

THE DRINK PROBLEM IN THE TE AROHA DISTRICT

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Abstract: *This paper deals with the downside of drinking alcohol, not with its pleasures experienced by those indulging. Public drunkenness was always deplored, in part because it led to accidents and to criminal behaviour, in particular violence. Details of who became drunkards is given, with examples of some notable drunkards, one of them a leading businessman, and also of how women were affected by having drunken husbands. And two female drunkards are included.*

To control drunkards, prohibition orders were sometimes issued, but the thirsty had various ways of evading these. Sly grog seems to have been a minor problem, perhaps because there were so many hotels. Details are given of these and how they were conducted, along with accounts of the lives of several prominent publicans, some of whom became a prey to intemperance, an occupational hazard with significant consequences for their health.

Because polite members of society and those suffering from drunkards wasting their family's money were appalled by the behaviour described here, a strong temperance movement developed in response.

PROBLEM - WHAT PROBLEM?

Although a Hamilton reporter who visited Te Aroha in 1888 gave a very positive description of the township, he claimed to have been alarmed by a drink problem:

What struck me most on arrival was the excessive bibulous propensities of the residents. A custom which I saw soon affected visitors. "Come and have a drink," can be frequently heard uttered in the dulcet tones of the ladies, as well as in the harsher tones of the male sex. The habit is not confined solely to adults, for even little children indulge very freely. One young lady of tender years admitted having taken several glasses at one time without being any the worse for it. Sunday drinking is carried on to a very great extent, and the authorities, so far from trying to prevent it, connive at it, and encourage the habit as much as possible, as it is an indirect source of revenue to them, and no matter how duty-struck a policeman may be when he goes there, he soon becomes lax in this respect, and, giving way, becomes in a short time as fond of indulging as the rest. As I do not desire to convey a bad impression of the hospitable residents of Te Aroha, it would be as well to state that the drinking mentioned refers

only to the health-giving mineral springs, for during my stay I saw no drinking of intoxicants.¹

The correspondent must have kept away from the hotels and only mingled with the temperate; indeed, it seems like deliberate blindness. In reality, alcohol was a prominent part of community life from the earliest days. In its first issue for 1881, the *Observer* noted that ‘the best-paying claim at Te Aroha’ was ‘O’Halloran’s hotel,² for whether people are getting gold or whether they are not, they *will* drink’.³

Some believed heavy drinking was not a problem. An inquest into one of the early mine managers was informed, in 1893, that he ‘was like many of us, he could take his glass’.⁴ One of those participating in a ‘smoke concert’ of the Old Thames Boys’ Association in 1903 recalled the ‘superior stamina of the men of those days, who could take their whiskey without feeling it’.⁵ Three days later, the *Observer* commented that ‘they don’t drink nearly so hard at the Thames, in a general way, but there are still some survivals from the era of the copper-lined stomachs’.⁶

THE PROBLEM ADMITTED

A tale about an early Te Aroha resident treated his drinking jocularly:

It is said that a good and muscular old gentleman of the ancient Pistol type,⁷ who is sound everywhere but in his head and his limbs, was wheeled home in a barrow from a meeting of the local society for the promotion of tee-total ideas on Saturday. He has threatened what he calls a smack over the face to any one whoever dares to mention it.... He is a very dear old man; one of the most tiddle-toddle⁸ old members of society to be met with out

¹ Special Reporter, ‘Te Aroha and Waiorongomai’, *Waikato Times*, 4 October 1888, p. 2.

² See paper on George Stewart O’Halloran.

³ *Observer*, 1 January 1881, p. 147.

⁴ Inquest on J.H. Moore, 30 May 1893, Justice Department, J 46 COR, 93/339, ANZ-W.

⁵ *Observer*, 3 October 1903, p. 5.

⁶ *Observer*, 18 August 1906, p. 16.

⁷ In Shakespeare, Ancient Pistol was one of Sir John Falstaff’s boon drinking companions.

⁸ Tiddle presumably in the sense of ‘to advance slowly or by slow movements’ and toddle in the sense of ‘to go, walk, depart’? See Eric Partridge, *A Dictionary of Slang and Unconventional English*, 8 ed., ed. Paul Beale (London, 1984), pp. 1230, 1242.

of the House of Representatives, and never admits getting speechless about 11 o'clock every night.⁹

And in 1892, according to the *Waiorongomai Observer* Man, a local labourer was 'always on the look out for pints and glasses',¹⁰ meant as a humorous comment not as a criticism. Those who had to deal with the consequences of excessive drinking were less amused. For instance, in 1907 the Auckland magistrate, 'one stationed on the water-tower of public morality, as it were', was interviewed about the latest crime statistics:

"I attribute to drinking and gambling 80 per cent at the very least of the crimes that come before the police courts. There is no question in my mind about it; it is a conservative estimate, and every magistrate must come to the same conclusion. I speak of the colony as a whole, not of Auckland in particular; but a very large percentage under the Married Women's Summary Separation Act also arise through drinking on the part of the husbands. Drinking has such terribly far-reaching effects, we in the Courts do not see all its consequences.... I am not a prohibitionist, I am not a teetotaller; but I am, of course, opposed to excessive drinking.... I don't think a glass of good beer will hurt anyone; the harm is in excessive drinking...."

"I think we are just fiddling with the problem.... We are drawing a great deal of money in the shape of fines from these poor people, and are doing nothing for them. We are no nearer a solution of the problem than we have ever been. Time and time again I see before me the same people. Fines do not stop them drinking.... I believe in the prohibition order as a check, and my opinion is shared by the police."

"But does it invariably prohibit?"

"It does not; but such cases are exceptions, I am glad to say. There are always people who will break the law, and they break it. I believe, too, that our licensing laws, where strictly carried out, do good; but everything depends upon the police and the magistrate.... The shouting evil is absolutely responsible for a good deal of absolutely unnecessary, absurd drinking."¹¹

⁹ Te Aroha Correspondent, *Waikato Times*, 5 July 1881, p. 2.

¹⁰ 'Waiorongomai', *Observer*, 20 February 1892, p. 18; *Ohinemuri Electoral Roll, 1896*, p. 38.

¹¹ *Auckland Weekly News*, 11 April 1907, p. 27.

According to a correspondent, writing in early 1885, drunkenness in the Te Aroha district was ‘a rare occurrence’.¹² Despite such minimizing of the problem, drunkards existed at all times and places, with significant impacts on their families and sometimes the wider community. Visitors occasionally criticized what they saw; for example, one, writing in 1910, considered there was ‘far too much drinking going on for the size of the town, especially amongst the Maoris’.¹³ In that year there seemed to be more concern than previously about the issue, possibly because of the current campaigns for local prohibition, for two weeks later ‘Disgusted’ complained about the number of drunken local residents seen during the past three months. ‘On a recent Sunday afternoon two lads, driving in a gig, were under the influence of liquor, one of them being absolutely drunk. Of three young men driving in a buggy two, at least, were drunk, roaring and yelling in a most disgusting manner’.¹⁴ Three months later, the *Te Aroha News* claimed that the town was ‘getting a most unenviable reputation for drunkenness. Almost every visitor comments on it, and if the local authorities do not take the matter up it will result in diminishing the tourist trade’.¹⁵ In response, a man who had been supplying milk for three months claimed to have ‘seen more drunkenness on one Saturday night’ in a village with half Te Aroha’s population, and considered its hotels were ‘the best conducted’ he had ever seen. ‘I would like to say that I am not a drinking man, nor have I during my lifetime ever taken spirits of any kind, nor do I intend to. I have written the above because I think, in my humble opinion your remarks are totally uncalled for’.¹⁶ The editor stood his ground:

With all due respect to Mr Tompkins, and knowing he is actuated only by the best motives, he might have done better than rush into print after his brief three months’ residence on the furthest outskirts of the town. The evidence, too, collected in the “wee sma’” hours of the morning and early afternoon is hardly one would choose for discovering recalcitrant “drunks.” We are amply sure of our ground, and could bring overwhelming evidence if necessary; suffice it to say that Mr Tompkins has only to take up his

¹² Te Aroha Correspondent, *Thames Advertiser*, 10 March 1885, p. 3.

¹³ Letter from ‘Thamesite’, *Te Aroha News*, 27 January 1910, p. 2.

¹⁴ Letter from ‘Disgusted’, *Te Aroha News*, 12 February 1910, p. 3.

¹⁵ *Te Aroha News*, 31 May 1910, p. 2.

¹⁶ Letter from F.K. Tompkins, *Te Aroha News*, 4 June 1910, p. 2.

residence for a week or two in our main street to become a wiser if a sadder man.¹⁷

One week later, 'Unbiased' stated that Te Aroha had 'far too much drunkenness, especially amongst Maori men and women'.¹⁸ A resident complaining of frequent scenes of drunkenness in 1917 wrote about seeing 'a young Maori simply mad drunk disporting himself in Whitaker-street. It is also scandalous to see fathers who have boys in the fighting line reeling drunk to their homes three or four nights a week'.¹⁹

Although excessive drinking was regularly reported, only once, in 1896, was a man locked up for being so drunk that he was suffering from *delirium tremens*.²⁰

EXAMPLES OF EXCESSIVE DRINKING

That the *Te Aroha News* noted that in the council election of 1884 'the absence of any excessive drinking was ... very apparent'²¹ indicated that such sobriety was not a given on such occasions. Payday could lead to excessive drinking, as suggested by 'Rore O'More', of Waiorongomai, who suggested that some residents needed 'the jail shifted out here, to save being taken in to Te Aroha every pay-day – or the day after I should say'.²² In 1910, when the *Te Aroha News* was scandalized by 'the number of young men staggering about Whitaker-street on Saturday evening the worse for liquor', the *Observer* commented that this behaviour was the consequence of the adjacent Ohinemuri district having become 'dry', forcing drinkers to go to Te Aroha to slake their thirst for alcohol.²³

According to an 1885 visitor, drinking one of the mineral springs was 'a splendid tonic and very soothing, invariably curing dyspepsia. A drink of this water is always indulged in for relief by the residents who are in the

¹⁷ Editorial comment appended to letter from F.K. Tompkins, *Te Aroha News*, 4 June 1910, p. 2.

¹⁸ Letter from 'Unbiased', *Te Aroha News*, 9 June 1910, p. 3.

¹⁹ Letter from John Dukes, *Te Aroha News*, 31 August 1917, p. 2.

²⁰ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 4/1896, BCDG 11220/1a, ANZ-A.

²¹ *Te Aroha News*, 30 August 1884, p. 2.

²² Letter from 'Rory O'More', *Te Aroha News*, 31 July 1889, p. 2.

²³ *Observer*, 3 September 1910, p. 16.

habit of carousing'. He did warn of a side effect: the water was 'slightly laxative'.²⁴

PROBLEM DRINKERS

Details recorded by the police of those placed in the Te Aroha lock-up between 1880 and 1903 provide a very clear indication of the type of men (and the four women) who drank to excess. The total number locked up varied from year to year, possibly in part because of varying police enthusiasm and efficiency in dealing with drunkards, but also in the early 1890s reflecting a decline in mining and therefore an economically depressed population. In total 328 people were incarcerated, often for such offences as disorderly behaviour and obscene language in addition to being drunk. Of these, 40 were repeat offenders, the 'highest score' going to a man locked up seven times. Only on the first occasion when a person was arrested have their details been used to determine who drank to excess.

The youngest, the only teenager, was aged 19, and the oldest by far was 78; the next oldest was 69. There were 33 in their twenties, 60 in their thirties, 61 in their forties, 50 in their fifties, and 20 in their sixties. Only one woman, a laundress, had a paid occupation. By far the largest male occupation was labourer: 120. The next largest category was miner: 25. There were 11 bushmen, seven cooks, and to the five farmers should probably be added the two who described themselves as 'settler'. There were five seamen and sailors, four grooms, three blacksmiths and three butchers, and two painters, engine drivers, boilermakers, bootmakers, bakers, carters, and clerks. There was one ploughman, contractor, confectioner, jockey, upholsterer, plumber, stonemason, bricklayer, wheelwright, sharebroker, gentleman and 'pedestrian'. Eight, all Maori, had no occupation recorded. The largest number, 72, were born in Ireland, the next largest being English, to which could be added the two who gave their nationality as Cornish. The number of New Zealand-born was 30, with Maori comprising another 18. There were 22 Scots and three Welshmen. Other nationalities were much smaller in number: nine Australians, three Danes, two Americans, and one each from Germany, Norway, and Sweden.

Religious affiliation was not always recorded, and in many cases may have been nominal. Only one person stated he had no religion and another, an American, was a 'Freethinker'. There were 61 Irish Catholics and 23

²⁴ C. Voice-Hawkins, 'My Visit to Te Aroha', *Observer*, 30 May 1885, p. 3.

non-Irish Catholics. Members of the Church of England, mostly born in England, totalled 78. There were 30 Presbyterians, some of them born in Ireland, and seven who gave their religion as 'Protestant'. Both the Swede and Dane were Lutherans. Six Wesleyans and two Mormons, both Maori, had ignored their faiths' strong views on the evils of drink.

Literacy was rarely recorded, but at least ten could neither read or write, at least three could not read, and at least two could not write. Two of the totally illiterate were Maori.²⁵

This is by no means a complete list of drunkards, but only those discovered in the streets by the police. And many of the others arrested for assault or obscene language may have been at least partly under the influence of alcohol.²⁶ For example, Elizabeth Hector, wife of Thomas Wright Hector, a chemist in the early days of Te Aroha,²⁷ like her husband had a respectable family background. When her only son died, the death notice reminded readers that he was a great-grandson of the Hon. Elizabeth P. Allen, of Elsie Lodge and Laburnum Lodge, County Down, and a grandson of Robert Hector, a Glasgow doctor.²⁸ These ancestors would have been appalled by the behaviour of Elizabeth and her husband. In June 1883, she was fined 20s for using obscene language in the main street. 'The Magistrate added that he regretted the punishment would fall on the offender's husband in lieu of herself, but added that if she were brought up again he would send her to gaol'.²⁹ Although she was not charged with being drunk, it must be assumed that she was not cold sober, especially in the light of a case her husband brought against a barman, Thomas Hinton,³⁰ for violently throwing him out of the Robin Hood and Little John Hotel. Hinton had been the licensee for six months until June that year,

²⁵ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, in private possession.

²⁶ For example, Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, nos. 3, 5, in private possession.

²⁷ See letter from T.W. Hector, *Waikato Times*, 21 June 1881, p. 3.

²⁸ Death Notice of Thomas Waikato Hector, *Auckland Weekly News*, 17 January 1907, p. 34.

²⁹ Magistrate's Court, *Te Aroha News*, 23 June 1883, p. 2.

³⁰ See paper on crime in the Te Aroha district.

when the license was transferred to Sarah Ann Allwood,³¹ wife of John, whose career as a publican is outlined below. A resident recalled that, as a barman, he was ‘a good chap’.³² The same could not be said of Hector, who was belligerent even when not intoxicated. For instance, he forced the magistrate to imprison him for contempt of court by refusing to give up a business site he occupied illegally.³³ When charging Hinton with assault, he claimed to have been hurt. Hinton ‘admitted the assault, but said that he did so in consequence of complainant being very drunk and quarrelsome. On the other hand the complainant alleged that he was perfectly sober, and denied that he was either drunk or using any language of the kind stated’. A witness said that Hector ‘seemed excited, but not very drunk’, and the police sergeant, with whom Hector laid the complaint, stated that ‘he appeared to be sober’. The magistrate considered that ‘the assault appeared to be uncalled for and unjustifiable’, but asked the sergeant to check whether the publican had given liquor to a drunk man. Hinton, who was managing the hotel, ‘asked what he was to do when complainant or his wife came to the house, for they were both great nuisances’; he was told ‘not to supply liquor to persons who were intoxicated’.³⁴

Despite all the heavy drinking, only one man was charged with having delirium tremens. He was a Scottish labourer, aged 33, who was remanded for 48 hours for medical treatment. Unwilling or unable to pay his 5s fine, he was locked up for 48 hours in default.³⁵

SOME CONSEQUENCES OF OVER-INDULGING

Some consequences were viewed as amusing and of little account, although sometimes calling for a mild reproof. For example, in July 1882 the *Observer* published a cartoon of a drunkard outside the Hot Springs Hotel getting on his horse backwards.³⁶ In December, the Te Aroha

³¹ Te Aroha Magistrate’s Court, Register of Publican’s Licenses 1882-1892, Robin Hood and Little John Hotel, BBAV 11493/1a, ANZ-A; *Thames Advertiser*, 27 March 1884, p. 2, 22 May 1884, p. 2.

³² Recollections of Charlie Garlick, *Te Aroha News*, 7 April 1937, p. 5.

³³ *Thames Advertiser*, 15 November 1883, p. 2; *Te Aroha News*, 17 November 1883, p. 2.

³⁴ Magistrate’s Court, *Te Aroha News*, 27 October 1883, p. 2.

³⁵ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 4/1896, in private possession.

³⁶ Cartoon, *Observer*, 22 July 1882, p. 301.

Observer Man asked ‘What was the gentleman’s name who made a mistake in his room and got into a lady’s instead. He had evidently taken too much P.B.’,³⁷ meaning porter beer. The following year, the Waiorongomai O.M. recommended that ‘the young timber-man should use less rum and milk and more of the waters of regeneration when he next renews his baptismal vows’.³⁸ In 1895, the Te Aroha O.M. asked: ‘Who was the young man that took his intended bride to a ball and imbibed too freely’.³⁹ Like all such queries, both the O.M. and most residents knew the answer, and treated the offender accordingly.

John Falvey, who was aged 20 in 1880,⁴⁰ was a miner at Waiorongomai and, later, Ohinemuri.⁴¹ In 1898, after ‘suffering for some time past with a complication of diseases, together with melancholia, in a temporary fit of delirium’ he fell into the Ohinemuri River but was rescued and sent to the Thames hospital.⁴² The hospital determined that he was suffering from alcoholism.⁴³ He may have recovered from this, for he was never in trouble for drunkenness, and when aged 61 was recorded as being an experienced prospector with plenty of energy.⁴⁴

Hotels were centres of social life for many men, to the annoyance of many wives, as illustrated by a recollection of a son of David McLean Wallace⁴⁵ in 1927:

His father had been one of the first members of the borough council.... There were no long arguments like they had today and after each meeting the chairman used to take the members to the hotel for supper. Father would arrive home late and would be called upon to give an account of himself. When asked where he

³⁷ ‘Te Aroha’, *Observer*, 9 December 1882, p. 198.

³⁸ ‘Waiorongomai’, *Observer*, 30 June 1883, p. 233.

³⁹ ‘Te Aroha’, *Observer*, 28 September 1895, p. 21.

⁴⁰ Death Certificate of John Falvey, 30 September 1930, 1930/10124, BDM.

⁴¹ See Te Aroha Warden’s Court, Register of Licensed Holdings 1881-1887, folio 28, BBAV 11500/9a, ANZ-A; *New Zealand Gazette*, 29 December 1883, p. 1704; advertisement, *Te Aroha News*, 6 June 1885, p. 7; Mines Department, MD 1, 97/1499, ANZ-W; *Ohinemuri Gazette*, 29 August 1896, p. 3, 22 May 1897, p. 2.

⁴² *Ohinemuri Gazette*, 13 April 1898, p. 2.

