, he made it clear that, whatever the result of the Council election, he would rule in his own way. His reelection must be regarded by him as an endorsement of his previous policies. This intransigence was the very brand in the barrel that the less excitable had been hoping to prevent.³⁸ It set off the predicted series of explosions. In the view of the *Spectator*, '... much had been made of the behaviour of Fitzherbert, Fox, and their like, but when all was said they were no more than Ministers ... content to work out what the little Provincial King contrived ... He casts the bullets, and the other F's only shoot them. But this time he would fire his own gun and blow his own trumpet at the same time'.³⁹ To a correspondent he brought to mind '... the spoilt child, sitting on the table yelling "I won't be good", and smashing the drum of "Responsible Government" with which he had so long astonished the household'.⁴⁰ Other correspondents were even more cutting. The assault, however, was in no way

one-sided. The 'empty presence' of Wakefield's espousal of the small settlers' cause was emphasised, it being suggested his absence from the colony in the late 1840s qualified him for the hated epithet, 'absentee landlord'.⁴¹ The link with the Independent Runholders was also ridiculed, the 'new firm of Wakefield, Hunter and Company' being dismissed as a conglomerate of the unscrupulous. Yet again, Featherston himself was the most outspoken of the critics. Passing over Wakefield, he subjected his lieutenants, in particular lawyer John King and auctioneer William Allan, to invective. They were publicly denounced as 'the plunderers of Dead Men's Estates', and 'the robbers of widows and orphans'.⁴² Admittedly, the dividing line between what was permissible and what was not was fine, but on this occasion Featherston was to find that he had finally overstepped the mark.

At the end of the first week of November 1857 the town voters made their choice, and the cumulative effect of four years of arrogant indifference, and of the fortnight of turmoil, became clear.⁴³ Not one Constitutionalist was elected in the town, a round dozen Reformers being returned in their place. Amongst those discarded were the Speaker, Charles Clifford; Jonas Woodward, recently installed on the Executive as Provincial Treasurer; and, most significantly of all, the ubiquitous Fox, also a member of the Executive. Yet, while stunned by the reversal, the Constitutionlists were not yet prepared to admit defeat. Petulantly the *Independent* admonished the town voters: '... if the little Wellington retail dealers and publicans think they can dictate ... they are very much mistaken The country settlers - the real strength of the colony - are their masters, and they will show it'.⁴⁴ Yet the Reformers, formerly despised as 'mere chips in the Provincial porridge', continued to show well. A few



Above: Edward Jerningham Wakefield. General Assembly Library, Wellington.

days later, at the Hutt, the Reformers again swept the poll, the major casualty this time being Fitzherbert.⁴⁵ Formerly regarded as a safe Constitutionalist preserve, the Wellington Country Districts, too, returned a Reform majority. Thus, even before the remaining outlying polls had been held, Wakefield and his associates had a firm grasp on two thirds of the seats in the Provincial Council, and the entire Provincial Executive, with the exception of Brandon, had been turned out. As the final results drifted in, they were found to be no more cheering for Featherston. At Ahuriri, both members returned were fervently anti-Featherston, though admittedly no more than nominal Reformers. In the Wairarapa the seats were split between the contending groups.⁴⁶ Only Wanganui remained totally faithful to the Superintendent, and, in a fashion no doubt pleasing to him, that electorate found a place in its affections for Fox, who, following his ejection in the City, had ridden frantically northwards proclaiming, with possibly more truth than he intended, that his heart lay not in any town but in his Rangitikei lands.⁴⁷

By any measure, the Reform majority was overwhelming. The ill-assorted opposition coalition had taken 23 seats. In contrast, the Constitutionlists had secured a mere seven:

WELLINGTON
PROVINCIAL COUNCIL
1857

CITY OF WELLINGTON (12)

Wm. Allen	Auctioneer
R. Barry	Publican
Wm. Bowler	Merchant
R.H. Carpenter	Bookbinder
G. Hunter	Merchant
J. King	Solicitor
J. McLaggan	Carpenter
R. Stokes	Landowner
E. Toomath	Teacher
J. Varnham	Merchant
E.J. Wakefield	Gentleman
T.K. Warburton	Storekeeper

WELLINGTON COUNTY DISTRICT (5)

A. deB. Brandon	Solicitor
J. Johnston	Merchant (J. Woodward)
T.D. McManaway	Surveyor (C.W. Schultze)
A. St. Hill	Landowner
Jas. Wallace	Farmer (Jas. Mitchell)

HUTT (5)

W. Corbett	Sawyer (W. Fitzherbert)
G. Hart	Landowner
A. Ludlam	Farmer
W. Phillips	Farmer
W. Willcock	Shipwright

WANGANUI-RANGITIKEI (4)

M. Campbell	Farmer
W. Fox	Landowner
J. Handley	Farmer
W. H. Watt	Merchant

WAIRARAPA (2)

C.B. Borlase	Solicitor (W. Mein Smith)
C. R. Carter	Contractor

AHURIRI (2)

