

The Life of James Busby

Every year thousands of visitors troop through his home, walk in the footsteps he made, and celebrate the document he helped make possible. Tourists climb the hill to Waitangi, and enter the Treaty House, which was once James Busby's home. There on the walls are the events of his life, and buried down in the local church at Pahia is his wife.

James himself lies far from her side in England, but the legacy that he left New Zealand means he will not be forgotten. His story begins in Edinburgh, where he was born 7 February 1802. The second son of a civil engineer, he apparently did not share his father's interests. Instead studying viticulture in France, but when his father was offered a job as surveyor in Australia James accompanied his family to Port Jackson, New South Wales.

James however saw an opportunity and took up a grant for land in the beautiful Hunter valley, just outside Sydney, where he grew grapes on his 2,000 acres. In fact he was so much of an expert that he had papers published on the subject of viticulture. But perhaps grape growing was not quite enough, for he had various other jobs while in New South Wales, including superintendent of a school and collector of internal revenue.

Then in 1831 James returned to Europe, and toured the vineyards of France and Spain. But he had a wide-ranging interest in a lot of things, and made quite an impression on the Colonial Office, particularly with his knowledge of New Zealand. At that time the government was looking for someone to appoint as British Resident. It was a tricky and thankless job that probably was not highly sort after.

Still James returned to the Hunter Valley and married Agnes Dowe there, before leaving on the ship the Imogene for the Bay of Islands in New Zealand in 1833. The majority of Europeans in the country at that time were sailors, escaped convicts or whalers. And the spot which James and Agnes eventually settled in- Waitangi, was directly opposite the "hell hole of the South Pacific"- Russell, where drunkenness and debauchery were a way of life.

The couple had planned a comfortable but modest house to be built, but the government would not pay as much as they needed for that- so instead they had to settle for a tiny two-room house. All right for a couple, but soon the family would get larger- six children in all would be born at what is now known as the Treaty House.

Compounded on the cramped conditions, James had work problems. As British Resident he was supposed to smooth relations between settlers and Maori, and catch the escaped convicts- but he was still a civilian, with no troops, no warships, no power of arrest and couldn't even take sworn evidence. In fact once shortly after Agnes had given birth to their first child, James and his manservant had to defend the little house with guns. The governor of New South Wales Richard Bourke, who had appointed James was never very helpful- plus of course New Zealand was a drain on his coffers, hence the smaller house. With such a strangle hold on money, James' hands were pretty much tied. Bourke had told Busby to use his authority to convince Maori to create a "settled form of government", and this James set to with vigour, perhaps realising it was the one thing he could perhaps achieve.

On the 20th March 1834 James held a meeting a Waitangi of the northern Maori chiefs, in which they chose a national flag for the independent tribes of New Zealand, which was recognised by the British Admiralty. Then on 28th October 1835, after suggestions that Baron de Thierry was planning to declare an independent state in the Hokianga, Busby persuaded 34 chiefs to sign a Declaration of Independence, and to ask the British crown for protection.

But despite these steps, James situation was becoming worse, for tribal fighting had erupted around him, and when in May 1837 William Hobson visited to assess the situation, Busby recommend establishing a protectorate to protect the people. However Hobson's report favoured more stringent measures, and in early 1839 Hobson was appointed to negotiate a treaty of cession with the Maori.

This document, the Treaty of Waitangi was to be the founding document of a new nation, and was signed in front of Busby's home, what was later to become the Treaty House. Busby set up the meeting, and helped draft the Treaty.

But things were going to get worse, for both New Zealand and Busby. He had bought extensive land around Waitangi, and had even laid out plans for a settlement, but no one bought any lots. The seat of British governance was moving to Waitamata, and Hobson was questioning the validity of any land bought before 1840.

James went to Sydney to defend the sale, and he was to spend the remainder of his life arguing with authorities. He tried to develop a sheep and cattle station at Whangarei, and shipped over thousands of pounds worth of staff and equipment, but this attempt was futile, as the animals did not flourish. James spent

a lot of time going backwards and forwards to Sydney in an attempt to raise finance. He tried his hand too at storekeeping, and in a partnership in a sawmill. But by the 1840s depression had struck New Zealand, and this affected his timber business.

For the next twenty-five years Busby fought for redress for the Crown buying land he had already purchased. Litigation became a major pastime. Yet he also took part in civic affairs, representing the Bay of Islands in the Auckland Provincial Council for eight years in all. Finally in 1871, after returning to England for an eye operation, he died of congestion of the lungs in Surrey on 15 July. Agnes remained in New Zealand, dying in Pakaraka in 1889.

Busby's life was one of constant struggle, and perhaps not one of the real success stories of New Zealand, and yet he is remembered for his part in the founding document of the nation- and for his house on the hill.

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