

## Justices of the Peace Founded Auckland

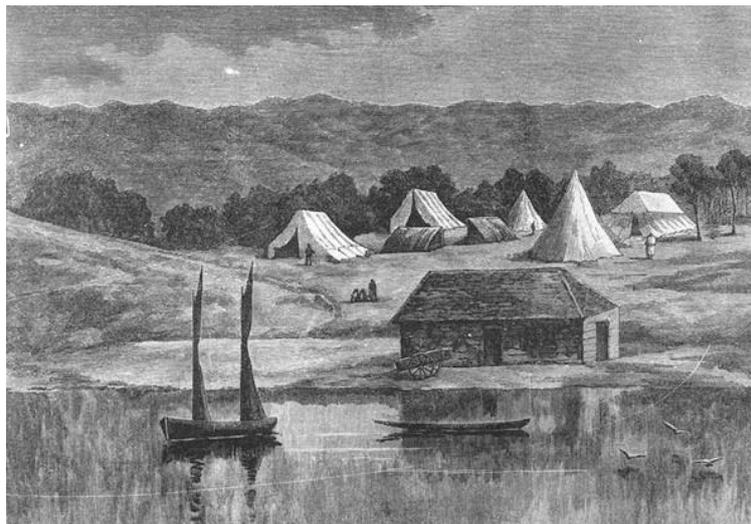
A group of Government officials were the founding fathers of Auckland in 1840... and they were all Justices of the Peace. They located a site on the shores of the Waitemata Harbour for the colony's new capital - now New Zealand's largest city. And then, a year later, Justices were on hand again when the Government purchased land from local Maori to begin the new settlement. And within months, it was also Justices who shaped the layout and oversaw development of the new township.

It was, thus, exclusively Justices of the Peace who played an essential role in locating, launching, developing, supporting and administering the new Auckland and its people. And they were, of course, the first to provide services as Justices of the Peace in the new settlement they had established.

### Capital Decision

In 1840 Lieutenant-Governor William Hobson asked a group of his officials, coincidentally all Justices of the Peace, to carry out his orders to move the seat of Government from Kororareka (Russell) in the Bay of Islands to a new capital located at Whangarei, Mahurangi, Thames, or preferably, on the shores of the Waitemata Harbour. Numerous sites had been considered by Felton Mathew JP and and George Clarke JP until they found a suitable location near the present Freemans Bay.

This, with a deep water anchorage at nearby Commercial Bay (foot of the today's Queen Street), ended the search: Hobson agreed and he named the new town Auckland. It then served as the capital until it was moved to Wellington in 1865.



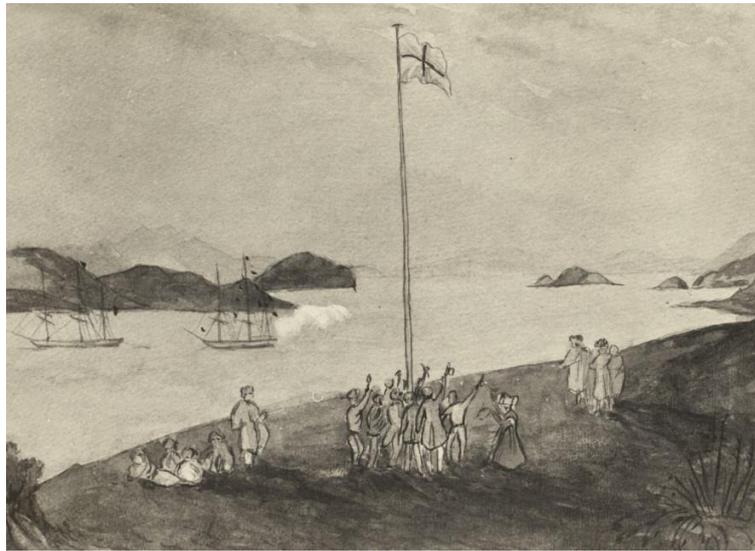
Sketch of Commercial Bay, 1840: first wooden structure is the Government Store  
Auckland Libraries Special Collection

### Settlement

In August 1840 William Cornwallis Symonds, JP, as Chief Magistrate, was instructed to go to the planned new capital, obtain agreement with Maori Chiefs and "...hoist the British flag thereon".

Felton Mathew JP, Surveyor General, was specifically tasked by Hobson to determine best landing places along the foreshore prior to the arrival of settlers, their goods, building materials and animals. Mathew later developed a plan for a new city... a complete layout of streets, parks and public buildings. George Smith JP, was Clerk in Charge of Stores and Dr John Johnson JP, Colonial Surgeon, was appointed Health Officer for the new settlement. William Mason JP, Superintendent of Works, was to ascertain the best places for felling timber, forming a brick-yard, lime-burning, and collecting sand. He was also to erect Government buildings, the first being the wooden store on the water's edge.