T. H. Fitzgerald	Settler
D. Gollan	Pastoralist

Source: *Parliamentary Record*

Puffed with success, Wakefield set forth at a Grand Victory Banquet what he termed his 'Bulldog Policy'.⁴⁸ Featherston must now submit, or the Reformers should be compelled to '... fly at the head ... to go right in at [him] and hang on with the pertinacity of the pugnacious brute till he be pulled down'. This, of course, was no more tactful than had been the threats of

Fitzherbert, or of Featherston himself. Darkly, the *In-dependent* hinted that the pastoral interests ('the real strength of the Province') would not for long submit to rule by '... those small hucksters - the Wellington Beach Statesmen'.⁴⁹ As to how this would be thrown off, however, the paper was silent. The *Spectator* was more optimistic. While admitting that for a period it was likely Featherston would 'kick against the pricks', he must eventually accept reality and settle to governing in accordance with the wishes and advice of the democratically elected majority.⁵⁰

Whatever his personal feelings, it was generally reckoned that Featherston would not long be able to delay a meeting with the Reform-dominated Council. Reasoning, however, that it would be salutary to allow the victors time to cool their heels, and by the delay re-emphasising his own pre-eminent position, the Superintendent waited more than four months before calling the Provincial Council together.⁵¹ Between times, he continued to rule as coolly as ever, issuing orders, expending public monies without restraint. No effort was made to install a new Executive drawn from the majority party. Fox and Brandon continued to function as before, while Fitzherbert and Woodward, finding their electoral defeat no handicap, remained as Provincial Secretary and Treasurer respectively. It was all as if the elections had never been held. Yet, rather than producing resignation to what the Superintendent determined should be, the tactic only stimulated further animosity. As the months stretched out, the Superintendent was labelled 'a midnight Thief'; one who thwarted the law for the continued benefit of his friends.⁵² His actions were said to uncannily resemble those of the mole, '... mining in the dark, ... only betraying his progress by little heaps of dirt raised here and there'.⁵³

When the Council finally assembled in mid March 1858, Featherston immediately delivered a blistering rejoinder to those alleging that the waste lands had been monopolised, asserting that the Province had forged ahead under his policies, and that his intention was more of the same.⁵⁴ Unimpressed, the anti-Featherston coalition ignored his words. As Wakefield had promised it would, it set about its reforming assignment with vigour. Within a week eight select committees were set up to investigate aspects of the previous Government's administration.⁵⁵ Reports were sought on the operation of the Lands and Survey Offices, as well as recommendations for the liberalisation of the Land Regulations. As further issues arose in the deliberations, additional select committees were set up to study how small farming schemes might be encouraged, and the best means of introducing a 'lands on credit' system.⁵⁶ The appropriateness of these, the

main planks of the Reform platform, was not what was under consideration; what was now being discussed was how long before changes could be implemented. Apparently isolated, Featherston regarded all of this with a jaundiced eye. A desperate situation called for desperate measures. Before any of the appointed committees had a chance to report, the first real crisis in the Council's existence was engineered.

It was disagreement over the future composition of the Executive that gave rise to the crisis. Even when the Council had come together, the Superintendent had made no effort to alter the ministerial *status quo*. Indeed, on the first sitting day, he ingenuously informed Wakefield it was his intention to retain the old Executive in office 'in the meantime'.⁵⁷ Yet such a procedure was without precedent, and the Reform leaders lost no time in informing him of the likely implications. It was only with bad grace that Featherston eventually yielded, and with equally bad grace that resignations were forwarded by three of the politicians concerned, Fox being exempted through his concurrent holding of the office of Crown Lands Commissioner. Peevishly, the Superintendent then invited Wakefield to nominate a new Executive.⁵⁸ It was at this point that the latter overplayed his hand. He attempted to repose all of the major Executive offices in himself, not even nominating a Provincial Solicitor.⁵⁹ While Wakefield clearly intended that this post should eventually be filled by John King, the situation was temporarily complicated by King's pending libel action against the Superintendent for his campaign statements of the previous year.⁶⁰ There was never any likelihood that Featherston would accept the proposal. Claiming it was contrary to existing law, and that Wakefield's aim was to set himself up as an alternative Chief Officer of the Province, the Superintendent rejected the nomination.⁶¹ To surmount the impediment, Wakefield then introduced a new and more flexible Executive Bill, which was speedily passed through all its stages and sent to the Superintendent for assent. This was a direct challenge, and one Featherston could not ignore. Appearing in person before the Council, he announced that he would not sign the new legislation. It reduced the Superintendent to 'a mere registrar of edicts', and this he declined to be.⁶² Instead he proposed to forward his resignation to the Governor, then to appeal to the people for a vote of confidence. It was a dangerous move. The pro-Reform press hailed it as 'Featherston's last shift', claiming that the Doctor had no chance of re-election, and, by their caution, his supporters revealed their concern the critics might be right.⁶³

