THE LITTLEWOOD TREATY – FINAL DRAFT

THE LITTLEWOOD TREATY – FINAL DRAFT

By Ross Baker, Researcher, One New Zealand Foundation Inc.

“HE IWI TAHI TATOU – WE ARE NOW ONE PEOPLE”. Published 1992. ISBN 0 473 02600-7.

“From Treaty to Conspiracy – (Theory)”. Published, 1998. ISBN 0 473 05066-8.

THE LITTLEWOOD TREATY — FINAL DRAFT

Until recently, we have not had a true translation of the final draft of the Treaty of Waitangi, as the original draft, which was written in English by Willaim Hobson on the 4th of February, was lost. This has allowed Government to make laws and pass Acts by using the Treaty without first understanding its true meaning, intention or interpretation. It has also allowed many books to be written over the years and as time goes by, further distort the intentions, interpretations and translations to benefit only one race of people, when its true intentions was to make all New Zealanders equal under one law and one Sovereignty.

Up until now it has been very difficult to show where these translations and interpretations have been distorted as we did not have Hobson's final draft from which the Maori version, which was signed at Waitangi, was translated. Now that this document has been found we can use it to understand the true intentions of our founding document.

In late 1992, a Treaty document was found by a Mr Littlewoods descendant, that had been lost for 152 years. This version has been examined by historians who tell us it is only another translation of the Maori version. I do not believe this for the following reasons:-

1. Littlewood was a prominent lawyer in New Zealand from 1842 and this document could quite easily have come into his possession.
2. This document is written on paper with an 1835 water mark.
3. This document is dated the 4th of February 1840, the date the final draft was actually written by Hobson. All the treaties and their translations are dated the 6th of February 1840, therefore it is not a translation.
4. The notes that Hobson used to write the final draft of the Treaty had the letter "e" missing from the word sovereignty. This document also has the letter "e" missing. All translations has sovereignty spelt correctly.
5. Hobson's hand writing and the signature on this document is virtually the same as the signature on the Treaty signed by him at Waitangi, two day later. In fact they are far closer than the signatures on the other copies that were taken around the country to be signed by the other chiefs, but it must be remembered that Hobson had a stroke a few days after signing at Waitangi.
6. It translates virtually word perfect, where possible, to the Maori version.
7. This document relates the exact understanding that Hobson had from the Colonial Office — to cede Sovereignty, to protect both Maori and non-Maori, to guarantee to both, their land and possessions and to treat all New Zealanders as equals as British subjects.

The reason that the historians and Government do not want to recognize this document as the final English draft of the Treaty are as follows;

1. It will show how distorted the modern translations, which governments are using to make our laws, have become.
2. It will show how distorted the Governments "Principals for Crown Action on the Treaty of Waitangi".
3. It will show how distorted the modern translation of the Treaty by the activists and historians have become over the years.
4. It will show that Queen Victoria not only promised the chiefs and tribes (Maoris) but, "to ALL the people of New Zealand", the possession of their lands, dwellings and all their property (toanga).
5. It will eliminate any privileges to any race over another. It would give equality to all the people of New Zealand, thus abolishing the Waitangi Tribunal.

In other words, it WILL re-write our history for the benefit of all New Zealanders as one people as intended in 1840.

HE IWI TAHI TATOU — WE ARE NOW ONE PEOPLE — NEW ZEALANDERS

NOTE

Since writing this in 1992, further researched has found the following,

1. The final draft was written by James Busby under Lt. Governor Hobsons in structions.
2. While the Final Draft stated the tangata Maori must give up their "sovereignty", the Tiriti o Waitangi and all back translations, stated they must give up their "kawanatanga/governments". See, kawantanga in the Declaration of Independence
3. The Treaty of Waitangi was not our Founding Document, our true Founding document and first Constution was Queen Victoria's Royal Charter/ Letters Patent dated 16 November 1840.
4. The Treaty was drafted and signed while New Zealand was under the jurisdiction of New South Wales and only referred to tangata Maori, so could not be New Zealand's Founding Document.
5. The people that signed the Treaty of Waitangi were

called “tangata Maori” not, “tangata whenua”.