⁴³ Thames Hospital, Register of Patients 1884-1901, folio 92, YCAH 14075/1a, ANZ-A.

⁴⁴ Matthew Paul (Inspector of Mines) to Under-Secretary, Mines Department, 21 October 1921, Inspector of Mines, BBDO 10046, A 902, S 116, ANZ-A.

⁴⁵ See paper on his life.

had been his usual reply was: "Oh, just down the street." If the question was repeated he would say, "That's all right," or give some other reply. After a time Mother would get tired of asking and go off to sleep. A friend who had difficulty with his wife because of his late hours, learning of the method that had been so successful in escaping trouble, thought he would try it out on his own wife, but in meeting Mr Wallace later said rather ruefully: "I tried that game of yours and it didn't work." "No," said Mr Wallace, "How did you go about it?" "Well," he said, "when I got home my wife asked me where I had been. I just said, 'That's all right.'" With that she picked up the ledger from the table which the boy had been using and hit me over the head with it and said, "So is that all right" twice.⁴⁶

Two 1920 incidents involving Waiorongomai residents were recorded jocularly:

Two well-known Waiorongomai worthies were in Te Aroha on Wednesday celebrating something or other, perhaps the successful Polo Sports or the carrying of the Electric Power Board loan proposals. Anyhow sometime after curfew-time (6 p.m.) they began to wend their weary way home, although the spirit was strong the legs were weak, and a halt was called at the corner of Burke-street for a breather or a refresher. The balmy evening air must have had a soporific effect, for next morning they were still there, with leaves and twigs in hair and whiskers, and generally presenting a woe-begone appearance. As it was unquestionably "the morning after the night before," it was decided to postpone the tiresome journey home for a little while. Meanwhile, "just a wee Deoch and Doris," etc. We wonder are they home yet!⁴⁷

The second incident occurred six months later (to the same men?):

Last Saturday afternoon a sad catastrophe occurred in Whitaker Street. Two Waiorongomai residents were taking turns at carrying a big demijohn (in a sack) homewards, and by some mischance the sack slipped to the ground, with obvious results. It was hard luck, indeed – and was almost sufficient excuse for the torrent of abuse which was exchanged between the two carriers. Perhaps the man who dropped his bundle was a cousin of the Irishman who, when hanging from the under structure of a bridge over a flooded river, let go his hold to spit on his hands!⁴⁸

⁴⁶ Recollections of Arthur David Wallace, *Te Aroha News*, 26 October 1927, p. 5.

⁴⁷ *Te Aroha News*, 14 May 1920, p. 2.

⁴⁸ *Te Aroha News*, 8 December 1920, p. 2.

Other consequences were far less amusing, such as causing accidents. In July 1884, a correspondent described potentially life-threatening behaviour:

As the afternoon 'bus, in which were some women and children, was about to start for Waiorongomai, a drunken man accosted some acquaintances who were seated outside, and wished them to remain behind. On their declining to come down he made a rush to the horses' heads to stop the conveyance, and the animals galloped off at a furious rate along the rough road. The driver got thrown from his seat to the ground, and the passengers ... were in a state of fear and trembling. Fortunately one of them who was seated on the box managed somehow to get hold of the reins and succeeded in arresting the career of the animals.

As the road was 'very narrow' in places, capsizing would have been inevitable had the horses not been brought under control.⁴⁹ The local newspaper confirmed that, but for 'the lucky circumstance' that the passenger caught the reins, 'both passengers and bus would almost to a certainty have come to grief'. Ironically, the driver who was 'thrown from his seat by the jolting of the vehicle, and had his shoulder dislocated', was Michael Cronin,⁵⁰ a leading temperance advocate.⁵¹ In 1889, a 'hopelessly drunk' visitor fell out of his buggy.⁵² And in 1903, a 66-year-old man was locked up for being drunk in charge of a horse.⁵³

Public disturbances were caused by drink. For instance, in October 1889 John Rosser was locked up for being drunk in the Anglican church and 'disturbing the congregation'.⁵⁴ He pleaded guilty, and as there had been a recent conviction for being drunk, the fine was greater than normal. He denied resisting the police, but after Sergeant Emerson testified that he had 'created a great disturbance by his conduct, and gave the police a great deal

⁴⁹ Te Aroha Correspondent, *Waikato Times*, 15 July 1884, p. 4.

⁵⁰ *Te Aroha News*, 12 July 1884, p. 2.

⁵¹ See paper on the temperance movement in the Te Aroha district.

⁵² *Te Aroha News*, 30 November 1889, p. 2.

⁵³ Armed Constabulary Force, Return of Charges taken at Te Aroha Lock-Up 1880-1903, entry for 26 January 1903, in private possession.

⁵⁴ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 29, 30/1889, in private possession.

of trouble', he was fined £1 or, in default, 14 days' hard labour.⁵⁵ Eight years later, when he was an old man and mining at Waihi, he was committed to the asylum.⁵⁶ In 1907, the Waihi hospital trustees recommitted him to it, where he died later that year, aged 73.⁵⁷

Drink could lead to crime. In 1882, an 'apparently very respectable young man', as magistrate Harry Kenrick⁵⁸ described him, after being paid off got drunk and stole a silver watch and a pair of boots from a hotel, for which he received three months hard labour.⁵⁹ In 1888, two Maori from Paeroa were each fined £5 for being drunk in charges of horses and resisting arrest. Both pleaded guilty, 'but stated they were both drunk they did not remember' resisting arrest. They had been drinking in the Hot Springs Hotel, and as they were kicking and struggling several people had had to assist three policemen taking them to the lock-up.⁶⁰

Drink exacerbated conflicts in the community, as illustrated in the recollections of the early twentieth century of Ronald McIndoe, born in 1891 to Thomas,⁶¹ a leading Te Aroha citizen:⁶²

Life in Te Aroha at times was quite lively, plenty of beer fights and festive occasions. There were 2 Irish Factions who were deadly enemies, and Dad who was a J.P. used to stop donneybrooks [fracas]⁶³ and get one lot going one way and the others in the opposite direction. However they nearly always finished up in another street when the J.P. went home with a job well done.⁶⁴

⁵⁵ Police Court, *Te Aroha News*, 28 October 1889, p. 2.

⁵⁶ *Thames Star*, 3 December 1897, p. 3.

⁵⁷ Waihi Hospital Trustees, *Waihi Daily Telegraph*, 2 July 1907, p. 2; Death Certificate of John Rosser, 1907/4774, BDM.

⁵⁸ See paper on his life.

⁵⁹ Magistrate's Court, *Thames Star*, 27 December 1882, p. 2.

⁶⁰ *Te Aroha News*, 14 November 1888, p. 2.

⁶¹ Birth Certificate of Ronald McIndoe, 1891/3768; Marriage Certificate of Ronald McIndoe, 1 March 1916, 1916/3267, BDM.

⁶² See *Cyclopedia of New Zealand*, vol. 2, p. 831; Te Aroha Correspondent, *New Zealand Herald*, 24 October 1895, p. 3; *Te Aroha News*, 12 October 1942, p. 2.

⁶³ Partridge, p. 328.

⁶⁴ Ronald McIndoe, typescript reminiscences, (n.d.), p. 5, MS Papers 3806, Alexander Turnbull Library.

Heavy drinking carried a heavy financial cost. John Frater, an investor in Waiorongomai mining,⁶⁵ and a staunch Presbyterian who supported temperance,⁶⁶ in 1887 stated that ‘the great cause of the misery and poverty in the cities and towns is the demon drink’.⁶⁷ As an example, bank manager recorded the downfall of a Te Aroha grocer, John Patrick Gordon:⁶⁸

15.1.03. Came in here in June 1902 from Whangarei & bought S.L. Bygrave’s business.

He has usually kept a good credit balance, but his account has recently not been so well in funds and a fortnight ago cheques came in which created an o/d [overdraft] of £30. Further cheques coming in I put them off.... Gordon provided for them next day at Te Aroha.

He said he had lost the run of his a/c [account], & thought he still had funds. He said he had been too busy to get in book debts of which he had £900, that he brought £1100 of capital with him from Whangarei and that his debts were small, only a last pay of £158 being due to Bygrave.

I wrote to Whangarei for information about him & received the following reply:- “Left here with £3/500 cash and I understand mortgages value £7/800. While in this district he was rather given to intemperance, and through this failing lost considerably in respect & fortune. He is only about 22/24 years of age, though he looks older. I should not trust him, without ample security.”

25.1.03. Paid in A.J. Farmer’s cheque for £100 – probably borrowed.

12.5.03. Cheque to Northern Mills £106 returned as he was £30 short.

16.5.03. Has been neglecting his business & wasting his time about the hotels & has been compelled by creditors to sell out, which he has done....

31.5.05. Gordon came out with some hundreds of pounds. This has gradually been spent, he has done no work (part of the time he has been incapable owing to an accident), and his money is now all gone. Intemperate.⁶⁹

⁶⁵ See *Thames Advertiser*, 9 August 1887, pp. 2-3; *New Zealand Herald*, 27 September 1927, p. 10.

⁶⁶ *Thames Advertiser*, 14 August 1876, p. 2, 18 January 1879, p. 3, 26 July 1886, p. 2, 27 December 1886, p. 2, 5 September 1895, p. 2, 13 March 1896, p. 3.

⁶⁷ *Thames Advertiser*, 6 September 1887, p. 2.

⁶⁸ Recorded as J.V. Gordon; John Patrick Gordon was a storekeeper at Te Aroha in 1905; see *Ohinemuri Electoral Roll, 1905*, p. 29.

⁶⁹ Bank of New Zealand, Paeroa Branch, Manager’s Memorandum Book 1902-1914, p. 37, Bank of New Zealand Archives, Wellington.

After leaving Te Aroha, Gordon went bankrupt in 1912.⁷⁰

Another small businessman, Frederick William Gordon, was aged 24 when he married Margaret Innes in 1883.⁷¹ He was then a butcher at Te Aroha,⁷² with interests in two unprofitable claims.⁷³ In the mid-1880s he went to Fiji, where he managed a butchery until settling in Thames late in the century and building up a 'large and successful business in small goods, which became famous far beyond the limits of the Auckland district'.⁷⁴ His occupation was recorded as 'retired pork butcher' on his death certificate.⁷⁵ But in 1896, 1897, and 1899 his wife obtained prohibition orders against him because his 'excessive drinking of Liquor wastes his Estate'.⁷⁶ Rona Lomas, who worked for him in the 1920s, recalled that

Mrs Gordon had a great struggle because her husband was a heavy drinker, and they would have lost all their business had it not been carefully handled by the wife. We could not take the risk of leaving change in the till, because it would be taken by the husband. He often sold shop goods at a nearby hotel, and used the money to buy liquor. On one occasion he fell and broke his ankle, and all his life after that, he walked with a limp.

Quite a funny experience once happened while I worked for them. Mr Gordon used to put the rubbish tins out the back gate on certain days, but on this morning Mrs Gordon happened to be near the house and as she looked down towards the back gate she noticed he was carrying one old tin as well as a new tin, and she was immediately suspicious and rushed after him. He received a real shock because in the new tin he had a big leg of pork which he had hoped to take and sell at the hotel. We not only used to have to guard the money but also had to keep our eye on the goods. He was allowed so much a day to buy drink, but no more,

⁷⁰ Advertisement, *Auckland Star*, 25 September 1912, p. 2.

⁷¹ Marriage Certificate of Frederick William Gordon, 20 December 1883, 1883/2858, BDM.

⁷² See *New Zealand Gazette*, 18 October 1883, p. 1518; advertisement, *Te Aroha News*, 16 August 1884, p. 7.

⁷³ Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folios 286, 287, BBAV 11567/1a; Register of Licensed Holdings 1881-1887, folios 152, 155, BBAV 11500/9a, ANZ-A; *New Zealand Gazette*, 18 October 1883, p. 1518.

⁷⁴ *Thames Star*, 6 December 1954, p. 4.

⁷⁵ Death Certificate of Frederick William Gordon, 4 December 1954, 1954/28559, BDM.

⁷⁶ Thames Magistrate's Court, Criminal Record Book 1897-1900, entries for 14 November 1896, 4 December 1897, 7 January 1899, BBAV 13736/3a, ANZ-A.

and unless he sold anything on the quiet, he usually got his allowance late in the afternoon when the work was over, as Mrs Gordon was afraid he would have an accident with the machinery.⁷⁷

DRINKING CREATES MENTAL PROBLEMS

In September 1882 a series of press reports illustrated the belief that heavy drinking could lead to lunacy:

A young man named Cornelius Bigley, of Te Aroha, having worshipped at the shrine of Bacchus not wisely but too freely, so affected his reason by his libations as to necessitate the intervention of the police. He was brought to the Thames yesterday for medical treatment under the charge of Constable Cleary.⁷⁸

Bigley had been employed as a ditcher at Waitoa. After drinking heavily at Te Aroha, although 'in no way dangerous to others' he had been arrested because, 'having no friends to look after him', Cleary 'was afraid he might drown himself. He had been drinking heavily for some time past. About a fortnight ago he had a cheque for £29 in his possession, and he knocked it down spreeing about between Waitoa and Te Aroha'. He was ordered to be checked for lunacy,⁷⁹ because his hallucinations had 'taken the form of a religious mania, and he is continually under the impression that he is haunted by invisible beings, or that the Virgin, to whom he prays, is present with him'.⁸⁰ The asylum recorded that he was aged 30, single, and an Irish Catholic labourer, and diagnosed that his 'acute mania' was caused by drink. As the attack lasted only one week, he was released early in October.⁸¹ In the following May, he was killed in a fall of earth when working as a labourer in Auckland.⁸²

Another unmarried labourer, an Anglican aged 39, in 1897 was sent to the asylum from Te Aroha because he had become an imbecile through

⁷⁷ Recollections of Rona Lomas, in Valerie J. Richards, *Thames' Gems* (?Thames, 2007), p. 32.

⁷⁸ *Thames Advertiser*, 20 September 1882, p. 2.

⁷⁹ *Thames Advertiser*, 21 September 1882, p. 2.

⁸⁰ *Thames Advertiser*, 25 September 1882, p. 2.

⁸¹ Avondale Asylum, Register of Admissions 1853-1884, no. 992, YCAA 1021/1, ANZ-A.

⁸² *Otago Daily Times*, 11 May 1883, p. 2.

‘progressive brain disease alcohol & pills’. A policeman had seen him praying on the Matamata railway station platform because ‘he had often picked up money after he had prayed for assistance’. He went to the post office there ‘& asked for letters & when asked why he went there & how could his friends know how to send letters there he said God would tell them where he was’.

Says the natives gave him tobacco a shilling & something to drink (hot water & sugar) & that then he lost consciousness: & that he found the back of his hand very itchy: he said when he came to, his handkerchief & person were all over blood. He says they also threatened to castrate him. This happened near Te Aroha. Appears to be very simple & childish.

After several epileptic fits in the asylum, he was transferred to the Epileptic Home in Otago.⁸³

Three years later, Thomas Hood,⁸⁴ a painter aged 66, and another Anglican, was committed for senile decay caused by alcohol. After an attack lasting five years, he was in poor health, and died within three weeks.⁸⁵ His case file recorded that he had not worked during these years. He claimed to be painting the house and doing other work but a doctor declared that his memory was completely gone and that he suffered from slight epileptic fits. His wife provided a sad picture of his state:

Talks to himself a great deal: gets up at all hours of the night: hides things away: is dirty in habits and blames the hens for it: won't go to WC....

Walks about day & night and wanders away if he gets the chance: passes excreta in his clothes & resists cleansing: continually muttering to himself: and hides things without reason.

His condition was ‘attributed to drink fits & sunstroke’, and it was noted that his brother was another heavy drinker. His previous history revealed that this father of 15 children had been

Very clever: a poor memory: strong will: very passionate: not affectionate: energetic industrious: addicted to drink.... When

⁸³ Avondale Asylum, Register of Admissions 1896-1901, no. 2268, YCAA 1021/3; Case Book 1896-1898, folio 167, YCAA 1048/7, ANZ-A.

⁸⁴ See *Te Aroha News*, Domain Board, 13 March 1886, p. 2, 20 April 1889, p. 2.

⁸⁵ Avondale Asylum, Register of Admissions 1896-1901, no. 2506, YCAA 1021/3, ANZ-A.

unemployed or a contract did not pay was absent-minded & melancholy. Strange for past 15 years when drinking: behaved in a silly manner. 3 years ago began to take fits which increased in severity till he reached this state.

The asylum doctors noted his condition. 'Chatters away incoherently: laughs in a silly manner when addressed and all you can get in response to questions is Oh Yes. Yes. Yes'. An autopsy revealed his brain to be 'partly atrophied and degenerated'.⁸⁶

Patrick Smith, another Irish Catholic and an unmarried miner aged 44 in 1900, was committed three times during that year and the following one after attacks each lasting a week. He was first committed for melancholia caused by drink, then alcoholic mania, and the third time for alcoholic insanity.⁸⁷ The Thames doctors who first committed him stated that he 'talks erratically and makes rambling statements as to his occupation & the cause of the scars on his throat & fingers. He says he has a yacht and that he is going to sail to the Paris Exhibition'. The arresting constable said 'he was behaving very strangely on the street – wanted to take a child out of a tram to take her into church and marry her'. It was reported that he had 'cut his throat some time ago at Helensville', and an old scar was found 'over the larynx'.

Countenance apathetic. His answers to questions are rational at times. Sometimes he makes an irrelevant remark during conversation. Was somewhat uneasy during examination, persistently attempting to replace his clothes. Says he believed this institution is a boarding-house. He makes statements one moment & then contradicts them the next. Will give no information regarding the scar on his neck.

As his mental condition quickly improved, he was released six months later.⁸⁸ He was re-admitted for the second time, from Waitekauri, because, as a doctor reported, he claimed people were trying to poison him. 'Says that he dug graves in the mine to bury Fenians & the priest'. The local policeman had arrested him for 'walking up & down the streets of

⁸⁶ Avondale Asylum, Case Book 1900-1903, folio 13, YCAA 1048/9, ANZ-A.

⁸⁷ Avondale Asylum, Register of Admissions 1896-1901, nos. 2458, 2560, 2656, YCAA 1021/3, ANZ-A.

⁸⁸ Avondale Asylum, Case Book 1898-1901, folios 307-308, YCAA 1048/8; Register of Admissions 1896-1901, no. 2458, YCAA 1021/3, ANZ-A.

Waitekauri – gesticulating with a broom & saying he was going to sweep the dust from everything. He had dug a hole in the shape of the grave, filled it in, and said the Pope was buried there. He had refused to eat boardinghouse food because he said someone had put rats in it'. The asylum doctors assessed his condition:

Patient looks at one furtively with a half ashamed half amused expression. He does not enter readily into conversation but on drawing him out about what has happened recently he says he has been drinking – had stopped work – and was going to get Home Rule for Ireland & clear out the priests.

Then exalted emotionally, running around and dancing by himself, later he calmed down and was discharged after 11 months.⁸⁹ Two weeks later, he was recommitted, this time from Te Aroha. Within nine months he had 'a fairly normal expression, talks intelligently has an active & accurate memory for recent and past events and expresses no delusions, states that on admission he was suffering from alcoholism, his principal trouble then was that he saw devils and all sorts of animals'. After being discharged as recovered,⁹⁰ he never returned to the asylum; had he ceased drinking?