In the ensuing three months, public administration in the Province degenerated to farce. While prepared

to resubmit himself to the electors, Featherston had no intention of passing over the reins of power to the Reformers in the interim. He therefore unilaterally appointed the defeated Fitzherbert Acting Superintendent, further decreeing that Fitzherbert would act with the advice of his former colleagues till the Superintendency question was resolved.⁶⁴ This typically high-handed action the Council refused to accept. Under the 1852 Constitution Act it was the Speaker who was empowered to deputise in the event of an extraordinary vacancy. Upon the direction of the majority, Alfred Ludlam, who had been elected Speaker in succession to Clifford, declared himself as in office, and proceeded to form an Executive.⁶⁵ For several weeks the Province was in the comic situation of having two competing administrations, and the conflict was not resolved till Ludlam appealed to the Supreme Court. Even then, there was a further problem. Anticipating the Court's decision might well go against them, Featherston's defacto administration had uplifted the entire provincial funds from the Union Bank, and deposited them surreptitiously in Fitzherbert's personal account at another bank, with the avowed purpose of preventing the legal interim administration from spending a farthing on the public service.⁶⁶ Only a serious threat of conspiracy proceedings brought restoration of the funds and quiet possession of the Provincial Government offices.

Late June 1858 was set down for Featherston's electoral test of his popularity. This time in deadly earnest, the Reformers brought forward as their candidate not Welch but Henry St Hill, the respected Sheriff of Wellington.⁶⁷ Although known to be personally close to the Wakefields, it was hoped that St Hill's solid respectability might appeal to all sections. Here, it was proclaimed, was a man of dignity, one who came forward out of a sense of duty, not through any self-interested motive. That St Hill was himself a considerable runholder, with much of his acreage still held under illegal Māori leases, was overlooked.⁶⁸ This was the most formidable opposition with which Featherston had yet been faced. Wisely, he largely forswore personal abuse. Professing respect for St Hill, if not for his backers, Featherston argued the key principle at issue was political stability.⁶⁹ While conceding that no Superintendent could rule effectively without the support of the elected Provincial Council, and he gravely assured electors he had never believed otherwise, he nevertheless asserted that a Superintendent's role as provincial Chief Executive should never be compromised. Wakefield's contesting was no less than an attempt to upset the necessary balance, and to gather all powers into the hands of a few unscrupulous men. The sincerity, the altruism, of 'the Doctor's' message

was touching. For his part, St Hill also kept the campaign low key. While necessarily disagreeing with Featherston's analysis, he quietly promised, if elected, to work in harmony with the Council and a nominated Executive, and to give effect to policies formulated in the Council, always providing they were not repugnant to colonial statute law.⁷⁰ The lead-up to the polls remained restrained. Yet despite the comparative lack of fireworks, few were prepared to commit themselves as to the likely outcome. While Featherston's outrageous behaviour was hard to justify, there was a lingering suspicion the Superintendent's strong personal following, which had saved him in 1857, might yet bring him home by a short head.

In the event, the suspicion was to be proved correct, but the margin was no more than a nose.⁷¹ It was the closest contest Featherston was ever to experience. Indeed, after the town votes, and those cast in the immediately adjacent districts, were counted, he was found to be seriously lagging, his fortunes only being restored by solid support in the outlying districts.⁷² Immediately thereafter Ludlam stepped down, the interim Executive resigned, and all waited for the Superintendent's next move. They did not have to wait long. Reinflated by success, however narrow, Featherston faced his rebellious Councillors with injured righteousness. Construing his return as complete vindication of his stance and policies, he tartly informed the Council that it was now up to each and every one of them, individually, to similarly submit themselves for re-endorsement.⁷³ Until they did so, their mandate had been superseded. Not surprisingly, the Councillors declined to share this view. Over the preceding four months the select committees had hammered out what they considered to be acceptable reform programmes. These were now passed to Featherston for formal approval.⁷⁴ Clinging to his argument that the Council no longer had popular backing, he vetoed the proposals out of hand. Yet 'the Doctor' was not consistent. Whatever his doubts as to the legitimacy of the elected chamber, it did not prevent him requesting the vote of funds for the conduct of public business. It was the only sanction the Council had readily available. In retaliation for the Superintendent's intransigence, it refused supply.⁷⁵ Neither side would budge, and by mid-August 1858 there was total stalemate. At the end of that month Featherston prorogued the Council, at the same time requesting the Governor to dissolve it. When the Governor refused, the Superintendent resolved to leave the Council, at least temporarily, in limbo.⁷⁶

