

text versions to send to various British officials or heads of state overseas. These 'composite' versions were compiled from bits and pieces of the early rough drafts notes that had preceded the final draft. They were in flowery and pretentious English that had never been a part of the final draft text translated into Maori and presented at Waitangi or, subsequently, in any other part of New Zealand. While Hobson was lying seriously ill, Freeman secured his signature, scrawled tortuously with his left hand onto one of the Formal Royal Style English versions. Freeman sent these 'poetic' copies overseas and none were meant to end up at any of the treaty presentations around New Zealand. Freeman chose to send this one to Waikato Heads while Hobson lay stricken with paralysis. However, Hobson had already verified that there was only one true Treaty – written in Maori, to be read to Maori in Maori and explained carefully for their consideration.

Hobson referred to the Treaty thus: "The treaty, which forms the basis of my proceedings, was signed at Waitangi, on 6th February, 1840, by 52 chiefs, 26 of whom were of the Confederation, and formed a majority of those who signed the Declaration of Independence (1835). This instrument I consider to be de facto the treaty, and all the signatures that are subsequently obtained are merely testimonials of adherence to the terms of the original document."

In 1975 the Treaty of Waitangi Act allowed, for the first time, that an English version of the Treaty would be used alongside the Maori language Tiriti o Waitangi. At the same time it was openly acknowledged by our Treaty historians that Hobson's final English draft had been lost sometime in February 1840. The English version incorporated into the 1975 Act was Freeman's 'composite'. It was dubbed "The English Treaty as signed." As per Lieut. Hobson's earlier instructions, no English translation was ever supposed to be presented or signed at a Maori treaty assembly. Why then the 1975 Treaty of Waitangi Act did not use the official back-translation commissioned by the New Zealand Government in 1869 and supplied to them by the Department of Native Affairs, remains highly questionable.

In order to know what 540 chiefs actually agreed to and signed, people who don't speak the Maori language would have to read the final English draft from which Te Tiriti was created. However, that document had been lost in 1840.

The long lost final English draft discovered in 1989 in Pukekohe

When Beryl Needham and her sisters Mary and Dorothy went through their mother's Pukekohe home after her death in February 1989 they had no idea they would discover a vital piece of our nation's history – the final English draft that was



Beryl Needham at her Pukekohe Home holding a copy of the Littlewood Treaty.

translated into Maori for the Treaty of Waitangi.

"We knew there was a valuable document in the family but had never seen it and had no idea it was in our parents' home. It was very hard to read but we worked it out," says Beryl. "Before our mother died she had asked me to look through a drawer in the sideboard where there was linen and other things, but no document. Then after she died, there it was, tucked into the linen in the same drawer. It was as if she knew it was important and wanted us to find it and look after it when she had gone."

The document was in an envelope inscribed 'Treaty of Waitangi,' deeply lined where it had been folded for so many years. The document had come into the family's possession from Beryl's great grandfather Henry Littlewood of Russell, who was James Clendon's solicitor. Its existence had been known of and it had been sought after for 149 years. Our historians had considered it to be long lost.

Beryl's brother John Littlewood took the document to the Auckland Museum where it was repaired and placed in a protective cover. "But they weren't at all interested in it," recalls Beryl. In 1992, John was advised by Dr Claudia Orange of the Alexander Turnbull Library to deposit the document with the National Archives in Wellington as soon as possible. She mentioned that 'certain wording within the text might cause particular individuals to not want the document to become public knowledge.' A similar warning that the document should be in safe keeping was received from Kathryn Patterson of the National Archives. John took the document to the Archives, where it was secreted away for many years, out of public view. Finally, after eight years, John appealed to Members of Parliament George Hawkins and Marion Hobbs and it was put on display, as had been promised. However, only half the document can be seen and read. The essential information lay's face down.

There is no doubt about its authenticity. The handwriting was identified as Busby's by treaty researcher Dr Phil Parkinson of the Alexander Turnbull Library. It is dated February 4, 1840. The paper on which it is written bears the watermark W. Tucker 1833 and the only person in colonial history known to have used this paper was James Clendon, an Englishman acting as US Consul to the Bay of Islands in 1840. He sent copies of the "Littlewood" text to his superiors in the USA and these survive in the National Archives, Washington DC, as well as