More than one man named John O'Brien lived in the district in the 1880s.⁹¹ One was a miner, who lived for some years at Waiorongomai.⁹² He may have been the John O'Brien who, when mining at Kuaotunu in 1891, was admitted to the asylum after a two-week bout of 'mania caused by alcoholism'.⁹³ 'He refuses food on the ground that it is poisoned'. A Catholic,

⁸⁹ Avondale Asylum, Case Book 1900-1903, folio 67, YCAA 1048/9; Register of Admissions 1896-1901, no. 2560, YCAA 1021/3, ANZ-A.

⁹⁰ Avondale Asylum, Case Book 1900-1903, folio 67, YCAA 1048/9; Admissions Register 1896-1901, no. 2656, YCAA 1021/3, ANZ-A.

⁹¹ See section on James Warren below, and paper on larrikinism in the Te Aroha district.

⁹² Te Aroha Warden's Court, Miner's Right no. 543, issued 27 November 1880, Miners' Rights Butt Book 1880, BBAV 11533/1d; Miner's Rights nos. 1665, 1682, 1698, issued 4-7 January 1881, Miners' Rights Butt Book 1880-1881, BBAV 11533/1g; Miner's Right no. 2070, issued 11 October 1883, Miners' Rights Butt Book 1883, BBAV 11533/1l; Register of Te Aroha Claims 1880-1888, folio 163, BBAV 11567/1a; Register of Licensed Holdings 1881-1887, folio 153, BBAV 11500/9a; Complaint Book 1880-1898, no. 19 of 1883, BBAV 11547/1a, ANZ-A; Piako County Council, *Waikato Times*, 29 November 1883, p. 2; *Te Aroha News*, 18 October 1884, p. 7, 14 February 1885, p. 7.

⁹³ Avondale Asylum, Register of Admissions 1885-1896, no. 1712, YCAA 1021/2, ANZ-A.

he claimed to have been ‘given arsenic in Mt Eden Gaol by order of the Freemasons because he divulged their secrets. He is “King of the World”’. Although very violent when admitted, he gradually quietened down and was released after nearly a month. He told an asylum doctor that ‘his recent behaviour was due to alcoholism’.⁹⁴

THE IMPACT OF HAVING A DRUNKEN HUSBAND

The impact on families of having a drunken husband and father was serious, as illustrated in the papers on women’s lives and on the Roycroft brothers. For instance, in 1908, when a prohibited man pleaded guilty to having been drunk, the constable said that he ‘was a married man with a young family. His wife had frequently complained of his excessive drinking’.⁹⁵

Being drunk could mean being deprived of employment. For instance, in June 1884 James Joseph Clements⁹⁶ sued Edward Peel, a Te Aroha cordial manufacturer,⁹⁷ for £38 3s 4d, for wages owing. He told the court that Peel ‘never complained of my being drunk. When he discharged me I had some drink in, but was not drunk. The only reason he gave me was he could not keep two men’. His wife Ann confirmed that he ‘was not drunk on the day he was discharged’. When Peel told her he had paid a publican ‘a bill of about £3 for drink supplied to my husband’ she replied that she ‘would not pay it’. She insisted that ‘Peel never told me he would have to discharge my husband for being drunk’, but under cross-examination said she had asked Peel to give Clements’ wages to her ‘because he spent his money in the public houses. Mr Peel complained to me of my husband drinking. I told Mr Peel it would be necessary to obtain a prohibition order against my husband on account of the big scores he was running up at hotels’.

Peel then gave evidence that in January ‘plaintiff was out at Wairongomai and got drunk and upset the trap, I discharged him and paid

⁹⁴ Avondale Asylum, Case Book 1890-1892, folio 613, YCAA 1048/5; Register of Admissions 1885-1896, no. 1712, YCAA 1021/2, ANZ-A.

⁹⁵ Magistrate’s Court, *Te Aroha News*, 26 November 1908, p. 2.

⁹⁶ See *Bay of Plenty Times*, 20 September 1881, p. 3; advertisement, *Auckland Star*, 6 February 1894, p. 5; Death Certificate of James Joseph Clements, 1923/3958, BDM.

⁹⁷ See *Te Aroha News*, 15 March 1884, p. 2, 29 March 1884, p. 2, advertisement, 4 April 1885, p. 7.

him his wages'. When he came back 'promising to reform if I took him on again', Clements was given 'another trial. Since January he has been drinking a good deal and several parties came up for accounts against him, and he authorized me in the presence of these parties to pay them, and I did'. He was discharged in June 'on account of his being hopelessly drunk'. He confirmed that Ann had 'come to me complaining of her husband drinking and spending his money at hotels. She spoke of getting out a prohibition order against him'. One publican then stated that after being owed money he refused to give Clements 'further credit, he seemed annoyed and brought in Mr Peel who promised to pay it', and did. Another publican stated he had 'often' seen Clements 'the worse for drink, and he often forgot orders of mine'. Kenrick awarded £5 15s, already paid into court, and determined that Clements had been 'lawfully discharged without notice on account of being drunk'. He further 'commented on the pernicious system of employers promising to pay drink bills on behalf of workmen, who were unfortunately too fond of drink'. Clements' authorizing Peel 'to pay his drink bill and stop it out of his wages' was 'to the loss of his wife and family. The payment was a legal one, but such an arrangement in reality really encouraged drinking habits, and ought to be discouraged'.⁹⁸

In one case, drink caused the collapse of a marriage. William Gooding was a miner, labourer, carter, and timber cutter with an interest in one Waiorongomai mine.⁹⁹ Until the early twentieth century, his wife, Inga Dorothea, owned property at Te Aroha and sold butter, eggs, and fruit.¹⁰⁰ In October 1905, she sold her land,¹⁰¹ presumably because she was leaving him; subsequently she left New Zealand.¹⁰²

⁹⁸ Magistrate's Court, *Te Aroha News*, 14 June 1884, p. 2.

⁹⁹ See Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folio 316, BBAV 11567/1a, ANZ-A; Piako County Council, Minutes of Meeting of 4 August 1891, Matamata-Piako District Council Archives, Te Aroha; *Te Aroha News*, 29 June 1911, p. 2; Death Certificate of William Gooding, 27 June 1911, 1911/5942, BDM.

¹⁰⁰ *Te Aroha News*, 21 December 1895, p. 2, 8 February 1900, p. 2; Te Aroha Borough Council, Rate Book 1900-1901 [no pagination], entries for William and Inga Dorothea Gooding, Matamata-Piako District Council Archives, Te Aroha; *Ohinemuri Electoral Roll*, 1902, p. 28.

¹⁰¹ Te Aroha Warden's Court, Register of Mining Privileges 1894-1910, folio 317, BBAV 11500/2a, ANZ-A.

¹⁰² Marriage and Death Indexes, BDM.

Gooding died, in bed, in June 1911, aged 63. Described as a ‘well known identity in Te Aroha’, which could be either an approving or a disapproving description, he had just sold his house to enable him to purchase a fruit farm north of Auckland. He had no relatives in New Zealand,¹⁰³ suggesting his wife had left both him but the country. At the inquest, a doctor explained that his lungs ‘showed long continued neglect and death was accelerated by excessive drinking’. A labourer deposed that he taken Gooding home when he was weak from drink and ‘put him to bed without undressing or taking off his boots as he requested it, saying he wished to go to Auckland next day’. The day before his death, as another labourer stated, he did not eat because he ‘had been suffering for some weeks from drink’. He drank alone at home, having ‘periodical fits of drinking’. The local constable described him as ‘a hard working man, but would break out occasionally in drink’.¹⁰⁴ The verdict was that he died of ‘exposure accelerated by drink’.¹⁰⁵

SOME DRUNKARDS

Many papers on local identities include information about their occasional, or more than occasional, lapses into drunkenness. More examples are given below:

Thomas Bradley, a respectable member of the Te Aroha community, was the son of a ‘well known magistrate’ in Northern Ireland. After going to the Bendigo goldfield in Australia, unsuccessfully, he joined the Otago gold rush, and from 1861 onwards for about 17 years had a successful coaching line between Dunstan and Dunedin as well as being a publican for a time. After operating another coaching business in the Marton and Whanganui area for three years, he moving to Thames. In a Thames obituary he was recalled as being ‘esteemed by all with whom he came in contact, for his straightforward and honest dealings, and he numbered many all over the colony as personal friends’.¹⁰⁶ Another obituary described him as ‘a good business man, highly respected’, who as a judge of horses and cattle ‘had

¹⁰³ *Te Aroha News*, 29 June 1911, p. 2.

¹⁰⁴ Inquest into William Gooding, 28 June 1911, Inquests, Justice Department, J 46, 1911/707, ANZ-W.

¹⁰⁵ Death Certificate of William Gooding, 27 June 1911, 1911/5942, BDM.

¹⁰⁶ *Thames Advertiser*, 16 September 1897, p. 2; Supreme Court, *Otago Daily Times*, 20 June 1871, p. 3.

few equals'.¹⁰⁷ A Te Aroha correspondent wrote that he 'had a widespread connection in both islands as a dealer in horseflesh and a coach proprietor'. After settling in the Marton district 'he combined coaching with the management of a large general store'. After moving to Thames in about 1880, he ran a coaching business, Bradley and Co., with Nathaniel John Ferguson,¹⁰⁸ until five years before his death. 'Latterly' he 'devoted himself almost exclusively to horse dealing, in which he was a recognised authority, having few equals in his knowledge of the good points of a horse'.¹⁰⁹

As usual, obituaries omitted the less respectable aspects of his life. In 1871 he had become bankrupt when a livery stable keeper at Tokomairiro, and his discharge was suspended for a year because of his varying accounts of his assets and the fact that he had lost over £100 in betting.¹¹⁰ His Whanganui venture cannot have been too successful either, for he became bankrupt again in 1879, although the estimated value of the assets exceeded his debts.¹¹¹

In early 1882, Bradley first ran coaches to Thames from Paeroa and then Te Aroha.¹¹² In April, he erected a store at Te Aroha costing £70.¹¹³ He advertised as 'Cobb & Co's Telegraph Line of Coaches: Bradley & Co., Proprietors: Te Aroha Line'.¹¹⁴ The following year, he bought the horse and plant of the rival Te Aroha Stage Coach Company for a 'very substantial amount'.¹¹⁵ At the end of that year, there was a forced sale of some assets, but his firm quickly recovered and expanded.¹¹⁶ From 1882 until 1893 it had the contract to deliver mail between Thames and Morrinsville and to

¹⁰⁷ *Ohinemuri Gazette*, 15 September 1897, p. 2.

¹⁰⁸ See paper on prospectors and investors in the Te Aroha district in the 1930s.

¹⁰⁹ Te Aroha Correspondent, *Auckland Weekly News*, 18 September 1897, p. 30.

¹¹⁰ Supreme Court, *Otago Daily Times*, 20 June 1871, p. 3.

¹¹¹ 'Return of all Bankruptcies and Assignments since the coming into operation of the "Debtors and Creditors Amendment Act, 1878:" District Court Palmerston North: 1879', Legislative Department, LE 1, 1883/106, ANZ-W.

¹¹² *Thames Advertiser*, 13 January 1882, p. 3, 27 February 1882, p. 3.

¹¹³ *Thames Advertiser*, 19 April 1882, p. 3.

¹¹⁴ Advertisement, *Thames Star*, 1 September 1882, p. 3.

¹¹⁵ *Thames Advertiser*, 23 January 1883, p. 2.

¹¹⁶ *Mercantile and Bankruptcy Gazette of New Zealand*, 19 June 1886, p. 190, 14 August 1886, p. 254; *Te Aroha News*, 22 December 1883, pp. 2, 7, 29 December 1883, p. 2, 15 March 1884, p. 2, 31 May 1884, p. 2, 4 October 1884, p. 2, 11 October 1884, p. 7, 5 September 1885, p. 2, 20 September 1885, p. 2.

other settlements in the district.¹¹⁷ The *Te Aroha News*, in 1890, said the firm had 'given universal satisfaction' with their mail service.¹¹⁸ Before the railway line reached Te Aroha, 'the enterprising coach proprietors' connected it with Morrinsville.¹¹⁹

In January 1886, Bradley drove a reporter around Ohinemuri:

Bradley and Co. deserve all praise for the excellent coaching accommodation they provide. They are as punctual as clockwork. Last week Mr Bradley had landed a fine new coach built expressly for the Thames-Te Aroha line. He is pushing the business in all possible directions, and providing facilities for travelling by granting return and round tickets wherever possible. He is only sorry that he cannot arrange with the railway authorities for the round trip from Auckland via Waikato and back by the Thames. However, if Te Aroha and its hot springs do not become appreciated, he is determined the fault will not lie at his door.¹²⁰

In August, a newspaper described his 'enterprising' company's large addition to its Thames building, which provided more stalls for their horses along with a booking office and a horse bazaar and a large cattle yard at the rear.

As is well-known, Messrs Bradley's coaching service has hitherto given entire satisfaction, and we understand they intend to still further develop their already well-organized assisting of means of travelling, by having at the disposal of the public several first class American buggies which Mr Bradley has just had consigned to him.¹²¹

They had expanded their building 'in the expectation of a large increase of business', and also intended holding periodic horse sales.¹²²

¹¹⁷ *Thames Advertiser*, 12 October 1888, p. 2; *New Zealand Gazette*, 21 May 1885, pp. 681, 683, 10 February 1887, pp. 234, 235, 7 March 1889, p. 277, 26 February 1891, p. 287, 9 March 1893, p. 319.

¹¹⁸ *Te Aroha News*, n.d., reprinted in *Thames Star*, 27 November 1890, p. 2.

¹¹⁹ *Waikato Times*, 20 February 1885, p. 2.

¹²⁰ Own Correspondent, 'Thames to Ohinemuri by Coach', *Auckland Weekly News*, 2 January 1886, p. 6.

¹²¹ Travelling Correspondent, 'Te Aroha Notes', *Thames Advertiser*, 2 August 1886, p. 2.

¹²² *Waikato Times*, 24 July 1886, p. 3.

Their new 'round trip, Auckland to Waikato via Thames', was 'well patronized by the public, and proved a great boon to commercial men and holiday makers'.¹²³

In April 1888, a reporter touring the goldfields was driven by Bradley, who was described as being 'most attentive to the wants and comforts of his passengers', for instance carefully avoiding 'several deep ruts and mud holes'.¹²⁴ Six months later, a Thames newspaper praised his 'enterprising firm' after a reporter was invited 'to enjoy a trip' through Thames in the 'Maratoto', their new omnibus, which could seat 36 people. 'No need to fear that a lengthy journey would cause any unpleasant sensations in this turn-out as the seats are as soft as the most fastidious traveller might require'. Bradley drove 'in his usual professional manner, and his control of the six prancing bays was a sight which would have gladdened the famous Jehu of old'; there was 'a noticeable amount of admiration from the onlookers'. In the following month the firm would celebrate its eighth anniversary, its line of coaches being 'arranged on the same principle as Tom Bradley so successfully adopted in the South Island'. Mail to 'up-country townships' had 'always been regularly delivered, and no complaints have ever been made' because the firm carried out 'the conditions of their contract to the letter'. Their Thames building would 'favourably compare with any in the North Island' and would soon be extended considerably. They had depots at Hikutaia, Paeroa, and Te Aroha, 'where they have stable accommodation second to none in the colony'. They had recently purchased another coach proprietor's business, and the newspaper wished 'Tom Bradley and Nat Ferguson the enterprising and spirited proprietors every success'.¹²⁵ The Hamilton newspaper also considered 'great credit' was due 'for the admirable manner in which they provide for the comfort of travellers'; their 'Maratoto' bus 'cannot be surpassed'.¹²⁶

With the development of Waihi and Tauranga in the early 1890s, these 'popular and enterprising' men provided a round trip to the latter.¹²⁷ When the business was sold in 1893, a Thames newspaper wrote that 'the wants of the travelling public have been attended to in the best possible manner',

¹²³ *Waikato Times*, 16 May 1893, p. 2.

¹²⁴ Own Correspondent, 'A Visit to the Upper Thames District', *Auckland Weekly News*, 7 April 1888, p. 29.

¹²⁵ *Thames Advertiser*, 12 October 1888, p. 2.

¹²⁶ *Waikato Times*, 15 January 1889, p. 2; see also 22 January 1889, p. 3.

¹²⁷ *Thames Advertiser*, 31 January 1891, p. 2, 16 February 1891, p. 2.

the firm having only one accident during its 11 years. It was ‘partly due to the exertions and energy displayed by this firm that Te Aroha is the place it is today’.¹²⁸ The Hamilton newspaper reported that ‘many people were surprised’ on hearing that the business had been sold.

That the firm had been making money must have been pretty evident to those other residents in that part of the country, who noted the expansion of their business. As might have been expected, opposition from time to time had to be met, but invariably went down under the good generalship of the firm who had so long enjoyed the well deserved patronage of the public, due to the personal care and attention Mr Bradley and his partner Nat Ferguson always devoted to their clients.

They had looked after their horses well, and only lost five in accidents.¹²⁹

In all departments the interests and convenience of the public were studied. At their stages the firm had built commodious stables, etc, away from the public houses, so that their passengers might alight or remain in their seats without fearing the annoyance of the usual hanger-on so often met with at wayside “pubs.”

Their mail services were so satisfactory ‘that the authorities never had occasion to inflict a fine for carelessness or for failing to deliver their mails up to contract time. We congratulate the old firm on their successful career’. It was understood that Bradley would ‘settle down on his Meadow Bank Estate, a fine property of some thousand acres in the vicinity of Te Aroha, and we have little doubt, carrying the same business capacity with him in this venture, he will become one of our leading agriculturalists’.¹³⁰

Two years after selling his coaching business, Bradley had capital estimated at from £1,500 to £2,000. His bank manager recorded that his overdraft was ‘sound’, with both freehold and leasehold land as security, and that he was ‘in a fair way of business’.¹³¹ Over the next 18 months, he was described as ‘In sound position’, ‘Of fair means – position sound – well

¹²⁸ *Thames Advertiser*, 21 April 1893, p. 2.

¹²⁹ For one accident, caused by a dog, see *Te Aroha News*, 8 June 1889, p. 2.

¹³⁰ *Waikato Times*, 16 May 1893, p. 2.

¹³¹ Bank of New Zealand, Paeroa Branch, Half-Yearly Balance Books, Balance as at 30 September 1895, Report on Advances, Bank of New Zealand Archives, Wellington.

doing. Active & profitable account', and, in the last entry made before his death, 'Of fair means, position sound – Shrewd'.¹³² Although he died with a debt to the bank of £461 7s 9d, his estate was valued at under £1,500, and his widow was able to open an account by depositing '£4/500'.¹³³ By having only a minimal investment in Waiorongomai mining,¹³⁴ he had not been greatly affected by the field's decline.

As might be expected, over many years Bradley was active in the Te Aroha Jockey Club as a steward and a member of its management committee.¹³⁵ He supported the local Volunteers by offering a cup for a competition,¹³⁶ and was a vice-president of the football club.¹³⁷ In 1892 he was elected to the town board, and was re-elected two years later with the fourth highest vote, 61; the highest received was 70.¹³⁸ His election meant that he was also a member of the domain board.¹³⁹ He was a prominent supporter of the Liberal Party.¹⁴⁰ All in all, as the obituaries stated, he was a respectable pillar of the community.