For more than a year Featherston ruled in splendid isolation, assisted only by his long-standing followers. The refusal to vote supply, though a nuisance, was by no means insurmountable.⁷⁷ In the preceding five years

loans in excess of £100,000 had been negotiated on the Province's behalf. A significant proportion of the monies remained unexpended in the Provincial Treasury, and would adequately cushion official spending in the immediate future. Should any shortfall occur, Featherston airily declared, then sales of cut-price pastoral lands could be boosted. Meanwhile, it would be business as usual; on pre-1857 terms. Such cavalier treatment incensed the Reformers. Their first response was to seek a further Supreme Court injunction preventing the Superintendent from spending public monies without an appropriation.⁷⁸ When the application was declined, Featherston was left virtually unassailable. As Fox gloated to a friend, the Court's decision had effectively '... checkmated our opponents, and left us free to go on governing and expending without check'.⁷⁹ The only recourse left the Reformers was to set up a substantial public din. Through the later months of 1858 the question regularly posed at meetings, and in the press, was 'Is Dr Featherston to have his Own Way'.⁸⁰ The Doctor's past history in the settlement was carefully searched for indiscretions, and his assumed fame as 'the father of Responsible Government' attacked, but to their disgust, the Reformers found little to rattle him. 'Truly', as one of their number commented, '... if he has the pugnaciousness of Donnybrook Fair, he combines with it the cunning ... of a Hindoo'.⁸¹

In desperation, the frustrated Councillors turned their attention back to the administration of the public lands. Not only was good land being still freely packaged out to Featherston's favourites; the none too hidden implication was that the funds accruing were being siphoned indirectly into Constitutional pockets.⁸² If Featherston continued to have his way, the country would become nothing but 'a giant sheep-walk'. The Superintendent was guilty of 'heartlessly sabotaging' the aspirations of small settlers. The strain became repetitive, but it was no less strongly felt for that. Featherston's 'advisers', collectively condemned as '... a miserable band of servile, greedy, lickspittles', were nevertheless depicted as dangerously effective tools in the petty tyrant's hands.⁸³ Fox was singled out for particular attention. As Crown Lands Commissioner, it was claimed, he could '... by his sole word and pen, ruin the worldly prospects of any dealer in, or occupier of, the public lands', and frequently did so. Though a provincial official by inclination, Fox still held his post at General Government pleasure; a small point ignored by both Fox and his leader when control of the disposal of the public lands had been handed over in 1856.⁸⁴ Further, in strictly legal terms, Fox was functioning as Commissioner without sanction, and Wakefield and his friends made the most of the illegal-

ity. Citing decisions in which the Commissioner had allegedly shown favouritism, and emphasising his neglect of the duties for which he was paid, ensuring all the while that the Secretary of Crown Lands was kept appraised, the Reformers nudged Fox into a corner.⁸⁵ When called to account by his unacknowledged masters, he chose to resign. The appointment of Fitzherbert, in Fox's place, was no more popular, being dismissed as '... another Featherston dodge, another thimble rig, another shift of the pea'.⁸⁶ Only the target had changed.

Yet by mid-1859 the Reform impetus was perceptibly weakening. Despite strong words and extravagant promises, the Wakefield party had been unable to deliver. Featherston was as firmly ensconced as ever. First to drop away were the Independent Runholders. Their union with Wakefield had always been one of open self-interest, never ideological. When offered a share of the establishment spoils, they eagerly snatched at the Superintendent's lure.⁸⁷ At the other extreme, disillusionment set in amongst the working settlers. Convinced that 'land on deferred payments', at least with Government assistance, was still far off, the more enterprising set about devising their own alternative schemes.⁸⁸ Caught in the middle, the town tradesmen and shopkeepers began to wonder if they had perhaps forsaken a thoroughbred for a nag, and that while in the past the dividends had been small, they might be infinitely preferable to no dividends at all. Watching all serenely, Featherston concluded the Reform threat was declining, and that it might be time to give his form of democracy another try. In August 1859 he again called the Provincial Council together.⁸⁹

The Reform movement might have been disintegrating, but it had not yet completely broken up. When the Second Session of the Second Council finally opened, Featherston found that the Wakefield centred grouping was no more agreeable to his wishes than it had ever been. More importantly, despite desertions, despite the removal of the Ahuriri members with the separation of that district as an independent province, and despite the picking off of sundry Reform seats at by-elections, the shaky coalition still enjoyed a slim majority.⁹⁰ The discovery completely upset the Superintendent's planning. The Council had been assembled for two specific reasons: firstly, to vote the long-denied supply, the Provincial Treasury being by now almost bare; secondly, to rubber-stamp a new set of 'Amended Land Regulations' that the Superintendent had drawn up. These new draft measures bore almost no relation to those previously submitted by the Council.⁹¹ There was absolutely no provision for settlers of limited means, the main purport being to make 5/- land more readily available to those of the Superintendent's pastoralist allies who had by now accumu-

lated sufficient capital to purchase on a large scale. On neither count was Featherston to be satisfied. The Council commenced with a motion censuring the Superintendent for his endeavour to prevent elected representatives of the settler community from pursuing their duties, then busied itself drafting a bill to prevent him spending any further monies without express sanction.⁹² Yet, when the bill was promptly vetoed, the protests seemed tired and half hearted. The draught which fanned the revolt back into feeble flame was a rude demand by Featherston that the funds he required be voted forthwith, accompanied by a threat that if this were not done the provincial administration would be funded from the sale of reclaimed lands adjacent to the town, from the sale of a considerable acreage of 5/- land, and by the negotiation of an additional £25,000 loan.⁹³ This was too much. Not only had Featherston failed to account for several years of illegal expenditure; he now proposed to compound the sin. In late September the Council resolved to address a 'memorial' to the Governor, complaining of Featherston's failure to call the body together for more than a year, and requesting his advice as to how the Superintendent and his Executive could be made responsible for their actions.⁹⁴ It then put itself into recess pending His Excellency's reply.