This first party of officials arrived in September 1840. Once a temporary agreement over the land was signed with Maori, William Symonds reported "...at 1pm on the 18<sup>th</sup> September I had hoisted the British flag, and took possession of the site chosen by Mr Mathew for the first township."



Flag-raising. Sketch by eye-witness Dr John Johnston JP  
Hocken Collection, Dunedin

### **Purchase**

In May 1841 New Zealand became a British Colony with Hobson as Governor. In July he instructed Justices of the Peace to complete the purchase of land from the Maori for the new capital.

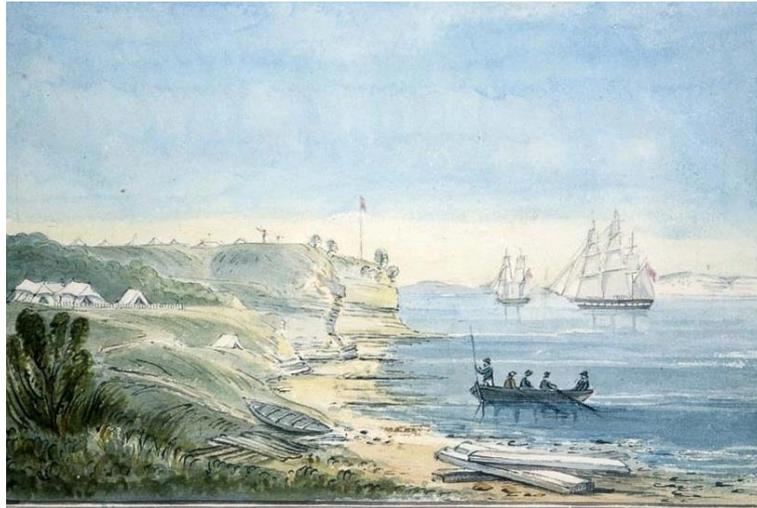


George Clarke JP  
Auckland Libraries Heritage Collection

George Clarke JP, wrote the agreement of sale and four Maori chiefs signed it, witnessed by William Symonds JP and Thomas Ryan JP.

Ryan was a Major of the 50<sup>th</sup> Regiment based in Kororareka. He had the (unique?) distinction of acting as Justice of the Peace in 3 jurisdictions. He had twice been appointed in Australia while serving there: once in December 1835 as commandant in Van Dieman's Land (now Tasmania) and again in New South Wales in September 1839. It was this latter commission that allowed him to officiate in New Zealand, thanks to Governor Hobson's enabling legislation. Ryan did not settle in Auckland... his regiment was engaged in India where he was killed in action, his demise before he was advised he had been made Companion of the Order of the Bath.

Two other Justices of the Peace, Edward Shortland and James Coates witnessed the handing over of money to the Maori chiefs and counter-signed receipts to the effect. Captain David Rough was on hand, appointed Harbourmaster by Hobson and later made a Justice of the Peace.



Commercial Bay September 1840, sketch by Dr John Johnston, JP.  
Hocken Collection, Dunedin

It was thus that a handful of Justices of the Peace played an exclusive and vital role in the locating, procurement and settlement of the land which is now central to the thriving metropolis of Auckland. They were the first.

### **Two Other Pioneers**

Hobson's officials were beaten by two immigrants who had already been attracted to the surrounds. They were business partners William Brown and Dr John Logan Campbell who, earlier in 1840, explored the isthmus and in August settled on Motukorea, or Brown's Island, in the Hauraki Gulf. They had heard whispers about a new capital being established nearby on the shores of the Waitemata Harbour.

Rumours confirmed, they moved to Commercial Bay in December 1840 as pioneering merchants, traders and auctioneers, at first operating out of a tent pitched on the foreshore. Dr Campbell then bought a section in Shortland Crescent where he built his home, Acacia Cottage, which today survives in Cornwall Park. Their company purchased the barque "Bolina" and made the first export of local goods from Auckland direct to London: a cargo comprising mostly ores, timbers and flax. Both men contributed their whole lives to the new settlement's diverse commerce, local affairs, and social progress. Sir John was Mayor of Auckland and donated Cornwall Park as a public domain. He was also a founder of the Bank of New Zealand and president or patron of a myriad of organisations while Brown started the "Southern Cross" newspaper to vent his strong political views. Both men entered politics, at differing times representing Auckland in the first parliament and, later, serving as Superintendent of the Province.

They were both later Justices of the Peace... William Brown by appointment, John (later Sir John) Logan Campbell *ex-officio* as Mayor of Auckland... two more who contributed much to the founding of Auckland.

RCC July 2022

Sources:

Papers Past, National Library of New Zealand

Website 28<sup>th</sup> and 80<sup>th</sup> Regimental Histories

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