Yet could he have been the Thomas Bradley, then a labourer living in Hobson Street,¹⁴¹ who was before the Auckland police court in September 1880 for having broken nine panes of glass belonging to the city market and the council? 'He was not aware of having done it, but he believed he did. It

¹³² Bank of New Zealand, Ohinemuri Branch, Half-Yearly Balance Books, Balances as at 31 March 1896, 30 September 1896, 31 March 1897, Reports on Advances, Bank of New Zealand Archives, Wellington.

¹³³ Probates, BBAE 1569/2704, ANZ-A; Bank of New Zealand, Ohinemuri Branch, Half-Yearly Balance Books, Balances as at 30 September 1897, Debit Balances, 31 March 1898, Accounts Opened, Bank of New Zealand Archives, Wellington.

¹³⁴ Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folios 213, 227, 286, 287, BBAV 11567/1a; Register of Licensing Holdings 1881-1887, folio 157, BBAV 11500/9a, ANZ-A; *New Zealand Gazette*, 18 October 1883, p. 1518.

¹³⁵ *Te Aroha News*, 1 September 1883, p. 2, 8 September 1883, p. 2, 16 January 1886, p. 2, 6 February 1886, p. 7, 30 October 1886, p. 2, 19 February 1890, p. 2, 23 February 1895, p. 3; *Waikato Times*, 9 February 1889, p. 3.

¹³⁶ *Observer*, 1 July 1893, p. 7.

¹³⁷ *Te Aroha News*, 24 April 1890, p. 2.

¹³⁸ *Auckland Weekly News*, 24 September 1892, p. 23, 15 September 1894, p. 23, 29 September 1894, p. 22.

¹³⁹ *Te Aroha News*, 6 March 1895, p. 2.

¹⁴⁰ *Waikato Times*, 20 October 1891, p. 2.

¹⁴¹ *Auckland North Electoral Roll, 1881*, p. 2.

appears he had drunk himself into a state of madness, and was smashing all before him until he was captured'.¹⁴² When living in Te Aroha it was certain that he had a serious drinking problem. In May 1885 his partner, Ferguson, charged him with excessive drinking, and a prohibition order was taken out against him for the districts of Te Aroha, Waitoa, and Thames.¹⁴³ This order did not stop him drinking, for two weeks later a man was charged with providing him with alcohol.¹⁴⁴ Three months later, in a case ignored by the press, he was charged in Paeroa with being drunk in charge of a four-horse coach. A publican deposed that 'he was the worse for liquor – he was not sober – I noticed his manner as being unusual etc – I have no doubt he was under the influence of liquor'. Cross-examined, he described Bradley as 'slipping & staggering'. Another publican on first seeing him 'could not say he was drunk – but he was not sober'. An hour later, Bradley had dinner at his hotel.

He was then the worse for liquor & I was then anxious to get him away – & Since then harnessed the Horses for him but man got in the box to drive the Coach away – After the Coach was driven away Def followed it & got up to it – his people were anxious to prevent his driving the Coach that day as he was drunk.

The Paeroa policeman saw him drive the coach and 'deliver papers to a boy - & he seemed muddled & relied on the Boy to put him right'. The policeman could not say he was under the influence, 'he being a stranger – but I think he was so'. In his defence, Bradley admitted that he had had 'a glass of liquor & was a little fresh – but delivered my mail alright'. He was fined £2 and costs.¹⁴⁵

Bradley was not before the court again until September 1893, four months after selling his business, when he was charged with excessive drinking. Entering no plea, he was 'Remanded for 3 Months as promise by Bradley to leave off drinking. May be brought before the Court in the

¹⁴² Police Court, *New Zealand Herald*, 18 September 1880, p. 6.

¹⁴³ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 18/1885, BCDG 11220/1a, ANZ-A.

¹⁴⁴ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 21/1885, BCDG 11220/1a, ANZ-A.

¹⁴⁵ Paeroa Magistrate's Court, Notes of Evidence 1884-1892, entry for 10 August 1885, ZAAP 13790/1a, ANZ-A.

meantime if required'.¹⁴⁶ It was required, nine days later, when he made no plea to another charge of excessive drinking; a prohibition order was issued.¹⁴⁷ On the same charge, in October 1895 he admitted his guilt and was remanded for three months on a promise to 'leave off drinking'.¹⁴⁸ Twelve days later, he was before the court on the same charge, and another prohibition order was issued.¹⁴⁹ Nevertheless, he continued to drink, and in September 1897 Ferguson sought another order, but the application was withdrawn after Bradley died.¹⁵⁰ He was only 56, and perhaps his drinking had exacerbated the kidney disease he died from.¹⁵¹

Charles Lawson may really have been Larsen or Lenton,¹⁵² and he may have been born in Denmark, Holland, Germany, or Norway.¹⁵³ One newspaper simply described him as 'a foreigner'.¹⁵⁴ Born in 1834, he was a labourer and miner.¹⁵⁵ He was minimally involved in mining at

¹⁴⁶ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 21/1893, entry for 4 September 1893, BCDG 11220/1a, ANZ-A.

¹⁴⁷ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 21/1893, entry for 13 September 1893, BCDG 11220/1a, ANZ-A.

¹⁴⁸ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 17/1895, entry for 6 October 1895, BCDG 11220/1a, ANZ-A.

¹⁴⁹ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 17/1895, entry for 19 October 1895, BCDG 11220/1a, ANZ-A.

¹⁵⁰ Te Aroha Magistrate's Court, Criminal Record Book 1896-1907, 32/1897, BCDG 11220/1b, ANZ-A.

¹⁵¹ Death Certificate of Thomas Bradley, 11 September 1897, 1897/3908, BDM; *Thames Advertiser*, 16 September 1897, p. 2; *Black's Medical Dictionary*, 36 ed., ed. C.W.H. Havard (London, 1990), pp. 306, 475, 699.

¹⁵² Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, nos. 17, 33, 4/1885, 5/1888, in private possession.

¹⁵³ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, no. 17, in private possession; Police Court, *Thames Advertiser*, 18 December 1877, p. 3; *New Zealand Police Gazette*, 30 January 1879, p. 16; Police Court, *Thames Star*, 6 June 1900, p. 2; Death Certificate of Charles Lawson, 4 July 1911, 1911/826, BDM.

¹⁵⁴ *Thames Advertiser*, 20 October 1883, p. 3.

¹⁵⁵ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up, nos. 17, 33, 4/1885, 5/1888, in private possession; Paeroa Magistrate's Court, Plaintiff Book 1881-1896, entry for 19 July 1894, BACL 13745/1a, ANZ-A; *New Zealand Police Gazette*, 30 January 1878, p. 16.

Waiorongomai,¹⁵⁶ but his drinking was not at all minimal, and is almost the only thing that can be discovered about his life.

In March 1880, he may have been the Charles Lawson who was charged with using abusive and threatening language in Tauranga.¹⁵⁷ In Te Aroha, his first arrest for being drunk and disorderly was in March 1882. He made no plea, and was convicted and discharged, 'Defendant having been locked up for a night'.¹⁵⁸ In October, he was locked up there once more, for being drunk and incapable, and once more made no plea. Fined 40s, or in default 48 hours imprisonment, he was imprisoned.¹⁵⁹ The following year, he was found in a Thames street 'far gone in liquor, his person being in a most filthy condition'. Fined 5s for being drunk and 20s for resisting a constable, he accepted 48 hours imprisonment instead of the fine.¹⁶⁰ In April 1884 he was fined for being drunk at Thames.¹⁶¹ At Te Aroha, in January 1885 he pleaded guilty to being drunk, and was dismissed with a caution, but his plea of not guilty to using obscene language was not believed, and as he was also considered to be a vagrant, he was sentenced to a week of hard labour in the Thames gaol.¹⁶² In October 1886, he pleaded guilty to being drunk in Thames, and was fined.¹⁶³ In December 1887, he was arrested in Thames for what the magistrate described as language 'of the grossest possible character'. After he pleaded not guilty, a constable deposed to having heard him 'use the objectionable language twice'.

¹⁵⁶ Te Aroha Warden's Court, Plaint Book 1880-1898, 3/1882, BBAV 11547/1a, ANZ-A.

¹⁵⁷ Police Department, Tauranga Summons Book 1877-1887, folio 23, BAVG 4775/1a, ANZ-A.

¹⁵⁸ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, no. 17, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 6/1882, BCDG 11220/1a, ANZ-A.

¹⁵⁹ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, no. 33, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 26/1882, BCDG 11220/1a, ANZ-A.

¹⁶⁰ *Thames Advertiser*, 20 October 1883, p. 3.

¹⁶¹ *Thames Advertiser*, 21 April 1884, p. 2.

¹⁶² Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 4, 5/1885, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 4, 5/1885, BCDG 11220/1a, ANZ-A; *Thames Advertiser*, 23 January 1885, p. 2.

¹⁶³ *Thames Advertiser*, 18 October 1886, p. 2.

Prisoner explained that he had been to the Telegraph office and was returning when some boys met him and insulted him. He became excited and spoke to them in his own language, which had been misunderstood. The constable in arresting him used considerable violence. – Constable Scott, recalled, denied this. The man resisted and in the scuffle fell and cut himself. There were fifty people present who saw what took place.¹⁶⁴

Lawson was fined £5, in default one month in prison, and when he ‘asked to be allowed to go and send the money’, presumably at the telegraph office, the magistrate said he ‘would certainly allow such an offender no favour’.¹⁶⁵ Unable or unwilling to pay the fine, he was imprisoned for a month with hard labour.¹⁶⁶ Yet again arrested for being drunk in Te Aroha in 1888, he admitted the offence and was convicted and cautioned.¹⁶⁷ In court, he ‘made a long rambling statement ... to the effect that he was plaintiff in a case before the Court the previous day, and got greatly excited through having lost his case, and took too much drink, but begged to be let off this time, and promised to never so transgress again’.¹⁶⁸

Lawson did not transgress again in Te Aroha, but only because he left the district. In 1900, at Thames, ‘Charles Lawson better known as “German Charlie” was charged with being illegally on the premises’ of a coaching firm. He pleaded guilty, ‘and was discharged on his promise to leave the town immediately’.¹⁶⁹ Lawson wrote to the justices of the peace thanking them for their decision.¹⁷⁰ He died in 1911,¹⁷¹ without being in trouble with the law again for his drinking.

Alexander Russell, a carpenter, was a Scots Presbyterian, born in either 1840 or 1843.¹⁷² Much of his life in New Zealand was spent in a

¹⁶⁴ Police Court, *Thames Advertiser*, 18 December 1877, p. 3.

¹⁶⁵ Police Court, *Thames Advertiser*, 19 December 1877, p. 3.

¹⁶⁶ *New Zealand Police Gazette*, 30 January 1878, p. 16.

¹⁶⁷ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 5/1888, in private possession; Te Aroha Magistrate’s Court, Criminal Record Book 1881-1896, 10/1888, BCDG 11220/1a, ANZ-A.

¹⁶⁸ Magistrate’s Court, *Te Aroha News*, 24 March 1888, p. 2.

¹⁶⁹ Police Court, *Thames Star*, 6 June 1900, p. 2.

¹⁷⁰ *Thames Star*, 8 June 1900, p. 4.

¹⁷¹ Death Certificate of Charles Lawson, 4 July 1911, 1911/826, BDM.

¹⁷² Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, no. 15, in private possession; *New Zealand Police Gazette*, 16 February 1887, p. 37.

drunken stupor. In 1880, when living in Thames, he pleaded guilty to being drunk and incapable in a main street and was convicted and cautioned.¹⁷³ After moving to Te Aroha early in 1882,¹⁷⁴ he was almost immediately locked up for being drunk, incapable, and disorderly; he pleaded guilty, and paid the 5s fine.¹⁷⁵ In November, a prohibition order was issued against him for the Te Aroha and Waitoa districts.¹⁷⁶

Once this order expired, he started drinking again.¹⁷⁷ In March 1884, charged with being drunk and disorderly, he was fined 5s, but at this small amount was not paid, he was locked up until the rising of the court.¹⁷⁸ Three months later, he was locked up for attempting to set fire to the stable of a Morrinsville hotel, but was 'Discharged for want of sufficient evidence'.¹⁷⁹ The publican had given evidence that Russell had slept in his hotel on a Saturday night and breakfasted there the following morning.

He had been drinking on Saturday night and wanted a drink on Sunday morning, but I refused him. After this he became noisy and fighting, so I put him in the loose-box in the stable. I locked him up there to keep him quiet. I was in the stable two or three times during the day. Believe he was sleeping, as he did not make any noise.

In the afternoon, a fire broke out in this box.

¹⁷³ Thames Magistrate's Court, Criminal Record Book 1879-1881, entry for 13 September 1880, BACL 13736/39a, ANZ-A.

¹⁷⁴ Te Aroha Warden's Court, Register of Applications 1880-1882, folios 163, 197, BBAV 11505/3a; Rent Ledger 1881-1900, folios 96, 201, BBAV 11501/1a, ANZ-A.

¹⁷⁵ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, no. 15, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 4/1882, BCDG 11220/1a, ANZ-A.

¹⁷⁶ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, number not known [page missing], November 1882, BCDG 11220/1a, ANZ-A.

¹⁷⁷ *Te Aroha News*, 21 June 1884, p. 2.

¹⁷⁸ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 20/1884, in private possession.

¹⁷⁹ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 28/1884, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 53/1884, BCDG 11220/1a, ANZ-A.

Found accused on his hands and knees near the fire. Stamped the fire out and put water on it. Could get no sense out of accused till the next morning, when he said he knew nothing about it. Believe he was at the time so muddled with drink he did not know what he was doing. Don't believe he has any ill-feeling against me. Believe he lighted the fire only to keep himself warm.¹⁸⁰

After his acquittal, Russell pleaded guilty to excessive drinking and a prohibition order was issued against him.¹⁸¹

In June 1886 he was locked up for being drunk and disorderly and fined 5s on each charge.¹⁸² Four months later, he was once more locked up for being drunk and using obscene language, and received seven days in Mount Eden gaol for the first offence and three months for the second.¹⁸³ In July 1888, after once more being locked up for the same offences, he again admitted his guilt. Fined 10s for the first offence, he did not pay, and received 24 hours hard labour in Mount Eden. For the second offence, he received three months of hard labour.¹⁸⁴ The sergeant described how he had received a complaint on Saturday afternoon that Russell

was very drunk and making use of most filthy language. Immediately he went up and warned the accused to at once go home, but instead of that he lay down on the footpath after going a short distance towards his home. He then arrested him, but he refused to walk and had to be conveyed in a cart to the lock up. The language he made use of in his hearing was filthy in the extreme.

A butcher's bookkeeper stated that Russell 'abused him in a most unwarranted manner, using very foul language and sat down on the

¹⁸⁰ Police Court, *Te Aroha News*, 21 June 1884, p. 7.

¹⁸¹ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 54/1884, BCDG 11220/1a, ANZ-A.

¹⁸² Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1898, 25-26/1886, in private possession.

¹⁸³ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1896, 40, 41/1886, in private possession; *New Zealand Police Gazette*, 16 February 1887, p. 37.

¹⁸⁴ Armed Constabulary Force, Report of Charges Taken at Te Aroha Lock-Up 1880-1898, 21, 22/1888, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 33, 34/1888, BCDG 11220/1a, ANZ-A; *New Zealand Police Gazette*, 24 October 1888, p. 205.

doorstep' of the shop, 'causing obstruction to business and great annoyance. His conduct was very bad'.¹⁸⁵

In September 1889, he pleaded guilty and paid the 5s fine for being drunk. He also pleaded guilty to excessive drinking, which resulted in another protection order being issued.¹⁸⁶ Despite this order, three months later he admitted being drunk and paid the 20s fine to avoid being imprisoned.¹⁸⁷ At the end of the year, no doubt to the delight of the local constabulary, he left Te Aroha.¹⁸⁸ For a time he kept out of trouble, but in 1898 'an elderly man named Alexander Russell' was charged in Paeroa with being drunk and disorderly. After a witness stated his character 'was very good', he was fined another 20s.¹⁸⁹ Perhaps his drinking was declining, for there were no further reports of his being drunk; or did he drank more discreetly at home?

TWO FEMALE DRUNKARDS

Public drunkenness by women was uncommon in the Te Aroha district. A notable example of this behaviour was Annie Curnow, a Scot, and perhaps only nominally a Presbyterian, who was aged 47 in 1884.¹⁹⁰ In June that year, she pleaded guilty to having been drunk and was fined 5s, the justice of the peace 'reprimanding defendant, and remarking on the disgraceful nature of the charge against a female'.¹⁹¹ Two months later, a prohibition order was taken out against her.¹⁹² Also in 1884, her husband William, a Cornish miner also aged 47, was convicted of being drunk and

¹⁸⁵ Police Court, *Te Aroha News*, 11 July 1888, p. 2.

¹⁸⁶ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 53, 54/1889, BCDG 11220/1a, ANZ-A.

¹⁸⁷ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 80/1889, BCDG 11220/1a, ANZ-A.

¹⁸⁸ *Te Aroha News*, 11 December 1889, p. 7.

¹⁸⁹ *Ohinemuri Gazette*, 27 July 1898, p. 2.

¹⁹⁰ Armed Constabulary Force, Report of Charges taken at the Te Aroha Lock-Up 1880-1903, 27/1884, in private possession.

¹⁹¹ Police Court, *Te Aroha News*, 14 June 1884, p. 2.

¹⁹² Magistrate's Court, *Te Aroha News*, 23 August 1884, p. 2.

disorderly and sentenced to one month's hard labour in Thames.¹⁹³ Her charge that she had been deserted and left without adequate means of support was withdrawn.¹⁹⁴ Four years later, he pleaded guilty to being drunk and disorderly at Waiorongomai and was fined £1. Annie, who had been locked up for the same offence, was fined 5s, in default to be imprisoned until the court rose.¹⁹⁵ Two months later, two women sought prohibition orders against both Curnows, but as neither applicants nor defendants appeared in court the cases were struck out.¹⁹⁶ Four months later, in February 1889, Annie pleaded guilty to having been drunk and disorderly and to using obscene language. The constable explained that on a Saturday night, in front of her house at Waiorongomai, she used 'very bad language to her husband.... This was a frequent occurrence, as soon as accused had some drink in her she seemed to go mad. The police said they would not press for a heavy penalty as a prohibition order would be applied for ... and she had promised to amend her ways'. After she was fined 10s, they were both charged 'with excessive drinking, thereby wasting their substance, interrupting the peace and happiness of their family, etc'. They pleaded guilty and agreed to a prohibition order forbidding the sale of liquor to them in the districts of Te Aroha and Waitoa for 12 months.¹⁹⁷ A correspondent reported that, 'possibly through the law's delay in serving the different hotels in the district with the necessary notices', they both obtained liquor to drink at home. The afternoon after being convicted, Annie, 'who, by the way, is said to be the stronger of the twain – was found in a mining ditch at Waiorongomai so helplessly drunk that some of the boys meditated damming up the ditch, so that she might experience a thorough external soaking as well'.¹⁹⁸ Whilst they were not before the local court again, it unlikely that they gave up drinking, just becoming more discreet.

¹⁹³ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 34/1884, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 60/1884, BCDG 11220/1a, ANZ-A.