Reassembling in November 1859, the Council received in silence a communication from the Colonial Secretary assuring '... His Excellency's Government would not shrink from vindicating the law', but stressing that hard evidence, facts and figures, must be provided.⁹⁵ This posed a real problem. In the 18 months Superintendent and Council had been at open loggerheads, the former and his Executive had 'repeatedly, systematically, and under various pretences' failed to supply any financial information, or even to explain satisfactorily the character of business undertaken in the Province's name. Undaunted, however, the Council presented a 'respectful address' to Featherston, requesting that he open the provincial books, and reiterating that the Council had '... no confidence in the administration of public affairs by the present Executive, they not being supported by the majority of the Council'.⁹⁶ Featherston, not unnaturally, declined to comply with the request, and re-emphasised his determination the Executive should be in no way altered. Though the Reform coalition might appear to be the logical governing party by force of numbers, he argued, they had 'lost the confidence of their constituents'.⁹⁷ Consequently he proposed to again approach the Governor requesting a dissolution. Effectively hamstrung, the Council passed a further motion of censure, complained to the Governor afresh, then adjourned itself till March of the following year. Unfazed,

Featherston calmly proceeded to raise funds in the manner mooted, caring not that his actions were unjustifiable, either morally or legally.

When the Council came together, in late March 1860, it was for three days only.⁹⁸ While the General Government had again expressed sympathy, it was still not prepared to intervene directly. Featherston neither made an appearance, nor sent a message, and few of his supporters attended. Speaker after speaker arose and addressed the near empty Constitutionalist benches. The Superintendent, it was stated, had '... stamped upon him the mark of a traitor'.⁹⁹ He was condemned '... by his entire abandonment of the path of rectitude as a politician'. At the height of the frustrated tirade Wakefield moved that yet another memorandum, couched in the strongest possible terms, be despatched to the Governor; and that on the following day the Council go into indefinite recess.¹⁰⁰ There could be no real advantage in prolonging the business of the session. It could only be regarded as an encroachment on the time of members, and a waste of public money, to keep the doors of the Council chamber open. His supporters agreed, and the decision was applauded by the anti-Featherston press. 'We believe', opined the *Spectator*, 'that the Council have adopted a wise, and the only course open to them'.¹⁰¹ Abbreviated sittings became the norm for the remainder of the year, the Council meeting on five more occasions to consider the protracted correspondence with the Governor and the central ministry.¹⁰² Uncomfortably, these higher officials hedged; and the procrastination was resented. The Stafford Cabinet was directly accused of '... a deliberate policy of damaging the Province by keeping it in a state of hot water and confusion'.¹⁰³

When the deadlock between Superintendent and Council was finally broken, however, it stemmed from the rapid collapse of the Radical Reform faction. Completely disheartened by their inability to secure the positions considered rightfully theirs, the interest of several key leaders waned, and additional cracks in the coalition appeared. By the end of the year the 'revolt' was in ruins, the once aspiring Reformers quarrelling fiercely among themselves. For this unhappy state, the *Spectator*, perhaps a little unjustly, laid the blame squarely on Wakefield's shoulders.¹⁰⁴ Turning upon its erstwhile favourite, the journal claimed that Mr Wakefield lacked both sagacity and the tenacity to see anything through. The final blow to the Reform cause had been delivered by the outbreak of the Taranaki War, the hostilities splitting the ill-assorted alliance right down the middle. While many of the rank and file were now drawn to Featherston, through his championing of a 'peace policy', other Reformers, including Wakefield, became excessively jingoistic.¹⁰⁵

When the Council met for the last time, at the end of November 1860, it resolved to endorse the Superintendent's long standing call for a dissolution, and for fresh elections.¹⁰⁶ It was about the only point on which the Superintendent and the Second Council had ever been in agreement. Despite the knowledge that popular democracy had been strangled, there was a general feeling of relief that the conflict had ended.