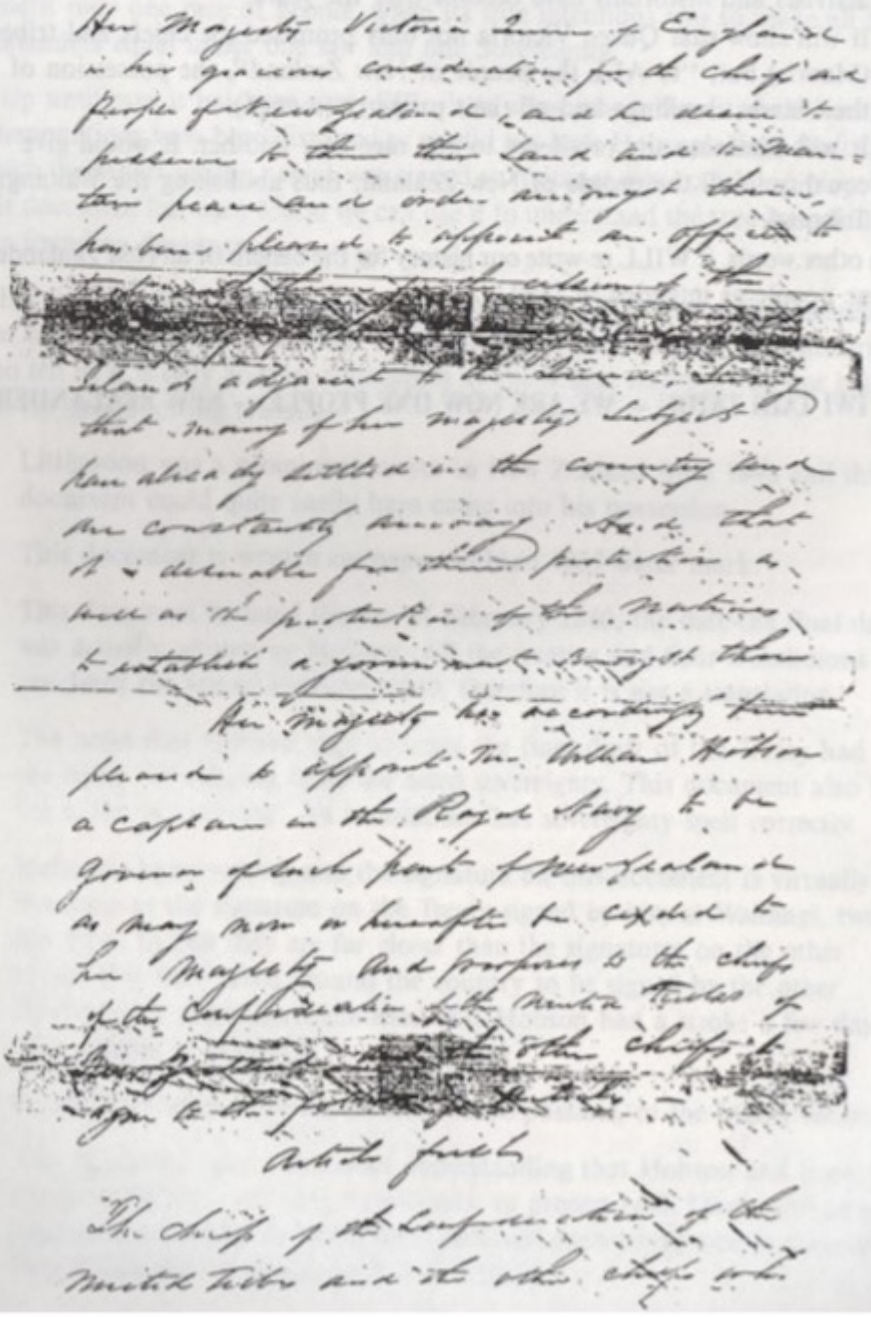
Note.

On the night of 5 February 1840, Rev Richard Taylor re-wrote the Tiriti o Waitangi Governor Hobson had read and discussed with the chiefs at Waitangi onto dog skin. This original copy of the Tiriti o Waitangi that was written by James Busby and read to the Chief on 5 February 1840 by Governor Hobson, has never been found.

THE FINAL DRAFT

This is a final draft which was written by William Hobson from all the notes he held on the 4th of February, 1840 and then given to Henry Williams to translate into Maori to become the "Treaty of Waitangi" that was signed by 43 Chiefs on the 6th of February, 1840 and then by another 450 all around the country at a later date.

Note the date. All other copies are dated the 6th February, 1840.

