



Picture - The Littlewood Treaty – Busby’s Final Draft Dated Feb 4th 1840 where after Rev. Henry Williams translated into Maori our Official Treaty of Waitangi New Zealand Founding Document. Reverse side of this document on next page.

## The Creation of the Treaty

Writing the Treaty had taken about six days, with small changes being made right up to the last minute. Because of Hobson’s poor health upon arrival in New Zealand, British Resident (Consul) James Busby had to complete most of the writing under Hobson’s direction and with his final approval. Hobson had arrived to take up his position in New Zealand to find a country in turmoil. Multiple land companies or speculators (“landjobbers”) were buying up large tracts of land, often from Maori vendors who didn’t even own it and there was great confusion everywhere over the legitimate buying and selling of land.

Settlers and Maori alike were vulnerable to fraudulent agreements. In many districts the same parcels of land were sold over and over to different settlers. In addition, there was considerable inter-tribal warfare going on and little law and order, as the introduction of muskets had led to the Musket Wars and the satisfying of old scores of “utu” – revenge. Maori also feared a French reprisal after the earlier killing of French sailors in 1772, as well as annexation of New Zealand by the French and were looking for protection under British sovereignty.

Along with protecting all residents of New Zealand under

### Article two of the Freeman version (Port Waikato) Our Current Official English Version :

*Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.*

### Article two of the Littlewood Treaty (Final draft of our Treaty)

*The Queen of England confirms and guarantees to the chiefs and the tribes and to all the people of New Zealand, the possession of their lands, dwellings and all their property. But the chiefs of the Confederation of United Tribes and the other chiefs grant to the chiefs Queen, the exclusive rights of purchasing such lands as the proprietors thereof may be disposed to sell at such prices as may be agreed upon between them and the person appointed by the Queen to purchase from them.*

one law, Hobson wanted to ensure that the disorganized state of Maori land sales was properly administered and that no-one was being disadvantaged. Hobson’s Proclamation, read to the settlers at Kororareka Church upon his arrival, stated that the Queen would not recognise their land titles. All land ownership would be reviewed, with most going back to the Maori vendors for repurchase. After that the acquisition of Maori-bought land had to go through the Queen’s representative (Article Two of the Treaty).

In other words, the Treaty of Waitangi was designed to start the ordered and organized settlement of New Zealand over again, but this time properly administered. Settlers who had purchased land already found they no longer owned it and had to give it back or were awarded only a small portion of the original tract after full government review. Many large registers, now held at the National Archives show that, over the decades to follow, Maori in most districts remained eager to sell land to the government.

As he undertook to draft a treaty document in January 1840, Hobson was very aware that the signatories of the treaty had to fully understand its meaning and that it had to be presented clearly and simply in their own language. But Hobson was quite a sick man when he arrived in New Zealand on January 29th 1840. He was thin and frail, weakened by bouts of Yellow Fever