Featherston and his coterie had apparently won the day; but at what cost? The destructive impact of the Superintendent's reckless drive for supremacy had been considerable. Developmental strategies had been little discussed at the close of the 1858 Session, buried in the welter of personal attacks.¹⁰⁷ Economically, the Province had marked time, the political uncertainty providing a far from ideal climate for investment. The denial of supply, no matter how justified, had reduced public expenditure to a trickle. The embryonic public service had almost atrophied. Public works schemes had necessarily tapered off. A much vaunted provincial immigration programme had withered. Yet the most debilitating aspect of the whole sorry affair was its impact on the minds of the settler community.¹⁰⁸ It bred or heightened an air of resignation. It created new divisions and political hatreds. It brought a widespread disenchantment with, and apathy towards, the practice of politics. Nevertheless, there were those who had benefited from the chaos. Featherston had taken care to ensure that the interests of his pastoralist friends and the largest colonial entrepreneurs were facilitated. While the uproar raged, the lands locked up under pastoral licences steeply escalated to near 700,000 acres.¹⁰⁹ Would-be purchasers, of the right type, also continued to be generously catered for. Whereas in 1857, 19,083 acres of the public lands had been alienated, by 1860 the comparable figure was 53,597 acres.¹¹⁰ Featherston's decision to finance his rearguard action from the sale of cut-price pastoral lands brought a new dimension to the question. Prior to 1858 little 5/- land had been made available, but by 1860 the year's sales totalled 25,804 acres.¹¹¹ An examination of the detailed Purchase Returns for 1860 reveals that 70% of the total land sales in that year went to known Constitutional Association supporters, while 5/- acre sales were almost exclusively a Constitutionalist preserve.¹¹² With eyes focused elsewhere, the Superintendent had, per medium of a highly developed spoils system, reinforced his own personal position and rewarded the faithful.

Ultimate victory, however, in no way disposed the Constitutionals' leader to magnanimity. His dictatorial traits were in full evidence as the fresh elections loomed. On nomination day, in March 1861,

he smugly congratulated the meagre audience on its 'great good sense' in sparing the Province 'the trouble, the expense and irritation' of any contest for the Superintendency.¹¹³ He also warned the whole election would be 'barren of fruits' unless they returned to the Council, as he knew they would, 'men thoroughly imbued with the great principles for which... [he personally had] ... struggled and contended for more than three years'. When the results were declared, the only possible conclusion was that Dr Featherston was indeed to have his own way. Fewer than half of those qualified to vote had done so, and only one Reform member was seated in the Provincial Council.¹¹⁴ The 'Wakefield incubus', as the pro-Featherston *Independent* crowed triumphantly, had been 'thoroughly excised'.¹¹⁵ Featherston, until he voluntarily stepped down in 1871, was never again to be seriously challenged. By that date his vision had been largely fulfilled. Over the preceding ten years three quarters of a million acres had passed from public to private ownership, most of it to less than 50 individuals.¹¹⁶ The wider settler community simply stood and watched as their rights were abrogated, and the foundation for colonial wealth was appropriated by a favoured few.