¹⁹⁴ Te Aroha Magistrate's Court, Criminal Record Book 1881-1893, 35/1884, BCDG 11200/1a, ANZ-A.

¹⁹⁵ Police Court, *Te Aroha News*, 18 August 1888, p. 2.

¹⁹⁶ Magistrate's Court, *Te Aroha News*, 10 October 1888, p. 2.

¹⁹⁷ Police Court, *Te Aroha News*, 16 February 1889, p. 2.

¹⁹⁸ Te Aroha Correspondent, *Waikato Times*, 19 February 1889, p. 2.

The second example of a female drunkard was connected to Te Aroha only through her husband, Josiah Mallett, a stonemason,¹⁹⁹ who had been born in Cornwall in 1842.²⁰⁰ During the 1870s, they lived at Thames, where Mallett worked and invested in mining;²⁰¹ he was foreman in one in late 1868.²⁰² A year later, in addition to working in a claim he looked after an investor's machine for £1 a week. In March 1870 he sued for money owing:

If Mr Greenaway says he made no agreement the statement would be untrue – had a verbal agreement – I am supposed to look after the machine & go to the premises once or twice a day – it takes me two or three hours together cleaning the tables & the machine nearly once every day - tables require rubbing down every day, water dirty in general.²⁰³

Two years later, 'a very loose' contract resulted in another court case.²⁰⁴ Despite these problems, when at Thames he erected a 'very superior four-roomed residence', which, when sold in December 1873, was described as 'One of the Best-Furnished Houses in the Thames. It stands in the centre of a large Section of Land, laid out in the first style of Ornamental Gardening'. He had 'spared no expense to produce all those comforts the houses of old England are so justly celebrated for'.²⁰⁵ He received £120 for the house and a good price for his furniture and effects.²⁰⁶ Subsequently he

¹⁹⁹ For example, *Te Aroha Supplementary Electoral Roll No. 1, 1891*, p. 2.

²⁰⁰ Ancestry.co.uk.

²⁰¹ Thames Warden's Court, Miners' Rights Register 1867-1868, no. 1194, BACL 14358/1a; Claims Register 1869, no. 1514, BACL 14397/4a; Shortland Claims Register 1870, no. 2423, BACL 14397/5a; Shortland Claims Register 1871-1872, nos. 2520, 2552, BACL 14397/6a; Register of Grahamstown Claims 1876-1878, no. 539, BACL 14397/11a; Register of Grahamstown Claims 1878-1880, nos. 583, 749, BACL 14397/12a, ANZ-A; *Auckland Provincial Government Gazette*, 24 July 1868, p. 336, 8 June 1871, p. 144; *Thames Advertiser*, 30 December 1872, p. 2, 26 March 1873, p. 2, 21 May 1873, p. 2; *Thames Directory for 1881* (Thames, 1881), p. 115.

²⁰² Thames Warden's Court, Register of Agreements and Licenses 1868-1870, folio 247, BACL 14417/1a, ANZ-A.

²⁰³ Thames Warden's Court, Warden's and Magistrate's Notebook 1870, entry for 16 March 1870, BACL 14457/2a, ANZ-A.

²⁰⁴ Magistrate's Court, *Thames Advertiser*, 22 November 1873, p. 3

²⁰⁵ *Thames Advertiser*, 13 December 1873, p. 2.

²⁰⁶ *Thames Advertiser*, 16 December 1873, p. 3.

owned 'Mount Cottage in Mount Pleasant, a superior suburb of Thames'.²⁰⁷ After selling this, he lived for a time at Coromandel.²⁰⁸

At the beginning of December 1880, he joined the Te Aroha rush and invested in three Tui claims.²⁰⁹ Nearly three months later, he fled to Auckland after the murder of Hamiora Haira²¹⁰ aroused Maori wrath,²¹¹ although there was no indication that he was involved, before returning to Thames.²¹²

The first time Mallett was in trouble with the law was in 1873, when he was charged with striking another man in the face with his clenched fist. As the combatants did not appear in court, the case was struck out. At the same hearing, he was accused of using 'abusive and insulting words' against a different man 'with intent to provoke a breach of the peace', but as neither party turned up the outcome was the same.²¹³

Although Mallett drank without coming to the attention of the police, his wife Ellen was an alcoholic. She had been born in 1847 in the same Cornish town as him.²¹⁴ The first indication of marital strife was in July 1879, when Mallett gave public notice that he would 'not be responsible for any Debts my wife Ellen may contract after this date'.²¹⁵ The following July, when she charged him with not providing for her,²¹⁶ the Thames evening paper could not resist the headline 'Malletting and Deserting a Wife'.²¹⁷ The morning newspaper described him as 'a respectable-looking man'. He admitted that 'the charge was true. He had not supplied any money since the 29th of June because of her drunken habits'. Ellen then gave evidence:

²⁰⁷ *Thames Advertiser*, 30 September 1878, p. 2.

²⁰⁸ Magistrate's Court, *Thames Star*, 12 July 1880, p. 2.

²⁰⁹ Te Aroha Warden's Court, Miner's Right No. 590, issued 1 December 1880, Miners' Rights Butt Book 1880, BBAV 11533/1d; Register of Te Aroha Claims 1880-1888, folios 178, 191, 201, BBAV 11567/1a, ANZ-A; Te Aroha Warden's Court, *Thames Star*, 27 January 1881, p. 2.

²¹⁰ See paper on the Te Aroha murder of 1881.

²¹¹ *Thames Advertiser*, 23 February 1881, p. 3.

²¹² *Thames Advertiser*, 21 October 1881, p. 3.

²¹³ Police Court, *Thames Advertiser*, 28 July 1873, p. 3.

²¹⁴ Ancestry.co.uk.

²¹⁵ Public Notice, *Thames Advertiser*, 18 July 1879, p. 2.

²¹⁶ Thames Magistrate's Court, Criminal Record Book 1879-1881, entry for 12 July 1880, BACL 13736/30a, ANZ-A.

²¹⁷ Magistrate's Court, *Thames Star*, 12 July 1880, p. 2.

Some time ago her husband went away to Coromandel, and she went after him. She lived with him there for three months. He returned to the Thames at the end of last month, and a day or two after she followed him.... She went to his house, and he turned her out. He beat her shamefully, and kicked her. This was just after she went into the house. She had been married fifteen years. Josiah told her that if she brought her boxes back from Coromandel he would smash them and her too. She obtained protection at the house of a neighbour, Mr Mellor, a carter. After Josiah beat her she was ashamed to go outside the house. She was sober at the time. She had never been drunk in her life. She would be willing to go back to his house. He had a bad temper. She wished the court to order him to maintain her. When he left Coromandel he left her no money, but she had £2 in her possession that her sister in Sydney had sent her. She was positive she was quite sober when she went to her husband's house.

Mary Mellor described Ellen coming to her house appearing 'to be in great trouble' and asking to be taken in. 'Mrs Mallett was a very respectable woman, and not given to drinking. She was of a nervous disposition. Witness examined her body and found a number of marks on it, such as would be caused by her husband beating her'. Cross-examined by Mallett, she insisted that Ellen was not drunk and had been 'quite sober' whilst living in her house, although agreeing that she 'might have had a glass of beer without witness knowing of it'. Mallett then gave evidence:

He was a miner. For the last two years his wife had been addicted to drink. He tried to break her of it, but without success. Hundreds of times within the past three years he had come home from work wet, cold, and hungry, and found no dinner prepared, and his wife lying drunk on the sofa. He denied that on the 3rd inst. he ill-treated her. He had no money and was not worth 5s now. He could bring witnesses to prove that she was always drinking, but had no money to subpoena them. He was now working in a tribute. He had been most unfortunate of late. He was now laid up with a bad hand.

He was cross-examined by Ellen's counsel:

During the time she was in Coromandel he supported her. He was now living with two men. When she came back from Coromandel she told him that she had plenty of money in her pocket. She then had half-a-sovereign and some silver in her hand. He had

sometimes struck her over the head with the back of his hand, but he had had great provocation. During the past three weeks he had only received £5. He got that for working in a claim at Tararu. He had received nothing from the tribute yet.

A constable deposed that Ellen, since coming back from Coromandel, had been ‘very drunk’ when attempting to get into her house but ‘not very violent’.

When he saw her she was leaning against the gate. He smelt liquor on her. He saw a mark on her face then; it was a scratch, not a bruise. – His Worship said the woman’s tale had broken down, and she had failed to prove that her husband had deserted her. Of course the dismissal of the present case did not release him from the responsibility of maintaining his wife, and he would advise him to make some arrangement for contributing to her support. – Mallett said he would try and do so.²¹⁸

The evening newspaper added further information, quoting her counsel that ‘for some time the parties had been living very unhappily together’. Mallett ‘had several times ill-treated and beaten his client who still bore evidence of his brutality – he had also been accustomed to get drunk. The defendant had several times left his wife, and did not leave her any means of support’. Ellen wanted £5 a week; Mallett stated that she had been drunken for the past three years and claimed that he had only struck her once, after ‘great provocation’.

He could not live with his wife, who was frequently lying drunk on the couch when he returned from work, and when there was often no fire or supper for him. He had lived a miserable life with her. While down at Coromandel he had heard she was “carrying on” and getting drunk, but he could not send for her as he had no money. His wife could keep herself as well as he could, as he had not a penny to bless himself with.²¹⁹

Mallett’s finances were indeed in a bad state, and early in 1885, when a stonemason in Auckland, he was forced into bankruptcy.²²⁰ His liabilities

²¹⁸ Police Court, *Thames Advertiser*, 13 July 1880, p. 3.

²¹⁹ Magistrate’s Court, *Thames Star*, 12 July 1880, p. 2.

²²⁰ Supreme Court, Bankruptcy Register 1884-1927, folio 128, BAEA 11029/1a, ANZ-A; *Mercantile and Bankruptcy Gazette of New Zealand*, 14 March 1885, p. 87.

totalled £148 4s 6d; his assets were initially listed as furniture, worth £18, and jewellery worth £22 8s.²²¹

I am a journeyman stonemason, but have devoted a great deal of my time to gold prospecting in the Thames district up to three years ago, when I came to Auckland, and have worked at my trade, off and on, ever since. I was not successful as a gold prospector, and when I left the Thames I owed about £80; about twelve months before I left I gave two of my creditors jewellery to the value of £22 8s, as security for their claims. It is understood that the jewellery is redeemable, but, as a matter of fact, their value would barely pay the indebtedness; these two claims are included in the £80 referred to. During the three years I have been in Auckland I have been laid up thirteen weeks with a bad leg; on another occasion I was incapacitated for nine weeks; besides this my work has been very uncertain – sometimes out of work for many days together, and on one occasion for seven weeks at a stretch. I am a married man, but without children. When I got work I earned 12s a day, but during the whole three years I have not earned on an average more than half that sum. I can positively say that I have not had fifteen months' work in the three years, so that with loss of time and doctor's bills my earnings were not sufficient to meet expenses, hence an increase of my indebtedness, in that time, by £68 4s 6d. I have about 25s worth of tools, and my furniture, set down at £18, would not fetch £10 at a sale. I have nothing else in the shape of assets, and cannot hold out any hopes of satisfying my creditors.²²²

When bankruptcy proceedings were closed, the liabilities were given as £125 16s 6d and the assets as £18.²²³

After Mallett broke a leg in 1888, he applied for charitable aid.²²⁴ Whereas this was an accident, in 1891 he successfully charged James Colby, an Auckland shopkeeper,²²⁵ with 'kicking him and breaking his leg'.²²⁶ This

²²¹ *Mercantile and Bankruptcy Gazette of New Zealand*, 21 March 1885, p. 95.

²²² *Auckland Weekly News*, 21 March 1885, p. 15.

²²³ Supreme Court, Judges' Notebooks, Bankruptcy 1884-1889, p. 63, BBAE A304/1088, ANZ-A; Supreme Court, *Auckland Weekly News*, 27 June 1885, p. 19.

²²⁴ Auckland Hospital and Charitable Aid Board, Applications for Relief 1888-1894, folio 260, no. 172, YCAB 15245/1a, ANZ-A;

²²⁵ See *Thames Advertiser*, 4 July 1878, p. 3; *Auckland Star*, 5 September 1881, p. 2; *New Zealand Herald*, 1 August 1884, p. 4, Magistrate's Court, 15 August 1884, p. 3.

²²⁶ *Auckland Weekly News*, 9 January 1892, p. 29.

injury required a month in hospital,²²⁷ a month without any income. The court case revealed that, despite their limited finances, he and his wife continued to drink:

Josiah Mallett deposed that he was a stonemason, residing in East-street, Newton. On Wednesday evening, November 25, he went into James Colby's shop, and wished accused good evening, and asked whether another man, who was present, was a boarder or not. Accused was drunk at the time. Witness left the shop after getting some abuse and being challenged to fight. At half-past eight the same evening witness, who was accompanied by his wife, met accused in Pitt-street. Accused rushed at witness, and struck out with his left hand. Accused then drew back and kicked witness with all his might, breaking his leg just about four inches above the ankle. Witness then fell to the ground, telling the accused that his leg was broken, who nevertheless came forward and gave witness two or three kicks on his broken leg. Accused then went up to witness's wife, who was remonstrating with him, and struck her twice in the face. Accused then disappeared.... Cross-examined: Witness did not abuse accused for inveigling his wife into his shop. He did not know why he went to accused's shop on the occasion in question. Witness did not know of any reason for a dispute between himself and accused.

After confirming the attack, under cross-examination Ellen stated she 'sometimes' went into Colby's shop 'to buy fish', but 'never' to ask 'for beer or money'. She also denied having 'been frequently in the Naval and Family Hotel that afternoon'. A tailor confirmed an assault with hands but not feet, and said Ellen 'did not appear to be sober'.

James Colby deposed that about three days before the alleged assault he had to send for a policeman to put Mrs Mallett and a man out of his shop, both being drunk at the time. Witness had a quarrel with Mallett for using obscene language in his shop. Witness struck Mallett with his fist, who fell breaking his leg.

As the magistrate noted 'several discrepancies in the evidence on both sides', the charge was reduced to common assault and Colby was fined the maximum penalty of £10.²²⁸

²²⁷ Auckland Hospital, Register of Admissions 1884-1893, folio 194, no. 2749, ZAAP 15288/1a, ANZ-A.

²²⁸ *New Zealand Herald*, 31 December 1891, p. 3.

Mallett and his wife had previously been before the court in Auckland, usually because of Ellen's drinking problem. In April 1888, she pleaded guilty to being drunk, and when she did not pay the 10s fine was imprisoned for 48 hours with hard labour.²²⁹ If Mallett had refused to provide the money needed to avoid prison, this either indicated that he had little money, and that what little money he had was wasted by Ellen, or that he was trying to teach her a lesson. In June 1889, she was fined 5s for being drunk.²³⁰ One month later, she was imprisoned for not paying 10s for being drunk again.²³¹ Not till January the following year was Ellen taken to court for the usual offence; as usual she pleaded guilty, but, unable or unwilling to pay the 10s fine, she was imprisoned for 48 hours.²³² In December, she again pleaded guilty and again, for not paying the 5s fine plus the 2s cab fare, was imprisoned for 24 hours with hard labour.²³³ The following March, she paid 10s for the usual offence.²³⁴ Four months later, she pleaded guilty to being drunk and paid another 10s.²³⁵ Twice in December 1892 she admitted being drunk and was imprisoned twice because the fines were not paid.²³⁶ In June 1895, she was imprisoned for not paying 15s for being drunk yet again.²³⁷ Released after one day's

²²⁹ Auckland Magistrate's Court, Criminal Record Book 1887-1888, 592/1888, BADW 10254/11a, ANZ-A.

²³⁰ Auckland Magistrate's Court, Criminal Record Book 1889-1890, folio 118, 1012/1889, BADW 10254/13a, ANZ-A.

²³¹ Auckland Magistrate's Court, Criminal Record Book 1889-1890, folio 135, 1175/1889, BADW 10254/13a, ANZ-A.

²³² Auckland Magistrate's Court, Criminal Record Book 1889-1890, folio 242, 11/1890, BADW 10254/13a, ANZ-A.

²³³ Auckland Magistrate's Court, Criminal Record Book 1890-1891, folio 175, 2109/1890, BADW 10254/14a, ANZ-A.

²³⁴ Auckland Magistrate's Court, Criminal Record Book 1890-1891, folio 232, 392/1891, BADW 10254/14a, ANZ-A.

²³⁵ Auckland Magistrate's Court, Criminal Record Book 1891-1892, folio 66, 1088/1891, BADW 10254/15a, ANZ-A.

²³⁶ Auckland Magistrate's Court, Criminal Record Book 1891-1892, folios 374, 378, BADW 12254/15a, ANZ-A.

²³⁷ Auckland Magistrate's Court, Criminal Record Book 1895-1896, folio 77, BADW 10254/18a, ANZ-A.

imprisonment, she became drunk immediately, and for not paying 10s was imprisoned for four days with hard labour.²³⁸

At the end of December, after pleading guilty to having broken six panes of glass belonging to William George Garrard, a dogcatcher and prominent local identity,²³⁹ Ellen was imprisoned for 14 days with hard labour.²⁴⁰ One week after being released she used threatening language to Garrard. Though she admitted guilt, he withdrew the charge on condition she paid the 9s costs within a week.²⁴¹ Garrard told the court that she 'had promised peace and quietness for the future'.²⁴² Two weeks later, at his request she be bound over to keep the peace for six months.²⁴³ Garrard said 'he was in constant fear that she would inflict some bodily injury'.²⁴⁴ As she did not pay the costs of his previous suit, she was imprisoned for seven days.²⁴⁵

In contrast, Mallett's criminal convictions were rare. In 1889, he and another man pleaded not guilty to fighting in Hobson Street, for which they were convicted and discharged with a caution.²⁴⁶ In 1895, he was fined 5s for having an unregistered dog.²⁴⁷ Though it is unlikely that he had sworn off the drink, he was never found drunk in the street.

Curiously, although the court and press records all named her as Ellen Mallett, when released from prison in 1896 she was recorded as 'Ellen

²³⁸ Auckland Magistrate's Court, Criminal Record Book 1895-1896, folio 80, BADW 10254/18a, ANZ-A.

²³⁹ See *City of Auckland Electoral Roll, 1893*, p. 88; *Observer*, 8 December 1906, p. 4, and Papers Past index.

²⁴⁰ Auckland Magistrate's Court, Criminal Record Book 1895-1896, folio 296, BADW 10254/18a, ANZ-A.

²⁴¹ Auckland Magistrate's Court, Criminal Record Book 1895-1896, folio 323, BADW 10254/18a, ANZ-A.

²⁴² Police Court, *New Zealand Herald*, 28 January 1896, p. 6.

²⁴³ Auckland Magistrate's Court, Criminal Record Book 1895-1896, folio 345, BADW 10254/18a, ANZ-A.

²⁴⁴ Police Court, *New Zealand Herald*, 13 February 1896, p. 6.

²⁴⁵ *New Zealand Police Gazette*, 2 September 1896, p. 153.

²⁴⁶ Auckland Magistrate's Court, Criminal Record Book 1889-1890, folio 138, 1203/1889, BADW 10254/13a, ANZ-A; Police Court, *New Zealand Herald*, 27 July 1889, p. 3.