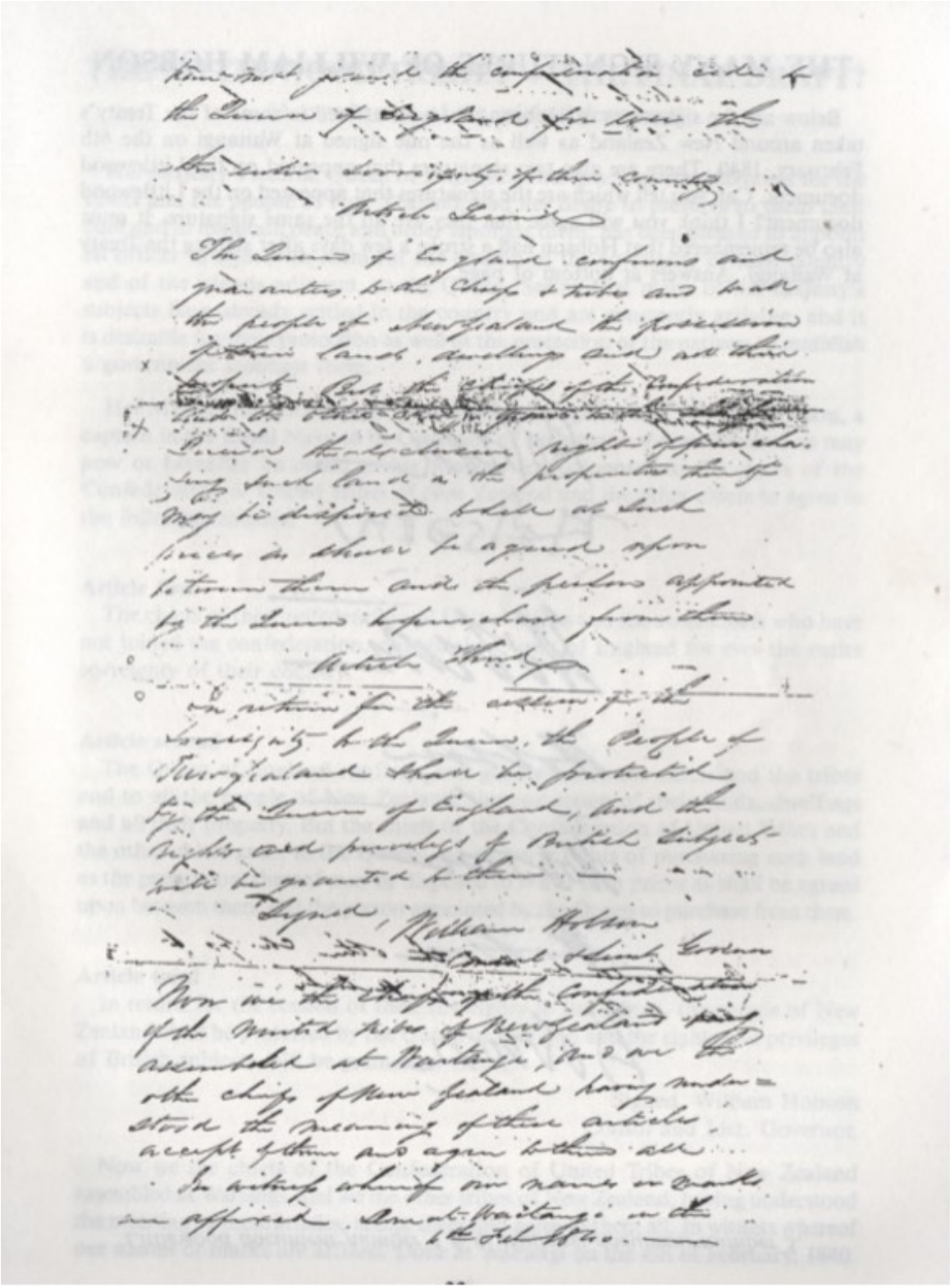


Her Majesty Victoria Queen of England
in her gracious consideration for the chiefs and
people of New Zealand, and her desire to
preserve to them their Land and to main-
tain peace and order amongst them,
has been pleased to appoint an officer to
[illegible] of the
[illegible] Islands adjacent to the Queen, being
that many of her majesty's subjects
have already settled in the country and
are constantly arriving, and that
it is desirable for the protection as
well as the prosperity of the natives
to establish a government amongst them.

Her Majesty has accordingly
pleased to appoint Mr. William Hobson
a captain in the Royal Navy to be
Governor of such part of New Zealand
as may now or hereafter be ceded to
her Majesty and performs to the chiefs
of the Confederation of the United Tribes of
New Zealand and the other chiefs of
[illegible]

Article first

The chiefs of the Confederation of the
United Tribes and the other chiefs of



NOTE

A member of the One New Zealand Foundation Inc. knew John Littlewood and obtained a copy of Lt. Governor Hobson's Final Draft, which I used in my 2 books 1992 and 1998 and Martin Doutre used in his book in 2005 and article in 2021.