NOTES

- 1 Morrell, W.P. *The Provincial System in New Zealand 1882-76*. Whitcombe and Tombs, Christchurch, second (revised) edition, 1964.
- 2 *Ibid* p.5.
- 3 For a recent survey see Dalziel, Raewyn 'The Politics of Settlement' in Geoffrey W. Rice (ed.) *The Oxford History of New Zealand*. Oxford University Press, Auckland, second edition, 1992.
- 4 Patterson, B.R. *Reading Between The Lines: People, Politics and the Conduct of Surveys in the Southern North Island, New Zealand, 1840-1876*. Unpublished Ph.D thesis, Victoria University, 1984, pp.315-401.
- 5 Summaries of the structure of government are provided by Morrell op cit Chapter Three and McLintock, A.H. *Crown Colony Government in New Zealand*, Government Printer, Wellington, 1958, Chapter Seventeen. Useful elaboration is provided in several theses viz. Herron, D.G. *The Structure and Course of New Zealand Politics 1853-1858* Unpublished Ph.D thesis, Otago University, 1959; also Wood, G.A. *The Political Structure of New Zealand 1858-1861*. Unpublished Ph.D thesis, Otago University, 1965.
- 6 Morrell op cit pp.61-64.
- 7 The point is emphasised by Lipson, Leslie *The Politics of Equality*. University of Chicago Press, Chicago, 1948, p.49. For further discussion see Mullins, R.M. *The Division of Power between the General and Provincial Governments 1853-1867*. Unpublished MA thesis, Victoria University, 1953. The localised emphasis is clear from even a cursory examination of contemporary newspapers.
- 8 Cumming, J.P. *The Compact and Financial Settlement of 1856*. Unpublished MA thesis, Auckland University, 1963.
- 9 Taylor, Richard. *Te Ika a Maui, or New Zealand and its Inhabitants*. London, 1855, p.217.
- 10 For discussion of the nature of the franchise see Lipson op cit pp.19-20; also Herron op cit Chapter Three.
- 11 See, for example, Patterson, B.R. *Early Colonial Society Through a Prism: Reflections on Wellington's First Anniversary Day*. Wellington Early Settlers and Historical Association, Wellington, 1994; also Watson, M.K. and Patterson, B.R. *A Mirror of Early Colonial Society: The 1842 Wellington Municipal Corporation Election*, Department of Geography, Victoria University, Working Paper No.1, April 1984.
- 12 The most up-to-date summary of Featherston's public career is an essay by D.A. Hamer in *The Dictionary of New Zealand Biography*. Internal Affairs/Allen and Unwin, Wellington, 1990, V.1, pp 119-121. A more extended treatment is Hall, K.H. *Aspects of the Career of Dr. Featherston*. Unpublished MA thesis, Victoria University, 1950.
- 13 Patterson (1984) op cit pp.294-5.
- 14 *Ibid* pp.228-31, 295-6.
- 15 McLintock op cit pp 298-9; also Miller, John. *Early Victorian New Zealand*. Oxford University Press, Oxford, 1958, pp 150-57. For a more partisan interpretation see Wakelin, Richard. *History and Politics ... Leaves from the Writings of a New Zealand Journalist* Lyon & Blair, Wellington, 1877, pp.12-13.
- 16 Patterson (1984) op cit pp. 297-304. A fuller account of the campaign is provided in Chapter Seven of the author's *Wakefield, Wool and Waste Lands: A Study in the Dynamics of Settler Capitalism*. (forthcoming).
- 17 By far the most comprehensive account of the 1853 Provincial Council elections is Stuart, Peter. *Edward Gibbon Wakefield in New Zealand*. Price Milburn, Wellington, 1971, Chapter Five.
- 18 *Ibid* Chapter Four
- 19 *The New Zealand Gazette and Wellington Spectator* (hereafter *Spectator*) 10/8/1853, 20/8/1853.
- 20 Patterson (1984) op cit pp.324-37.
- 21 *Spectator* 7/7/1855.
- 22 *Spectator* 15/12/1855.
- 23 *Spectator* 18/6/1855.
- 24 For a pen portrait see the essay by Hall, D.O.W. in McLintock, A.H.(ed.) *An Encyclopaedia of New Zealand*. Government Printer, Wellington, 1966, V.3, pp.539-40. Wakefield's early settlement exploits are graphically described in Grover, Ray *Cork of War. Ngati Toa and the British Mission*. McIndoe, Dunedin, 1982. pp.212-19.
- 25 Cited by Hall, D.O.W., *New Zealand Encyclopaedia*. Government Printing Office, Wellington, 1966, V.3, p.540.
- 26 Hall, K.H. op cit pp.55-58.
- 27 *Ibid* p.58; see also Patterson (1984) op cit pp.337-8. For insights into the construction of Wakefield's coalition see G.Hunter's correspondence in Letterbooks 6-7, *Bethune and Hunter papers* (Alexander Turnbull Library).
- 28 *Spectator* 16/9/1857, 23/9/1857, 26/9/1857.
- 29 *Spectator* 30/9/57; for a reconstruction of the proceedings see Bagnall, A.G. *Wairarapa. An Historical Excursion*. Hedley's Bookshop, Masterton, 1976, pp.241-2.
- 30 For biographical information on Welch see Scholefield, G.H. (ed.) *A Dictionary of New Zealand Biography*. Government Printer, Wellington, 1940. V.3, p.477. A less sympathetic evaluation is offered by Carter C.R. *Life and Recollections of a New Zealand Colonist*. R. Madley, London, 1866, V2, Chapter 7.
- 31 *Spectator* 7/10/1857, 10/10/1857, 14/10/1857.
- 32 Bagnall op cit p.244
- 33 *Spectator* 21/10/1857, 24/10/1857, 31/10/1857.
- 34 *The Wellington Independent* (hereafter *Independent*) 21/10/1857.
- 35 *Spectator* 24/10/1857.
- 36 *Spectator* 31/10/1857.
- 37 *Ibid*.