²⁴⁷ Auckland Magistrate's Court, Criminal Record Book 1895-1896, folios 234, 239, BADW 10254/18a, ANZ-A.

Mallett *alias* Williams'.²⁴⁸ Had she been living with another man while Mallett was away from Auckland? In 1891, he had been a stonemason in Waihi.²⁴⁹ In 1897 he led a prospecting party in a Coromandel claim.²⁵⁰ She lived with him there, and continued to drink. In June 1899, she pleaded guilty to being drunk; fined 20s or, in default, 48 hours in the local gaol, she did not pay, and was imprisoned.²⁵¹ Five months later, she again pleaded guilty, but this time paid the fine.²⁵² In June 1901, despite her long history of drunkenness, she pleaded not guilty when Mallett charged her with excessive drinking; a prohibition order was issued.²⁵³ Five months later, she admitted being drunk, and paid the fine.²⁵⁴ The following month, she pleaded guilty to being on licensed premises while a prohibited person. 'Convicted – Dismissed with caution'.²⁵⁵

By 1904, they were living in Auckland again, but not harmoniously, for in January she charged him with assault:

The complainant stated that she did not wish to proceed against her husband, but she explained that he had, in consequence of some provocative language she had used, hit her on the crown of the head with a hairbrush. The blow was sufficient to cut the scalp, causing a wound an inch in length, from which the blood flowed very freely. She denied that she was under the influence of liquor at the time. The accused admitted the facts, contending at the same time that the blow did not cause the wound. She fell over, he said, striking her head against the door, when her head commenced to bleed very freely. His Worship convicted, and

²⁴⁸ *New Zealand Police Gazette*, 2 September 1896, p. 153.

²⁴⁹ *Te Aroha Supplementary Electoral Roll No. 1, 1891*, p. 2.

²⁵⁰ *Thames Advertiser*, 22 December 1897, p. 4.

²⁵¹ Coromandel Magistrate's Court, Criminal Record Book 1898-1904, folio 21, BACL 13751/1a, ANZ-A.

²⁵² Coromandel Magistrate's Court, Criminal Record Book 1898-1904, folio 102, BACL 13751/1a, ANZ-A.

²⁵³ Coromandel Magistrate's Court, Criminal Record Book 1898-1904, folio 70, BACL 13751/1a, ANZ-A.

²⁵⁴ Coromandel Magistrate's Court, Criminal Record Book 1898-1904, folio 112, BACL 13751/1a, ANZ-A.

²⁵⁵ Coromandel Magistrate's Court, Criminal Record Book 1898-1904, folio 117, BACL 13751/1a, ANZ-A.

ordered the accused to come up for sentence when called upon. Mallett was also ordered to pay the costs.²⁵⁶

Yet, despite all these conflicts, usually caused by her alcoholism, they remained together until, in November 1909, Mallett, by then a storeman, found her dead from a heart attack. For some months she had complained of not feeling well.²⁵⁷ Her death was, Mallett stated in the death notice, 'Deeply regretted'.²⁵⁸ Nearly two years after her death, he died, partly because of heart failure also.²⁵⁹

PROHIBITION ORDERS

The legal justification for issuing a prohibition order was that a person, 'by excessive drinking of intoxicating liquor wastes his estate, injures his health and interrupts the peace and happiness of his family'.²⁶⁰ A variant of this phraseology was used in 1889 when the Te Aroha policeman charged a man 'with excessive drinking, thereby injuring his health and wasting his substance'; as was common, the accused 'said he had no remark to make, and wished the order should be made'.²⁶¹ The effect of the order was to forbid any publicans within the designated licensing districts providing the prohibited person with alcohol, and the person was prohibited from entering any hotel. The *Observer* doubted the usefulness of a prohibition order because it did not reform. 'What it mostly does is to turn a drunken loafer into a sober but exceedingly bad-tempered loafer, who is ready to break the law whenever he gets the chance. It is only when the sinner is a consenting party to the issuing of the order that it works well'.²⁶²

Publicans sometimes evaded the order. The *Te Aroha News* stated, early in 1909, that there were 'grievous complaints that the prohibition

²⁵⁶ Police Court, *Auckland Weekly News*, 21 January 1904, p. 39.

²⁵⁷ Death Certificate of Ellen Mallett, 3 November 1909, 1909/6313, BDM; Inquest on Ellen Mallett, Inquests, Justice Department, J 46, 1909/1144, ANZ-W; *Auckland Weekly News*, 11 November 1909, p. 23.

²⁵⁸ Death Notice, *New Zealand Herald*, 4 November 1909, p. 1.

²⁵⁹ Death Certificate of Josiah Mallett, 15 September 1911, 1911/9204, BDM.

²⁶⁰ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 2/1901, in private possession.

²⁶¹ Magistrate's Court, *Te Aroha News*, 17 April 1889, p. 2.

²⁶² *Observer*, 2 September 1905, p. 16.

order is a mere empty form in Te Aroha, that it does not prohibit'.²⁶³ To illustrate this belief, in the previous year the Waiorongomai publican pleaded guilty to allowing a prohibited man to stay on his premises. His justification was that he sympathized with an ill man, who was arranging to see a doctor, and, although fined, his license was not endorsed with the conviction.²⁶⁴ Three months later, the same man was fined for being in this hotel during the currency of the order.²⁶⁵ In 1910, a prohibited person 'showed considerable ingenuity in his desire to quench his thirst' by entering a hotel wearing 'a false beard and moustache to hide his identity but was not successful'.²⁶⁶ According to the *Observer*, his 'Druid's false beard' disguised him 'so effectually that the host of the hotel didn't know him. However, this ingenious person was bowled out, and his refresher cost him £3, in addition to the first cost'.²⁶⁷ In 1883, the chairman of the licensing committee 'referred in somewhat pointed terms to the fact that, notwithstanding that prohibition orders had been issued against certain persons, they were still able to obtain a supply of liquor when they wanted it, and then not a moderate supply'. Publicans were warned they would lose their license if caught.²⁶⁸ Three years later, another chairman 'believed that great laxity existed with respect to complying with the law' and again threatened to cancel the licenses of offenders.²⁶⁹

Publicans were not always to blame for prohibited people obtaining drink, according to one observer. 'For weeks past such a person has been seen about our streets in a more or less intoxicated condition. We do not think that the local publicans are to blame in this case. Contemptible, loafing creatures, unworthy of the name of men, sponge upon their victims and procure them liquor'.²⁷⁰ In this case, a man was fined £5 for providing alcohol to a prohibited storekeeper.²⁷¹ Despite this success, a week later the *Te Aroha News* stated that the police seemed unable to deal with the

²⁶³ *Te Aroha News*, 13 February 1909, p. 2.

²⁶⁴ Magistrate's Court, *Te Aroha News*, 24 September 1908, p. 2.

²⁶⁵ Magistrate's Court, *Te Aroha News*, 24 December 1908, p. 2.

²⁶⁶ *Te Aroha News*, 24 May 1910, p. 2.

²⁶⁷ *Observer*, 4 June 1910, p. 16.

²⁶⁸ *Te Aroha News*, 9 June 1883, p. 3.

²⁶⁹ *Te Aroha News*, 12 June 1886, p. 3.

²⁷⁰ Letter from 'Observer', *Te Aroha News*, 20 February 1909, p. 3.

²⁷¹ Te Aroha Magistrate's Court, Criminal Record Book 1907-1913, 10/1909, BCDG 11220/2a, ANZ-A; Magistrate's Court, *Te Aroha News*, 25 February 1909, p. 2.

number of prohibited persons and old age pensioners being supplied with drink.²⁷² The following year, ‘Disgusted’ wondered whether public drunkenness should be blamed on licensees or ‘those curs in human form who procure liquor for lads and prohibited persons’.²⁷³ When the latter were prosecuted for being drunk, they refused to say who had provided the alcohol,²⁷⁴ frustrating the police.

SLY GROGGING

The historian of the West Coast gold rushes stated that ‘sly-grogging was universal’ there.²⁷⁵ In 1898 the *Observer* noted the belief that ‘sly grog-selling is the most payable industry upon certain parts of the gold fields just now. And it is not very sly either’.²⁷⁶ Six years later, it reported that ‘two individuals who have been running a sly grog shanty for the last seven months claim to have cleared £400 each in that time. They made most of their own whisky’.²⁷⁷ It believed that sly grog was being sold in Ohinemuri and Waihi on a massive scale.²⁷⁸

The only known case of attempted sly grogging at Te Aroha was not reported until Henry Jackson, a labourer in the early 1890s who became a fruiterer in the following decade,²⁷⁹ recalled it in 1927. When working in the All Nations mine at Stoney Creek, a ‘hard case mate proposed that he should enter into a partnership in running an illicit still. The man had the whole of the plant and had gone so far as to arrange with the hotelkeeper to purchase the whisky’.²⁸⁰ A son of Frederick Wild, the policeman of the time,²⁸¹ recalled this occurring in 1889 or shortly afterwards. ‘He remembered his father’s suspicions being aroused by a column of smoke

²⁷² *Te Aroha News*, 6 March 1909, p. 2.

²⁷³ Letter from ‘Disgusted’, *Te Aroha News*, 12 February 1910, p. 3.

²⁷⁴ For example, Magistrate’s Court, *Te Aroha News*, 25 May 1911, p. 3.

²⁷⁵ Philip Ross May, *The West Coast Gold Rushes* (rev. ed., Christchurch, 1967), p. 289.

²⁷⁶ ‘They Say’, *Observer*, 15 January 1898, p. 3.

²⁷⁷ ‘They Say’, *Observer*, 9 April 1904, p. 7.

²⁷⁸ *Observer*, 22 October 1904, p. 16.

²⁷⁹ See *Te Aroha Electoral Roll, 1891*, p. 17; *Waikato Times*, 16 December 1904, p. 2.

²⁸⁰ Recollections of H[enry] Jackson, *Te Aroha News*, 26 October 1927, p. 5.

²⁸¹ For example, Armed Constabulary Force, Reports of Charges taken at Te Aroha Lock-Up 1880-1903, 11/1893, in private possession; *New Zealand Herald*, 23 July 1896, p. 4; *Thames Advertiser*, 22 May 1897, p. 3.

frequently seen on the mountain and he climbed up to investigate one day. He did not find the still but the column of smoke was not seen after that'.²⁸²

It is not possible to determine who this 'hard case' might have been. Whilst there was a very small amount of mining at Stoney Creek since the early 1880s, the All Nations was worked only in 1895 and 1896, one of the many attempts during the mining boom to profit by a quick sale to an English company.²⁸³ The names of most of those working this mine are not known. Wild had become a junior policeman in the district in 1888,²⁸⁴ and if the still was spotted then and the recollection muddled the name of the claim, John Saunders was a likely suspect. A former Thames and Coromandel miner who had worked and invested in the Grand Junction at Thames,²⁸⁵ in the mid-1880s he was an owner of a Stoney Creek mine with that name.²⁸⁶ An illiterate Cornishman aged 55 in 1884,²⁸⁷ he had a serious drinking problem. In July 1872, he had pleaded guilty to being drunk and disorderly in Coromandel, and was fined for using indecent and obscene language, in default imprisonment for 16 days,²⁸⁸ an indication of the language used. In June 1881 he pleaded guilty to being drunk and

²⁸² Recollections of Frederick William Wild, *Te Aroha News*, 26 October 1927, p. 5.

²⁸³ *Te Aroha News*, 10 April 1895, p. 2, 24 July 1895, p. 2, 25 September 1895, p. 2, 28 September 1895, p. 2; *Ohinemuri Gazette*, 3 June 1896, p. 2; H.A. Gordon to Minister of Mines, 17 June 1896, *AJHR*, 1896, C-3, p. 78; *Auckland Weekly News*, 12 September 1896, p. 36, 7 November 1896, p. 19; *Thames Advertiser*, 30 November 1896, p. 2.

²⁸⁴ *Cyclopedia of New Zealand*, vol. 2, p. 829; Magistrate's Court, *Te Aroha News*, 3 April 1889, p. 2.

²⁸⁵ Thames Warden's Court, Claims Register 1868, folio 262, BACL 14397/1a; Register of Agreements 1868, folio 497, BACL 14417/2a, ANZ-A; *Auckland Provincial Government Gazette*, 30 December 1868, p. 601.

²⁸⁶ Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folios 140, 320, BBAV 11567/1a, ANZ-A; *Te Aroha News*, 13 March 1886, p. 2; *Handbook of New Zealand Mines* (Wellington, 1887), p. 341.

²⁸⁷ Armed Constabulary Force, Report of Charges taken at the Te Aroha Lock Up 1880-1903, no. 12, entry for 25 February 1884, in private possession; *New Zealand Police Gazette*, 28 May 1884, p. 95; letter from Edward Drury, *Thames Advertiser*, 14 March 1884, p. 3; note accompanying plan of Machine Site for Stoney Creek, 24 May 1886, Te Aroha Museum; Transfer of Share in Grand Junction by John Saunders to James Don, 11 February 1886, Certified Instruments 1886, BBAV 11581/7a, ANZ-A.

²⁸⁸ Coromandel Magistrate's Court, Minute Book 1870-1874, entry for 22 July 1872, BACL 14442/2a, ANZ-A.

incapable in a Thames street, but was discharged because he had been locked up overnight.²⁸⁹

At Te Aroha, he continued in the same manner, in February 1884 being locked up for being drunk and disorderly and using obscene language in the main street; he paid the fines.²⁹⁰ One week later, he was locked up again for being drunk and using obscene language outside John Bernard Kilian's²⁹¹ hotel at Waiorongomai.²⁹² The sergeant who arrested him described him as being 'in a beastly state of drunkenness, and using most filthy language'. Saunders pleaded guilty.²⁹³ Sentenced to pay 60s for the first offence or be imprisoned for seven days, and £10 for the bad language or to be imprisoned for two months, he did not pay, and was sent to Mount Eden prison, where he served two months with hard labour.²⁹⁴

His passing through Thames en route to imprisonment provoked a Te Aroha miner, Edward Drury, a former journalist and a drunkard who defended other drunkards,²⁹⁵ to write to a Thames newspaper. He claimed that it was 'the general opinion of the residents in this district that the man (a well-known Thames and Coromandel miner – better known as "Jackie Jackie," or "Cornish Jack")' had been 'harshly and unjustly dealt with'. His case was an example of how some Justices of the Peace treated miners and other workers. Saunders had been fined at the beginning of the month for having 'a "wee drappie" too much'.

On the ensuing Wednesday morning he left his work on the Hill for the purpose of obtaining a settlement with his late employer at Waiorongomai, and was squared up with by him that evening. On the same night as J.B. Kilian, the proprietor of the Premier Hotel,²⁹⁶ sent into town and obtained Sergt. Emerson, who rode out and arrested this simple, unfortunate man, who had been drinking at Kilian's in company with myself and others.

²⁸⁹ Police Court, *Thames Advertiser*, 28 June 1881, p. 2.

²⁹⁰ Armed Constabulary Force, Report of Charges taken at the Te Aroha Lock Up 1880-1902, nos. 12, 13, in private possession; Police Court, *Te Aroha News*, 1 March 1884, p. 2.

²⁹¹ See paper on the Kilian family.

²⁹² Armed Constabulary Force, Report of Charges taken at the Te Aroha Lock Up 1880-1903, nos. 16, 17, in private possession.

²⁹³ Police Court, *Te Aroha News*, 8 March 1884, p. 2.

²⁹⁴ *Thames Advertiser*, 8 March 1884, p. 2; *New Zealand Police Gazette*, 28 May 1884, p. 95.

²⁹⁵ See *Thames Advertiser*, 24 April 1884, p. 3.

²⁹⁶ Recorded as the Palace Hotel, a Te Aroha establishment.

Drury claimed that Saunders was convicted and fined ‘without his mates or friends having a chance to give evidence on his behalf’, and argued that a drunk man could ‘hardly be held responsible’ for his language. ‘The unfortunate Saunders’ was ‘semi-conscious’, and yet the J P ‘determined to give this man who could neither read or write, and was noted as a hard-working wight the full benefit of the law’. Drury was unaware of any previous offences, which ‘would have been a horse of another colour, and some excuse might have been found for this peculiar and iniquitous sentence’.

What then is to be said to the publican who supplies the man with liquor to bring him to such a condition, and into such a state? What opinion can the public hold of him when he becomes the informant, and to gratify a spleen, furnishes the evidence to secure the conviction? Will Kilian deny he was actuated by malice, and that “Jackie” owes his imprisonment because on times and at occasions he visited the adjoining “pub”? Let him; and I am prepared to depose on oath to the contrary.

Once it was known that ‘this unfortunate man had been so treated, evidence was forthcoming on his behalf’, but too late; ‘so much for’ the Justice of the Peace ‘and this publican friend of the Waiorongomai miners’.²⁹⁷ In response, Kilian requested the newspaper ‘to state that it was not on his instigation that the man Saunders was arrested, although he quite agrees that he ought to have been so arrested. Mr Kilian further wishes to state that Saunders had no liquor in his hotel during the 24 hours previous to the arrest’. Kilian considered ‘that the man Drury by leading Saunders on to drink and misconduct himself, was really the moving cause of all the trouble which ensued, Saunders himself being, when sober, a quiet kind of man.’²⁹⁸ The newspaper declined to print Drury’s reply. ‘Our readers are not sufficiently interested in the quarrels between drink-sellers and their victims’; and Drury could raise the issue at the next meeting of the licensing committee.²⁹⁹ Drury did not do so.

²⁹⁷ Letter from Edward Drury, *Thames Advertiser*, 14 March 1884, p. 3.

²⁹⁸ *Thames Advertiser*, 15 March 1884, p. 3.

²⁹⁹ *Thames Advertiser*, 22 March 1884, p. 2.

Saunders could not keep off the drink, and in January 1886 the tramway manager, Edmund Cookson,³⁰⁰ his initial partner in the Stoney Creek claim,³⁰¹ successfully applied for a prohibition order against him. Cookson said that Saunders had ‘been drinking more than is good for him. He is my mate, and I want a prohibition order against him, as he is injuring his health and wasting his estate’.³⁰² Since this order was made, the *Te Aroha News* noted that Saunders had ‘been drunk almost continuously at Waiorongomai ever since. Where does he get the liquor from?’³⁰³ That June, he was locked up and fined once more for being drunk.³⁰⁴ Two years later, when he had returned to Thames, he was fined 5s for being drunk, and a month afterwards pleaded guilty to being drunk, being fined 10s or, if unpaid, 48 hours imprisonment.³⁰⁵ Saunders was to die in 1913 from double pneumonia ‘on road to hospital from Salvation Army Home Auckland’;³⁰⁶ had he been sent to this home because of alcoholism?

If a muddle over the date meant that Saunders had set up this illicit still, it should be noted that he had, in 1886, sold a share in his Grand Junction to publican Samuel Tozer Smardon.³⁰⁷ However, everything known about Smardon, outlined below, disproves any claim that he was involved in sly-grogging. Possibly a more likely suspect was James Don, a partner in the Hot Springs Hotel until 1889.³⁰⁸ The principal claim in that area was ‘named the “Don” out of courtesy’, as he had ‘been instrumental in

³⁰⁰ See paper on the Piako County tramway at Waiorongomai.