THE LITTLEWOOD TREATY — THE FINAL DRAFT?

(A typed script of the original document)

Her Majesty Victoria, Queen of England in her gracious consideration for the chiefs and the people of New Zealand, and her desire to preserve to them their land and to maintain peace and order amongst them, has been pleased to appoint an officer to treat with them for the cession of the sovreignty of their country and of the islands adjacent, to the Queen. Seeing that many of her majesty's subjects have already settled in the country and are constantly arriving, and it is desirable for their protection as well as the protection of the natives, to establish a government amongst them.

Her Majesty has accordingly been pleased to appoint Mr. William Hobson, a captain in the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be ceded to her Majesty and proposes to the chiefs of the Confederation of United Tribes of New Zealand and the other chiefs to agree to the following articles.

Article first

The chiefs of the Confederation of United Tribes and the other chiefs who have not joined the confederation, cede to the Queen of England for ever the entire sovreignty of their country.

Article second

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 Queen, the exclusive rights of purchasing such land as the proprietors thereof may be disposed to sell at such prices as shall be agreed upon between them and the person appointed by the Queen to purchase from them.

Article third

In return for the cession of their sovreignty to the Queen, the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them.

Signed, William Hobson
Consul and Liet. Governor.

Now we the chiefs of the Confederation of United Tribes of New Zealand assembled at Waitangi, and we the other tribes of New Zealand, having understood the meaning of these articles, accept them and agree to them all. In witness whereof our names or marks are affixed. Done at Waitangi on the 4th of February, 1840.

THE MAKING OF OUR TREATY OF WAITANGI

It is time that Government made a true study of the history of New Zealand and the Treaty of Waitangi by people who care for this country and not the benefits they will gain from the distorted rubbish we are being brainwashed with today. Below is a true account of the events which took place in forming our founding document.

There is no evidence that William Hobson had any form of draft Treaty from the Colonial Office in England. He had been briefed well enough to know what the British Government's Colonial Office required — a cession of sovereignty, absolute control over all land matters and the authority to impose law, order, equality and protection on both Maori and non-Maori. On his arrival in New Zealand and with the assistance of J.S. Freeman his secretary, he drafted some preliminary notes as a basis of the Treaty. Hobson then became ill and the notes were delivered to Busby, now the ex-resident, to complete. Busby, who had no understanding of the brief given to Hobson by the Colonial Office, considered Hobsons notes inadequate and drafted a Treaty himself. It consisted of a Preamble and three articles, longer than the notes given to him by Hobson.

Busby's draft, instead of giving equal rights to both Maori and non-Maori, as the Colonial Office had requested, only gave a guarantee to the Maori people collectively and individually, of the full exclusive and undisturbed possessions of their lands, estates, fisheries and forests so long as they wished to retain them.

Hobson sent a letter, written in Maori, to a large number of chiefs on the 1st of February advising them of the Treaty which was to be read and fully discussed on the 5th and then to be signed on the 7th of February, 1840 at Waitangi.

Busby's draft Treaty was delivered to Hobson on the 3rd of February, 1840.

On the night of the 3rd February, Hobson asked for and was visited by a number of missionaries — Henry Williams, Charles Baker, George Clarke, William Colenso and Richard Taylor all of the Church Missionary and James Buller from the Wesleyan Mission Society. From these meetings, he held several sets of notes, including Busby's draft, from which the final Treaty would be written. Advice on the final wording of the Treaty was sort from Henry Williams, head of the Church Missionary Society and a missionary in New Zealand since 1823. A man who had a great understanding of the Maoris and their language.

As instructed by the Colonial Office, Hobson changed the wording of Busby's draft to guarantee "to all the people of New Zealand", not just the chiefs and their tribes, the possession of their lands, dwellings and all their property, far less than we are led to believe today. Busby admitted that changes were made to his draft. The Treaty had to be written in a very simple form for the chiefs to understand. Unfortunately the simplicity has allowed it to be easily distorted or misunderstood by our academics.

At 4pm on the 4th of February, Hobson gave Henry Williams the final draft of the Treaty to be translated into Maori by 10 am the following morning. Unfortunately, this final draft was misplaced and therefore, not having the final draft, has allowed many people to translate the Maori version to their advantage.