- 38 *Spectator* 4/11/1857.
- 39 *Ibid.*
- 40 *Ibid.*
- 41 *Independent* 4/11/1857.
- 42 *Ibid.*; see also Wakelin op cit p.61.
- 43 *Spectator* 7/11/1857.
- 44 *Independent* 7/11/1857
- 45 *Spectator* 11/11/1857.
- 46 *Spectator* 18/11/1857, 5/12/1857.
- 47 *Spectator* 14/11/1857.
- 48 *Independent* 21/11/1857.
- 49 *Independent* 28/11/1857.
- 50 *Spectator* 5/12/1857.
- 51 See Carter op cit V2, Chapter 7, for rationale.
- 52 *Spectator* 10/2/1858.
- 53 *Spectator* 10/3/1858.
- 54 Superintendent's Opening Address 15/3/1858 *Acts and Proceedings, Wellington Provincial Council* (hereafter APWPC), session VI, 1858; see also comment in *Spectator* 17/3/1858.
- 55 APWPC, Session VI, record of proceedings 17/3/1858; also comment in *Spectator* 20/3/1858.
- 56 A total of 29 select committees was set up within six weeks; APWPC, Session VI, 1858.
- 57 Hall, K.H. op cit p.74.
- 58 *Spectator* 31/3/1858
- 59 *Spectator* 3/4/1858.
- 60 Wakelin op cit p.61.
- 61 *Ibid.*
- 62 *Ibid.*
- 63 *Spectator* 3/4/1858.
- 64 Wakelin op cit p.62.
- 65 Hall, K.H. op cit p.78; see also correspondence from Ludlam re his actions in 'Correspondence of the Speaker to the Provincial Council', *Archives of the Province of Wellington*, WP2 (National Archives).
- 66 *Spectator* 26/5/1858, 12/6/1858, 16/6/1858; see also Wakelin op cit pp.62-3.
- 67 *Spectator* 22/5/1858. The requisition had been mooted, however, two months earlier (*Spectator* 27/3/1858) and there had been movement in this direction in the preceding year. In 1857 St Hill had preferred to function as Returning Officer in the provincial elections.
- 68 *Appendices to the Journals, House of Representatives* (hereafter AJHR) E16, 1863. St Hill's illegally held acreage became a point of comment in the course of the campaign.
- 69 *Independent* 10/4/1858; *Spectator* 9/6/1858, 16/6/1858.
- 70 *Spectator* 2/6/1858, 5/6/1858, 12/6/1858.
- 71 *Spectator* 30/6/1858.
- 72 *Spectator* 30/6/1858, 3/7/1858, 7/7/1858.
- 73 Hall, K.H. op cit p.80; also Mulgan, Alan *The City of the Strait. Wellington and its Province*. Reed, Wellington, 1939, p.173.
- 74 Reports of the various Select Committees are printed as Council Papers in APWPC, Session VI, 1858.
- 75 Hall, K.H. op cit p.82.
- 76 *Spectator* 13/10/1858.
- 77 Featherston had already demonstrated his resourcefulness in what was termed 'the Beach land scandal', reclaimed lands having been sold off contrary to the wishes of the Provincial Council (*Spectator* 24/4/1858).
- 78 Hall, K.H. op cit p.82.
- 79 W. Fox to J.R. Godley 31/12/1858. Cited Hall, K.H. op cit p.82.
- 80 *Spectator* 8/9/1858.
- 81 *Ibid.*
- 82 *Spectator* 9/10/1858, 29/9/1858.
- 83 *Spectator* 22/9/1858.
- 84 Patterson (1984) op cit, v.3, pp.531-541; also *Spectator* 13/11/1858.
- 85 *Spectator* 15/1/1859, 20/4/1859.
- 86 *Spectator* 27/7/1859.
- 87 G.Hunter to Willis, Gann & Co. 28 March 1860. Letterbook 8 *Bethune and Hunter papers* (Alexander Turnbull Library).
- 88 *Spectator* 15/12/1858, 24/12/1858, 19/1/1859. The most obvious manifestation was formation of the Lands on Deferred Payments Society.
- 89 *Spectator*, 24/8/1859.
- 90 *Spectator* 21/9/1859.
- 91 Superintendent's Opening Address, 30/8/1859, APWPC, Session VII, 1859. The proposed 'Additional Land Regulations' are printed in *Government Gazette, Province of Wellington*, 27/7/1859. For comment see *Spectator* 24/8/1859, 1/10/1859, 5/10/1859.
- 92 *Spectator* 7/9/1859, 14/9/1859.
- 93 *Spectator* 31/8/1859, 3/9/1859. The threat was not unexpected; see *Spectator* 13/8/1859.
- 94 *Spectator* 28/9/1859.
- 95 *Spectator* 2/11/1859. The reply had circulated the settlement for some time beforehand; see *Spectator* 15/10/1859.
- 96 *Spectator* 5/11/1859.
- 97 *Spectator* 9/11/1859.
- 98 Scholefield G.H. (ed) *New Zealand Parliamentary Record*. Government Printer, Wellington, 1950, p.235.
- 99 *Spectator* 24/3/1860.
- 100 *Ibid.*
- 101 *Ibid.*
- 102 Scholefield (1950) op cit p.235.
- 103 *Spectator* 28/11/1860.
- 104 *Spectator* 24/11/1860.
- 105 The deepness of the resulting division was demonstrated in the House of Representatives elections held in early December; *Spectator* 12/12/1860.
- 106 *Spectator* 28/11/1860.
- 107 Pastoralism apart, the general lack of confidence was reflected in a localised economic downturn only loosely related to wider trends. See Patterson (1984) op cit V.2, Chapter 3.
- 108 This was to be emphasised by the low turnout at the Provincial Council polls in the following year; *Spectator* 18/3/1861.
- 109 See annual 'Return of Occupation Licences Issued', published in *Government Gazette, Province of Wellington*, 1858-1861.
- 110 Calculated from monthly 'Crown Land Sales Return' in *Government Gazette, Province of Wellington*, 1857 and 1860.
- 111 *Ibid.*
- 112 *Ibid.*
- 113 *Spectator* 6/3/1861.
- 114 *Spectator* 13/3/1861, 20/3/1861, 23/3/1861, 27/3/1861.
- 115 *Independent* 12/3/1861.
- 116 Calculated from database of Crown land sales in Wellington Province 1853-76; in the possession of the author.