³⁰¹ Te Aroha Warden’s Court, Register of Te Aroha Claims 1880-1888, folio 140, BBAV 11567/1a, ANZ-A.

³⁰² Police Court, *Te Aroha News*, 23 January 1886, p. 7.

³⁰³ *Te Aroha News*, 23 January 1886, p. 2.

³⁰⁴ Armed Constabulary Force, Report of Charges taken at the Te Aroha Lock Up 1880-1903, no. 27, in private possession.

³⁰⁵ *Thames Advertiser*, 19 July 1888, p. 2, 17 August 1888, p. 2, 18 August 1888, p. 2.

³⁰⁶ Death Certificate of John Saunders, 4 January 1913, 1913/239, BDM.

³⁰⁷ Te Aroha Warden’s Court, Register of Te Aroha Claims 1880-1888, folio 140, BBAV 11567/1a, ANZ-A.

³⁰⁸ *Te Aroha News*, 28 May 1887, p. 2, 20 July 1889, p. 2; *Thames Advertiser*, 2 July 1889, p. 2.

carrying on the work of development'.³⁰⁹ He was a shareholder in the Grand Junction,³¹⁰ and invested in several other Stoney Creek mines.³¹¹

There was one charge of sly-grogging at Waiorongomai, against Edward Jennings, a carpenter who for a time was an amalgamator in the battery.³¹² In 1888, he was in charge of the Waiorongomai Skating Rink Club, and, according to a correspondent, his name was 'a sufficient guarantee that matters of this kind are carried on in first-class style'. However, 'we have been told that an information has been laid against our host for supplying liquor on Sunday. The action of the informant is generally condemned, especially by those who ought to know'.³¹³ If an information was laid, the police must have discovered that no such crime was committed. Jennings was an unlikely sly-grogger, being a respectable member of the community who baptized his children into the Church of England and sent them to the Wesleyan Sunday School;³¹⁴ for many years he was a member of the school committee.³¹⁵

George Clotworthy was, nominally at least, an Irish Presbyterian,³¹⁶ and a notable sly-grogger, although not at Te Aroha, where he was, briefly,

³⁰⁹ Te Aroha Correspondent, *Thames Advertiser*, 8 October 1886, p. 3.

³¹⁰ Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folio 140, BBAV 11567/1a, ANZ-A; Note accompanying Plan of Machine Site, Stoney Creek, 24 May 1886, Te Aroha Museum.

³¹¹ Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folio 137, BBAV 11567/1a; Register of Applications 1883-1900, 53, 54/1886, 7/1889, BBAV 11505/1a; Register of Licensed Holdings and Special Claims 1887-1909, folio 36, BBAV 11500/8b, ANZ-A;

³¹² See *Tauranga Electoral Roll, 1887*, p. 13; Te Aroha Correspondent, *Auckland Weekly News*, 26 July 1890, p. 10; *Te Aroha News*, 18 October 1884, p. 7, 23 July 1890, p. 2, 27 October 1926, p. 8.

³¹³ Te Aroha Correspondent, *Waikato Times*, 15 May 1888, p. 2.

³¹⁴ Church of England, Hamilton East District, Register of Baptisms 1879-1908, nos. 78, 144, 185, Anglican Diocesan Archives, Hamilton; Waiorongomai Sunday School, Admission Book 1884-1889, entries for 9 March 1884, 3 March 1885, n.d. [before 3 January 1886], 6 January 1889, 13 January 1889, 27 January 1889, 3 March 1889, 3050/888, Methodist Archives, Auckland; *Te Aroha News*, 19 March 1887, p. 2.

³¹⁵ *Te Aroha News*, 1 May 1886, p. 2, 25 April 1888, p. 2; *Auckland Weekly News*, 8 May 1902, p. 41.

³¹⁶ Armed Constabulary Force, Description Book, no. 459, Police Department, P 8/1, ANZ-A.

one of the first publicans. In the 1860s, he fought against Maori in several parts of the North Island.³¹⁷ In 1867 and possibly earlier, he had a bush license for the Settlers' Arms at Harapepe, near Pirongia mountain.³¹⁸ In September that year, he joined the goldrush to Thames, and mined there for a couple of years.³¹⁹ He was a farmer in 1870 when, at the age of 32, he enlisted as a policeman, but was discharged within two months.³²⁰ He returned to being a miner at Thames, becoming a director of one company.³²¹ He lived an unnoticed life until, in 1878, he became briefly married. Then a storekeeper at Tairua,³²² at the age of 40 he married a 21-year-old Thames waitress.³²³ The *Thames Advertiser* at first spared his blushes by not naming him, but described his matrimonial woes as 'capital groundwork for a sensational novel'. After a short courtship, the wedding was all arranged when 'the fickle-minded damsel, without any apparent reason, returned the presents, saying that she had no intention of marrying' him. Clotworthy rushed back to Thames, convinced her to change her mind, and immediately married her. 'But, unexpected denouement! At about dusk the newly-wedded wife quietly stole out of the house, and left the

³¹⁷ Army Department, Nominal and Descriptive Roll, Second Regiment, Waikato Militia, Regimental Nos. 1341, 1436, microfilm; Maori War Index, Army Department, AD 32, MW 2474, ANZ-W; *Auckland Provincial Government Gazette*, 6 October 1866, p. 279; *New Zealand Gazette*, 31 May 1871, p. 242; Richard Stowers, *Forest Rangers* (Hamilton, 1996), p. 209.

³¹⁸ *Auckland Weekly News*, 26 January 1867, p. 1; *Auckland Provincial Government Gazette*, 13 July 1867, p. 305.

³¹⁹ Thames Warden's Court, Miners' Rights Register 1867-1868, no. 465, BACL 14358/1a; Claims Register 1868, folios 244, 276, 351, BACL 14397/1a; Claims Register 1868-1869, no. 503, BACL 14397/2a; Register of Agreements 1868, folios 98, 281-282, BACL 14417/2a; Register of Deeds 1869, folios 142-143, BACL 14417/4a, ANZ-A; *Auckland Provincial Government Gazette*, 5 August 1869, p. 671.

³²⁰ Armed Constabulary Force, Description Book, folio 30, no. 1159, Police Department, P8/1; Register of Appointments, p. 3, Police Department, P 8/3, ANZ-W.

³²¹ Company Files, BADZ 5181, box 14 no. 76, ANZ-A; Warden's Court, *Thames Guardian and Mining Record*, 14 December 1871, p. 3; *Thames Advertiser*, 16 November 1870, p. 2, 20 September 1872, p. 2, 7 June 1873, p. 2.

³²² *Mercantile Gazette of New Zealand*, 27 October 1877, p. 118.

³²³ Notices of Intentions to Marry 1878, Births Deaths and Marriages, BDM 20/23, p. 234, ANZ-W; Marriage Certificate of George Clotworthy, 31 October 1878, 1878/4282, BDM.

bridegroom lamenting'.³²⁴ A few hours later, he traced her, 'but failed to induce her to return'. Consequently, he published a notice that he would not be responsible for any debts she might contract in his name, thereby revealing his embarrassment to an amused world.³²⁵

Clotworthy participated in the Te Aroha rush and acquired interests in several claims.³²⁶ Arriving in mid-November, he started erecting a building at first intended to be a general store.³²⁷ Three days before the goldfield was officially opened, the framework of his hotel was erected. 'This well-known pioneer is determined to have the first license, and intends to fulfil the conditions laid down' by the magistrate.³²⁸ At the end of the month, a correspondent considered that he deserved to be successful because of 'his enterprise in providing for the wants of the miners before gold was discovered in the prospectors' reef, and doubts existed in the minds of many as to the payable character of the field'.³²⁹ Four days after the opening, his building was 'in a forward state'.³³⁰ It was to have seven or eight bedrooms, two sitting rooms, a bar, and a kitchen.³³¹ On 16 December, he did indeed become the first licensee, of the Rina Mokena Hotel, which was almost completed.³³² It was sufficiently complete for a visiting clergyman to preach to a 'large congregation' in its 'commercial room' on the previous morning.³³³ 'Some persons had a fine time of it' on opening night, 'for free liquor was distributed all round'.³³⁴ 'The crowded state of the house, and the ringing cheers which were given at the opening spoke volumes as to the estimation

³²⁴ *Thames Advertiser*, 7 November 1878, p. 2.

³²⁵ *Thames Advertiser*, 8 November 1878, p. 2.

³²⁶ Te Aroha Warden's Court, Miner's Right no. 644, issued 3 December 1880, Miners' Rights Butt Book 1880, BBAV 11533/1e; Register of Applications 1880-1882, folios 19-20, BBAV 11505/3a; Register of Te Aroha Claims 1880-1888, folios 163, 191, BBAV 11567/1a, ANZ-A.

³²⁷ *Thames Advertiser*, 15 November 1880, p. 3.

³²⁸ *Thames Star*, 22 November 1880, p. 2.

³²⁹ Te Aroha Correspondent, *Bay of Plenty Times*, 30 November 1880, p. 2.

³³⁰ *Thames Star*, 29 November 1880, p. 2.

³³¹ *Thames Advertiser*, 30 November 1880, p. 3.

³³² Te Aroha Magistrate's Court, Register of Publicans' Licenses 1880-1882, no. 1, BBAV 11494/1a, ANZ-A; *Thames Star*, 16 December 1880, p. 2.

³³³ *Thames Advertiser*, 16 December 1880, p. 3.

³³⁴ *Thames Star*, 18 December 1880, p. 2.

in which he is held by the large number of people in the district who know him'.³³⁵ Late in December, he erected a billiard room next to it.³³⁶

As Clotworthy 'had neither cash nor credit' to meet the cost of these buildings, the site was mortgaged to two Thames brewers, who wanted the hotel opened as soon as possible.³³⁷ In the first two months of 1881, Clotworthy was having difficulty meeting his debts,³³⁸ and in late February he filed for bankruptcy, gave up his license, and returned to Thames.³³⁹ His debts amounted to £576 5s 9d whereas the estimated value of the assets was £100.³⁴⁰ The mortgagee sold the hotel.³⁴¹

After moving to Waihi to become a storekeeper,³⁴² at the end of May Clotworthy was charged with sly grog selling. The police had offered a man £5 if a conviction was obtained, and this witness went to the 'shanty' to 'spy'. After being given his drink, the police were informed, and seized one gallon of rum, the same of whisky, nine bottles of gin and the same of whisky, and three bottles of ale. The defence was that the drink was not for sale but was given to those who used the store, and that the police informer had paid for his dinner, not drinks; several witnesses stated that nobody paid for their drinks. Clotworthy's partner insisted that the liquor was for their 'private use, and for the purpose of obliging those who were in the habit of dealing at the store, there being no accommodation house in the district'. The magistrate, unimpressed with this argument, fined Clotworthy £20 plus costs; a second charge of selling without a license was dropped.³⁴³ Being unable to pay, he was sentenced to two months in Mount Eden

³³⁵ *Waikato Times*, 18 December 1880, p. 2.

³³⁶ *Thames Advertiser*, 28 December 1880, p. 3.

³³⁷ Te Aroha Warden's Court, Register of Applications 1880-1882, folios 19-20, BBAV 11505/3a, ANZ-A; District Court, *Thames Advertiser*, 11 June 1881, p. 3.

³³⁸ Thames Magistrate's Court, Plaint Book 1880-1881, 22, 41, 60, 62/1881, BACL 13737/11b, ANZ-A.

³³⁹ *Thames Advertiser*, 25 February 1881, pp. 2, 3; *Thames Star*, 25 February 1881, p. 3.

³⁴⁰ 'Return of all Bankruptcies and Assignments since the coming into operation of the "Debtors and Creditors Amendment Act, 1878"': District Court at Grahamstown, 1881, Legislative Department, LE 1, 1883/106, ANZ-W.

³⁴¹ Te Aroha Warden's Court, Register of Applications 1880-1882, folios 19-20, BBAV 11505/3a, ANZ-A; District Court, *Thames Advertiser*, 11 June 1881, p. 3.

³⁴² *Tauranga Electoral Roll, 1881*, p. 5.

³⁴³ Paeroa Magistrate's Court, *Thames Star*, 31 May 1881, p. 2.

gaol.³⁴⁴ Waihi residents believed he had been treated harshly: 'it was a breach of the law that might well have been overlooked'.³⁴⁵ Upon his release, he returned to Waihi and erected a restaurant and livery and bait stables and also ran a store.³⁴⁶

In May 1882, Clotworthy moved to Alexandra, later Pirongia, and opened another store.³⁴⁷ A week after this was reported, he was in trouble once more for the same offence. Police were aware of sly grog selling, but 'an exploring expedition' to the Tainui settlement of Whatiwhatihoe, near Pirongia, produced no evidence until, on their way back, they saw a light spring cart being driven by Clotworthy.

On seeing the two police officers, Clotworthy started the horse at a very suspicious pace, and Sergeant McGovern and Constable Gillies went off in pursuit. Clotworthy turned towards the banks of the river, still urging the horse onwards, and on reaching the top of the bank, took a box out of the cart and ran towards the river, at the same time concealing the box in the fern. Neither of the officers slackened their pace until they came up with their object, whom they accused of having concealed or done away with his burden. Clotworthy in strong terms denied the accusation, intimating that sly grog traffic was as far from his mind as the constables were mistaken with their victim. They, however, set to work in searching the fern, Mr Clotworthy dissuading them from any such foolish pursuit, but notwithstanding his remonstrances they discovered a small box concealed in the fern, containing six bottles of unadulterated rum.³⁴⁸

A couple of days later, the two policemen entered a house to find Clotworthy 'serving two natives with brandy out of a flask, and was watched in the act by Constable Gillies, who was looking over his shoulder the whole time'. When a summons was to be served he could not be found, and a warrant was taken out for his arrest.³⁴⁹ He evaded arrest, despite

³⁴⁴ *Thames Advertiser*, 3 June 1881, p. 2; *New Zealand Gazette*, 10 August 1881, p. 139.

³⁴⁵ Waihi Correspondent, *Thames Star*, 2 June 1881, p. 2.

³⁴⁶ *Thames Advertiser*, Waihi Correspondent, 10 September 1881, p. 3, 26 November 1881, p. 3.

³⁴⁷ *Waikato Times*, 4 May 1882, p. 2.

³⁴⁸ *Waikato Times*, 13 May 1882, p. 2.

³⁴⁹ *Waikato Times*, 16 May 1882, p. 2.

Maori and police searching for him.³⁵⁰ Presumably he left the colony, for he has not been traced after this date.³⁵¹

CONDUCT OF THE HOTELS

According to one correspondent, in 1885 *Te Aroha* hotels had ‘the reputation of being well conducted’.³⁵² In that decade hotels closed at 10 o’clock, but by the late nineteenth century were allowed to remain open until 11 o’clock.³⁵³ ‘Visitor’, in 1908, disapproved, and urged *Te Aroha* to follow the example of most of the rest of the country and close its bars at 10 o’clock.³⁵⁴

In practice, it did not matter what the hours were, for some publicans served drinks outside licensing hours. In 1895, the *Te Aroha News* complained that customers were being served on Sundays: ‘It is a common sight to see men coming out of the “pubs” in a state of intoxication’.³⁵⁵ Eight years later, ‘Remedy’ claimed that many were asking where the drunks ‘got their drink from on Sundays’ and that ‘lately we have been reminded of this disgrace in our midst very often’.³⁵⁶

Publicans sometimes allowed customers to keep drinking after closing time. In 1886, James Mills, a future mayor,³⁵⁷ asked the licensing committee to extend closing time to midnight for a very practical reason. ‘Anybody could at present get drink up to midnight at the hotels, the only difference was that the doors were closed, and for decency’s sake he would prefer it was served with open doors’. A majority agreed, but the police objected.³⁵⁸ At the committee’s annual meeting three months later, three licenses were extended to 11 o’clock, over the protests of the chairman, John

³⁵⁰ *Auckland Weekly News*, 27 May 1882, p. 9; *New Zealand Police Gazette*, 31 May 1882, p. 84.

³⁵¹ BDM indexes; the George Clotworthy who married on 2 September 1884 (1884/2635) was a different man.

³⁵² *Te Aroha* Correspondent, *Thames Advertiser*, 10 March 1885, p. 3.

³⁵³ Licensing Committee, *Te Aroha News*, 13 March 1886, p. 2; *Ohinemuri Gazette*, 9 June 1900, p. 3.

³⁵⁴ Letter from ‘Visitor’, *Te Aroha News*, 4 July 1908, p. 3.

³⁵⁵ *Te Aroha News*, 27 February 1895, p. 2.

³⁵⁶ Letter from ‘Remedy’, *Te Aroha News*, 1 August 1903, p. 2.

³⁵⁷ See paper on his life.

³⁵⁸ Licensing Committee, *Te Aroha News*, 13 March 1886, p. 2.

Allan Dobson,³⁵⁹ who considered that ‘much harm and misery was occasioned by these late hours’. Mills responded: ‘Whether open or not they would sell and did sell’. George Lipsey³⁶⁰ considered it ‘astonishing’ that some publicans ‘did not apply to keep open all night; I believe it would be a benefit to the place if they did’.³⁶¹

In April 1888, Sergeant William Emerson charged Annie Thompson of the Family Hotel with selling liquor after hours, but the case failed for want of corroboration. One of the two seemingly reluctant witnesses, James Hendy Rowe, a butcher,³⁶² stated that although he had not left the hotel until about 10.30 or 11.00, he had not drunk after 10.00, being only there for ‘taking orders’, and did not admit to seeing anyone else drinking. ‘Could not say if the bar was closed’. A carpenter said he had had ‘no difficulty in getting in’ to the bar after ten o’clock, ‘the side door being open. I went in with the Captain of the steamer who had some business with Mrs Thompson. No one asked for drinks so far as I know. I could not say whether the bar was lit or not’. Sergeant Emerson gave evidence of seeing two men entering the hotel at about 10.30 and finding more inside. ‘Just as I entered the dining room I met Mrs Thompson coming out with three empty glasses and a tray, her father, Mr Brown, was standing in the doorway of her bar, which was lit up. Defendant in reply to my question as to why she did not close her house, replied she was not selling anything’. After leaving, Emerson saw three more men enter the hotel. When he turned back, ‘defendant’s father looked out and seeing me coming at once went in and the three men cleared out in great haste, the bar was still lit’. In defence, it was stated that two of these men were boarders and Rowe was there simply ‘to take orders’. Although dismissing the charge, the magistrate stated ‘that without doubt the lights should be put out in the bar at ten o’clock’.³⁶³

Nearly two months later, her license was renewed, despite Emerson stating ‘that, although frequently cautioned, Mrs Thompson had persisted in keeping people in her hotel after closing time’. She promised not to do this again, but was warned that if she did, the police would seek to have her

³⁵⁹ See paper on his life.

³⁶⁰ See paper on his life.

³⁶¹ Licensing Committee, *Te Aroha News*, 12 June 1886, p. 3.

³⁶² See *Cyclopedia of New Zealand*, vol. 2, p. 831; *Waikato Times*, 14 August 1883, p. 3; *Te Aroha News*, 31 October 1885, p. 7, 6 February 1887, p. 2.