In 1992, a Treaty document was found which it seems could be the missing final draft. See, "The Littlewood Treaty".

Henry Williams and his son Edward translated the final draft from English into Maori, thus becoming the "Treaty" that was read, discussed and signed at Waitangi. As Hobson and Williams had discussed this final draft the night before, Williams would have had a full understanding of it and to the vital importance of an accurate translation that could be understood by the chiefs.

At 9am on the 5th of February, while the chiefs started arriving at Waitangi, Hobson, Williams and Busby met behind locked doors to check and finalize the accuracy of the translation of the Treaty. They made sure that it was a true and accurate as possible translation of the final draft and relayed accurately the brief given to Hobson by the Colonial Office.

At 10 am both the final English draft and the Maori translations of the Treaty were read out to the chiefs, their tribes and many of the settlers gathered at Waitangi. A discussion followed lasting 5 hours. After this meeting the chiefs assembled at the Te Tii Marae and discussed the Treaty for the rest of the day and most of the night. As Henry Williams recollects: "We gave them but one version, explaining clause by clause, showing the advantages to them being taken under the fostering care of the British Government, by which act they would become one people with the British, in the suppression of wars, and of every lawless act; under one Sovereignty and one law, human and divine,".

The meeting was to resume on the 7th of February to give the chiefs time to fully discuss and understand the Treaty, but they could not wait until the 7th as they had come to the decision that night that it should be concluded immediately as they saw it was to their advantage to do so. Hobson was summoned on the morning of the 6th and the signing commenced with the chiefs consenting that they fully understood the words of the Treaty and that they would become one people with one law under British Sovereignty.

The Maori version of the Treaty was signed at Waitangi on the 6th of February, 1840 by 43 chiefs, nine non-Maori and Hobson representing the Queen, plus many hundreds of Maoris and non-Maoris as eye witnesses. As each chief signed the Treaty, Hosbson shook his hand and repeated, "He iwi tahi tatou — We are now one people", to which, they all agreed and gave three hearty cheers.

Over the next seven months, about eight versions of the Maori version of the Treaty were taken around New Zealand, mainly by the missionaries, and another 450 signatures were obtained.

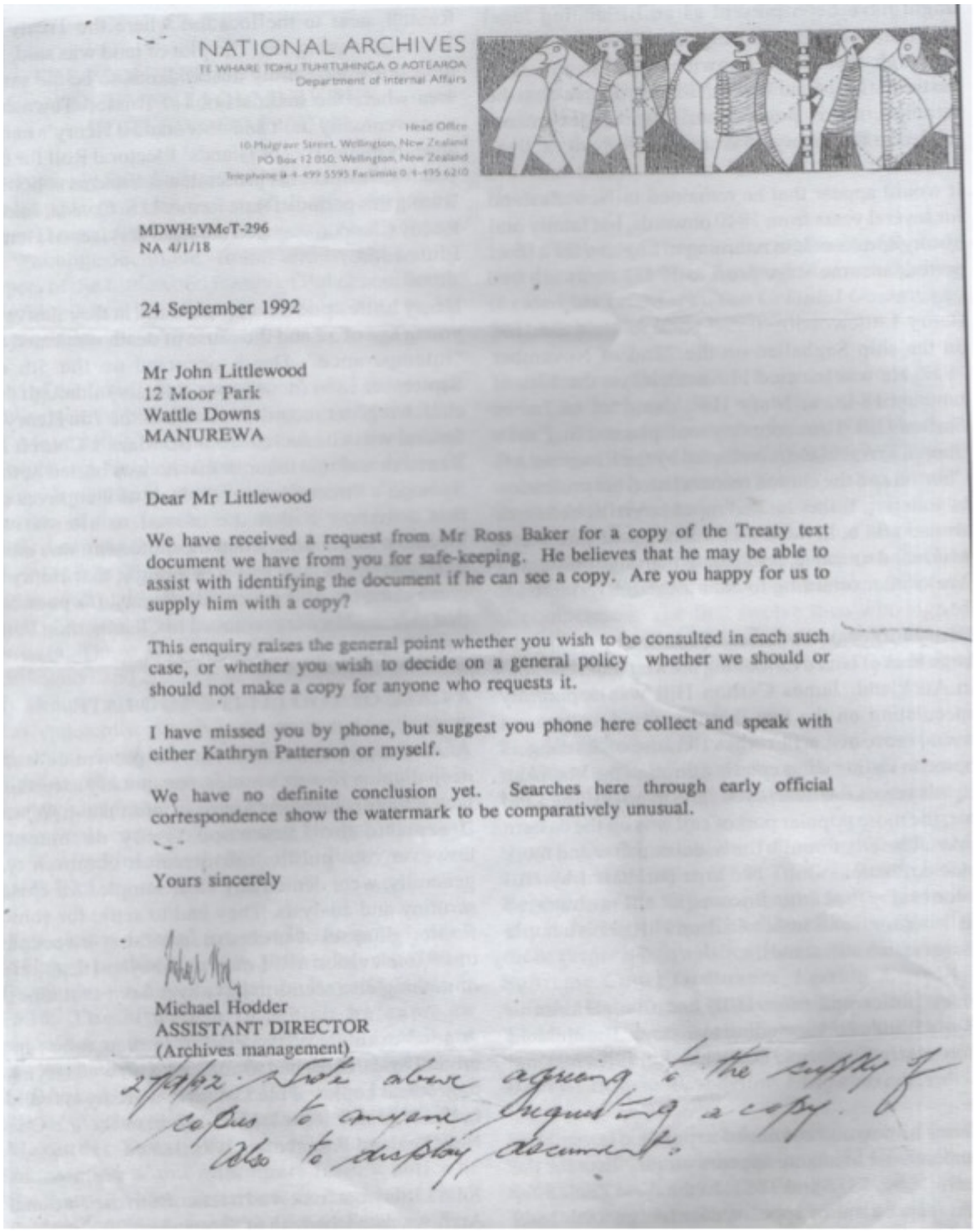
By mistake, Robt. Maunsell took a copy in English to 39 chiefs at Waikato heads. This document must have been one of Busby's drafts as it does not translate to the Maori version or relay the true intentions that Hobson was given in his brief from the Colonial Office before leaving England. This version should be discarded for the following reasons:-

1. It only guaranteed to the chiefs and tribes, their lands, forests and estates etc. The Maori version guaranteed "to all the people of New Zealand".

2. This version was never read or discussed at Waitangi or the Te Tii Marae and was not witnessed by all present.
3. The Maori version could not have been translated from this document due to the vast differences when translated.
4. As this English version and the Maori version differ, in international law the Maori version takes precedence over the English.

The only version of the Treaty of Waitangi we must use as our founding document is the Maori version and the final draft known as the Littlewood Treaty. The Busby draft must be dis-regarded as it does not relay the true intentions of the Colonial Office or the pre-amble to bring law order and equality to all the people of New Zealand. This was not the version that was discussed, consented to or signed on the 6th February, 1840.

Hobson explained the Clauses one by one to the chiefs during his five hour meeting on the 5th and then the missionaries again explained that night that the Treaty would give New Zealand one law and one people under British Sovereignty, to which all the chiefs consented when they signed the Treaty. There is no doubt that the chiefs fully understood the Treaty. Honi Heke, the first to sign, had even been to England and met the King and would have had a full understanding of the meaning of Sovereignty.



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MDWH:VMcT-296
NA 4/1/18

24 September 1992

Mr John Littlewood
12 Moor Park
Wattle Downs
MANUREWA

Dear Mr Littlewood

We have received a request from Mr Ross Baker for a copy of the Treaty text document we have from you for safe-keeping. He believes that he may be able to assist with identifying the document if he can see a copy. Are you happy for us to supply him with a copy?

This enquiry raises the general point whether you wish to be consulted in each such case, or whether you wish to decide on a general policy whether we should or should not make a copy for anyone who requests it.

I have missed you by phone, but suggest you phone here collect and speak with either Kathryn Patterson or myself.

We have no definite conclusion yet. Searches here through early official correspondence show the watermark to be comparatively unusual.

Yours sincerely

Michael Hodder
ASSISTANT DIRECTOR
(Archives management)

27/9/92 Note above agreeing to the supply of copies to anyone requesting a copy. Also to display document.

This is the letter John Littlewood received from Michael Holder, Assistant Director of National Archives on the 24 September 1992 asking John Littlewood if they could release a copy of the final draft to me. John reply is written on the bottom of the letter agreeing they could release it to anyone and could be used for display purposes. I never received a copy of the final draft from National Archives, but a member of the One New New Zealand Foundation Inc. knew John

Littlewood and obtained a copy, which I used in my 2 books 1992 and 1998 and Martin Doutre used in his book in 2005.

All my research I did in 1989-92 into the Final Draft was given to Martin Doutre to write his book, The Littlewood Treaty – The True English Treaty of Waitangi Found”. Published 2005.