³⁶³ Magistrate’s Court, *Te Aroha News*, 25 April 1888, p. 2.

license cancelled.³⁶⁴ At the committee's subsequent annual meeting the police described her hotel as being kept 'indifferently well during the past twelve months, owing to the residents of the place being allowed to remain drinking after closing time'. As well, she 'locks the doors on the Police'. Martin Murphy, licensee of the Premier Hotel at Waiorongomai,³⁶⁵ was also criticized. 'Complaints have been made with reference to men being allowed to remain drinking after closing hours, to the great annoyance of their wives and families'. The licenses of both hotels were renewed on condition there was no further Sunday trading or late hours.³⁶⁶

The following year, *Te Aroha's Observer* Man reported an 'incident' at the Hot Springs Hotel:

Too officious bobby enters on Sabbath, and two gentlemen are discovered with a like number of whiskies before them. Bobby: "Are ye travellers or boarders?" Answer: "Boarders, of course." Bobby (to landlord): "Who are these gentlemen?" Landlord: "Well, one is the Hon. Mr ----- MLC of new South Wales, and the other is the Chief Commissioner of Police for the colony of -----!" Exit bobby in a great hurry.³⁶⁷

In 1895, 'A Parent' expressed strong views about enforcing the liquor laws:

I am not a prohibitionist, but I am a firm believer in the law as at present constituted being enforced to its full. It is a well-known fact, Sir, that the publicans of this district push their trade at all times and seasons in defiance of the law, and yet under the very eyes and with the full knowledge of the guardians of the peace; and yet the Police are quite powerless to stop this open violation of the law; either because of vested interested or the almost impossibility of getting a conviction. Surely, Mr Editor, something ought to be done to check this evil; our young men frequent these houses, and are induced to remain – long after closing time – playing cards and billiards, etc, with the usual attendant drinking, and thus they contract habits and vices which will be anything but helpful to them later on in life. Methinks, Sir, that if the present law was rigidly enforced there would be less cry about Prohibition; but while things are allowed to drift a large number

³⁶⁴ Licensing Committee, *Te Aroha News*, 13 June 1888, p. 2.

³⁶⁵ See section on publicans, below.

³⁶⁶ Licensing Committee, *Te Aroha News*, 12 June 1889, p. 2.

³⁶⁷ 'Te Aroha', *Observer*, 1 March 1890, p. 14.

of moderates will be inclined to support the Prohibition vote when the time comes.³⁶⁸

An even worse offence was exposed in 1886 when the chairman of the licensing committee charged licensees with serving ‘children under age, which was an utter disgrace’. Any publican proved guilty of this would have their license cancelled.³⁶⁹

SOME PROMINENT PUBLICANS

The careers of several people who were publicans for part or all of their lives have been discussed in other papers: William Dibsell, Charles Gallagher, Edwin Hadfield, Louis Kalman, John Bernard Kilian, Thomas Lawless, George Lipsey, John McSweeney, Akuhata Mokena, George Stuart O’Halloran, Paddy Quinlan, and John Watson Walker. Some other leading publicans who were leading members of the community are discussed below.

John Allwood, born in the 1840s,³⁷⁰ was a brother-in-law of two prominent members of the district, Thomas Hinton and John Wood, who both helped him financially.³⁷¹ Earlier a butcher at Hamilton East and Waitoa,³⁷² and owning property in Hamilton valued at £450,³⁷³ in February 1881 he purchased the Rina Morgan Hotel from George Clotworthy.³⁷⁴ The

³⁶⁸ Letter from ‘A Parent’, *Te Aroha News*, 6 November 1895, p. 2.

³⁶⁹ *Waikato Times*, 8 June 1886, p. 3.

³⁷⁰ Although 1843 was the most likely birth date, he gave ages that suggested he was younger: for example, Notices of Intentions to Marry 1876, p. 247, Births Deaths and Marriages, BDM 20/21, ANZ-W; Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 19/1886, in private possession; ancestry.co.uk.

³⁷¹ Death Certificate of Sarah Wood, 9 February 1883, 1883/1104; Birth Certificate of Thomas Alfred Roy Allwood, 18 May 1884, 1884/11629, BDM; Te Aroha Magistrate’s Court, Civil Record Book 1881-1884, 193/1883, BCDG 11221/1a; John Allwood to Thomas Hinton and John Wood, 9 January 1884, Certified Instruments 1884, BBAV 11581/5a, ANZ-A; Magistrate’s Court, *Te Aroha News*, 12 January 1884, p. 7; *Waikato Times*, 19 July 1890, p. 2.

³⁷² Church of England, Register of Hamilton Baptisms 1872-1899, nos. 147, 304, Anglican Diocesan Archives, Hamilton; *Waikato Electoral Roll, 1880*, p. 1.

³⁷³ *A Return of the Freeholders of New Zealand ...* (Wellington, 1884), p. A 15.

³⁷⁴ *Thames Advertiser*, 25 February 1881, p. 3.

following month, he formed a partnership with Wood whereby they shared equally in purchasing stock and furniture, Allwood to be the sole manager. His wife was to receive 10s per week 'in consideration of her services' in helping to run it, and both partners were to share the profits equally.³⁷⁵ Seven months later, the partnership was dissolved, Allwood paying Wood £170 and meeting all the debts.³⁷⁶

In June, a correspondent wrote that Allwood had made 'considerable additions' to what was now called the Robin Hood and Little John Hotel, now of 14 rooms, converting 'an old shanty into a really first-rate hotel'.³⁷⁷ Five months later, he advertised it as 'considerably enlarged and thoroughly refitted'.³⁷⁸ In April 1882, he spent £200 further enlarging it.³⁷⁹ When applying for another license in November he described it as having 13 rooms plus the unspecified number occupied by his family.³⁸⁰ In February 1883, from Louis Ehrenfried, the Thames brewer,³⁸¹ he obtained a mortgage of £200 over both hotel and land.³⁸² In the same month, an *Observer* Man wrote that 'Johnny is doing a fine business at Te Aroha. He wants to for, like the comet, he has a long string behind him to provide for',³⁸³ a reference to his children. In December that year, the license was transferred to Hinton, who, six months later, transferred it back to Allwood and his

³⁷⁵ Articles of Partnership between John Wood and John Allwood, 23 March 1881, Hesketh and Richmond Papers, box 3, MS 400, Library of the Auckland Institute and War Memorial Museum.

³⁷⁶ Dissolution of Partnership between John Wood and John Allwood, 20 October 1881, Hesketh and Richmond Papers, box 3, MS 400, Library of the Auckland Institute and War Memorial Museum.

³⁷⁷ Te Aroha Correspondent, *Waikato Times*, 25 June 1881, p. 2.

³⁷⁸ Advertisement, *Waikato Times*, 10 November 1881, p. 1.

³⁷⁹ *Thames Advertiser*, 19 April 1882, p. 3.

³⁸⁰ *Waikato Times*, 18 November 1882, p. 3.

³⁸¹ See *Cyclopedia of New Zealand*, vol. 2, pp. 332-333.

³⁸² Mortgage between Louis Ehrenfried and John Allwood, 17 February 1883, Certified Instruments 1883, no. 83, BBAV 11581/3a, ANZ-A.

³⁸³ 'Waikato Whisperings', *Observer*, 17 February 1883, p. 357.

wife.³⁸⁴ Hinton was ‘manager more than barman’ during 1883 and 1884, Allwood’s family living in the hotel until the end of the latter year.³⁸⁵

By 1886, Allwood was working as a labourer at Te Aroha.³⁸⁶ During the early 1890s, he was a farm labourer at Waitoa.³⁸⁷ He was a labourer at Te Aroha in the late 1890s and early twentieth century.³⁸⁸ When he died, in Hamilton in 1928, his occupation was given as a butcher.³⁸⁹

Allwood took out a miner’s right in mid-December 1880, when he invested in two Tui claims.³⁹⁰ At Waiorongomai, in 1882 he invested in the Three Fools, his interest being transferred to the Waiorongomai Company, in which he was allotted 1,000 shares.³⁹¹ Threat of forfeiture for not paying a call of 1 1/2d a few months later forced him to pay it, but at the end of 1884 his remaining 60 shares were liable for forfeiture for the same reason.³⁹² Also in 1882, his attempt to obtain the Provincial for non-working failed because the warden considered there was ‘collusion’.³⁹³ His also invested in the Hero Company.³⁹⁴ In August 1883 he bought one share in

³⁸⁴ Te Aroha Magistrate’s Court, Register of Publicans’ Licenses 1882-1892, Robin Hood and Little John Hotel, BBAV 11493/1a, ANZ-A; *Thames Advertiser*, 27 March 1884, p. 2.

³⁸⁵ Te Aroha Magistrate’s Court, Register of Publican’s Licenses 1882-1892, Robin Hood and Little John Hotel, BBAV 11493/1a, ANZ-A; *Te Aroha News*, Magistrate’s Court, 27 October 1883, p. 2, Police Court, 5 April 1884, p. 2. Magistrate’s Court, 17 May 1884, p. 2, recollections of Charlie Garlick, 7 April 1937, p. 5; *Thames Advertiser*, 22 May 1884, p. 2.

³⁸⁶ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 19/1886, in private possession.

³⁸⁷ *Te Aroha Electoral Roll, 1891*, p. 1; *Waikato Electoral Roll, 1893*, p. 1.

³⁸⁸ Auckland Supreme Court, Conolly J, Judge’s Notebook 1895-1897, entry for 1 June 1896, BBAE A304/124, ANZ-A; Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 15/1901, in private possession; Probate of John Wood, Hamilton Probates, BCDG 4420/1454, ANZ-A.

³⁸⁹ Death Certificate of John Allwood, 6 December 1928, 1928/7161, BDM.

³⁹⁰ Te Aroha Warden’s Court, Miner’s Right no. 772, issued 15 December 1880, Miners’ Rights Butt Book 1880, BBAV 11533/1f; Register of Te Aroha Claims 1880-1888, folio 189, BBAV 11567/1a; Complaint Book 1880-1898, 19/1881, BBAV 11547/1a; Notices of Marking Out Claims, December 1880, no. 111, BBAV 11557/2f, ANZ-A.

³⁹¹ Te Aroha Warden’s Court, Register of Licensed Holdings 1881-1887, folio 64, BBAV 11500/9a, ANZ-A; *New Zealand Gazette*, 31 May 1883, p. 722.

³⁹² Advertisements, *Te Aroha News*, 1 March 1884, p. 7, 20 December 1884, p. 7.

³⁹³ Te Aroha Warden’s Court, Complaint Book 1880-1898, 36/1882, BBAV 11546/1a, ANZ-A.

³⁹⁴ *New Zealand Gazette*, 1 June 1882, p. 800.

the Golden Hill, near Te Aroha; almost immediately, it was transferred to a company of which he was a director.³⁹⁵

The first time Allwood was before the court was when, with Thomas Hector, earlier noted as a drunkard, he was accused of 'Obstructing the road alongside the Waihou river by placing posts & rope & other obstructions thereon', for which Hector alone was fined.³⁹⁶ Nearly two years later, in January 1884, his brother-in-law Thomas Wood accused him of 'Excessive drinking and injuring health' and a prohibition order was issued.³⁹⁷

As this did not stop his drinking, his wife took him to court two months later.³⁹⁸ In July 1876, when he gave his age as 27, Coleman had married Sarah Ann Hinton, aged 21, in her father's house.³⁹⁹ Six months later, their first child was born.⁴⁰⁰ By the date of her taking him to court, they had had three more children and another would be born less than two months later.⁴⁰¹ She charged him with 'Habitual Drunkenness and cruelty to informant his wife wherefore informant applied for an order to protect her property against the Said Husband'.⁴⁰² Sergeant Emerson deposed that Allwood was 'often the worse for drink' and that, shortly before the hearing, he had gone into his hotel. 'Defendant was then excited, and used insulting language towards me. His wife had complained to me that she had no control over him, and showed me her arms bearing marks of bruises caused

³⁹⁵ Te Aroha Warden's Court, Register of Licensed Holdings 1881-1887, folio 122, BBAV 11500/9a; *New Zealand Gazette*, 4 October 1883, p. 1437; *Auckland Weekly News*, 24 September 1883, p. 20.

³⁹⁶ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 8/1882, BCDG 11220/1a, ANZ-A.

³⁹⁷ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 14/1884, BCDG 11220/1a, ANZ-A; Magistrate's Court, *Te Aroha News*, 26 January 1884, p. 7.

³⁹⁸ Te Aroha Magistrates Court, Criminal Record Book 1881-1896, 36/1884, BCDG 11220/1a, ANZ-A.

³⁹⁹ Notices of Intentions to Marry 1876, folio 247, Births Deaths and Marriages, BDM 20/21, ANZ-W; Marriage Certificate of John Allwood, 31 July 1876, 1876/2129, BDM; *Auckland Weekly News*, 5 August 1876, p. 23.

⁴⁰⁰ Birth Certificate of James Henry Allwood, 31 January 1877, 1877/627, BDM.

⁴⁰¹ Birth Certificates of Susan Ada May Allwood, 2 March 1880, 1880/16859; John Edwin Allwood, 7 March 1882, 1882/5799; Thomas Alfred Roy Allwood, 18 May 1884, 1884/11629, BDM.

⁴⁰² Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 36/1884, BCDG 11220/1a, ANZ-A.

by him'. John Wood gave evidence that, since the prohibition order had been issued, Allwood had 'been drinking in different places. Those who call themselves his friends get it for him. He is not fit to be entrusted with property, being an habitual drunkard'. An order was made 'protecting the earnings of Sarah Allwood from her husband and his creditors'.⁴⁰³ Perhaps Allwood's violence towards his wife ceased after this case, for although they had no more children they stayed together until his death.⁴⁰⁴

If the cruelty stopped, the drinking did not, no doubt one reason why he gave up being a publican; the police would have ensured that his license was not renewed. In May 1886 he was locked up for being drunk and refusing to leave the Palace Hotel.⁴⁰⁵ He pleaded guilty to being drunk, and was convicted and discharged; for refusing to leave the hotel he was fined 10s and 12s for breaking a window.⁴⁰⁶ In 1890, he was locked up again for being drunk and using 'Insulting words in a Public place'; he was dismissed with a caution.⁴⁰⁷ In 1901, was locked up for being drunk once more, pleaded guilty, and was fined 5s.⁴⁰⁸

Before he disgraced himself through excessive drinking, Allwood was regarded as a leading resident.⁴⁰⁹ As was normal for publicans, he was a steward for a race meeting.⁴¹⁰ He was treasurer of the provisional committee to establish the first brass band.⁴¹¹ Elected to the first school committee, after a year and a half his seat was declared vacant because of his non-attendance.⁴¹²

⁴⁰³ Police Court, *Te Aroha News*, 5 April 1884, p. 2.

⁴⁰⁴ Death Certificate of John Allwood, 6 December 1928, 1928/7161, BDM; B.R. Marshall, *Family Tree: Descendants of Henry and Sarah Ann Hinton* (?Hamilton, 1976), pp. 6-7.

⁴⁰⁵ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 19, 20/1886, in private possession.

⁴⁰⁶ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 26-28/1886, BCDG 11220/1a, ANZ-A.

⁴⁰⁷ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 10, 11/1890, in private possession.

⁴⁰⁸ Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 15/1901, in private possession; Te Aroha Magistrate's Court, Criminal Record Book 1896-1907, 33/1901, BCDG 11220/1b, ANZ-A.

⁴⁰⁹ *Waikato Times*, 24 May 1881, p. 2.

⁴¹⁰ *Waikato Times*, 25 February 1882, p. 3; *Thames Advertiser*, 3 March 1882, p. 2.

⁴¹¹ *Thames Advertiser*, 29 March 1882, p. 3.

⁴¹² *Waikato Times*, 28 January 1882, p. 3; *Te Aroha News*, 8 September 1883, p. 2.

John Coleman was the son of Irishman Peter Coleman, who arrived in Sydney in 1841 and remained there before settling in New Zealand in 1864.⁴¹³ A Waikato farmer, Peter died in 1882, aged 59, of what was recorded on his death certificate as a stroke, although newspapers reported his death as being caused by ‘a sharp attack of bronchitis’.⁴¹⁴ Nearly five years later, his children (four sons and five daughters) felt obliged to publish an advertisement vindicating his name:

Some few years ago ten or a dozen copies of the drawing of a genealogical tree were circulated in Hamilton and neighbourhood. At the root of the tree was the name of “Peter Coleman, convict,” and the various branches of the tree represented his various sons and daughters and their offspring, the names and all the lettering being formed of letters or words cut out of printed matter and pasted on in place of writing, thus rendering detection impossible. The family and their connections, some of the most respectable residents in Waikato, have had to sit quietly under this foul indignity for years.

During a recent visit to Sydney, his daughter Isabella had contacted the Lieutenant Governor, who testified that the accusation was false. A Legislative Councillor, who had rented a farm to the family, recalled her father as ‘an upright and honourable man, while your mother was a woman who laboured hard and continually to bring up her family respectably’.⁴¹⁵ Another daughter was married very ‘respectably’ to Isaac Coates,⁴¹⁶ a prominent Waikato resident who would be mayor of Hamilton for five years.⁴¹⁷

The accusation was undoubtedly false. Not only was no convict named Peter Coleman recorded as transported to New South Wales in 1840 (or adjacent years),⁴¹⁸ the details of passengers arriving in Sydney on 23

⁴¹³ Death Certificate of Bernard Coleman, 21 February 1906, 1906/1478, BDM; *Waikato Times*, 4 October 1881, p. 2, 30 September 1882, p. 2; advertisement, *Auckland Weekly News*, 26 February 1887, p. 22.

⁴¹⁴ Death Certificate of Peter Coleman, 29 September 1882, 1882/4215, BDM; *New Zealand Herald*, Hamilton Correspondent, 30 September 1882, p. 5, 3 October 1882, p. 4.

⁴¹⁵ Advertisement, *Waikato Times*, 24 February 1887, p. 2; advertisement, *Auckland Weekly News*, 26 February 1887, p. 22.

⁴¹⁶ Marriage Certificate of Alice Coleman, 18 April 1874, 1874/8887, BDM.

⁴¹⁷ See *Cyclopedia of New Zealand*, vol. 2, pp. 739-740.

⁴¹⁸ Indexes to lists of convicts transported to New South Wales, Google.

December 1841 on board the 'Emerald Isle' included Peter Coleman, aged 20, a farm labourer, whose 'native place' was Dundalk, County Louth, Ireland, and his wife Alice and sister Bridget.⁴¹⁹ According to an obituary, 'almost immediately after his marriage' he left Ireland. 'After his arrival in Sydney, he found employment as a clerk in the office of Sir Alfred Stephen, the Chief Justice of New South Wales', a somewhat surprising position to be held by a farm labourer. 'There he was employed for a number of years, but sheep farming becoming recognized as a very profitable undertaking' he purchased a farm 'and became a farmer and stock owner'.⁴²⁰ He lived on this farm, near Wollongong, for over 20 years, according to his account,⁴²¹ but 'the terrible droughts of 1862 and 1863 swept away his former savings'. He then came to New Zealand to fight for the Crown, his explicit reason for joining the Waikato Militia being to acquire 'the land which was then offered as an inducement for enlistment'.⁴²²

In March 1864, when in Sydney Peter Coleman and his eldest sons William, aged 20, and Bernard, aged 18, enlisted in the Fourth Waikato Regiment, and in consequence all three received land grants in the Waikato.⁴²³ In the 1870s, Coleman followed in his brothers' military footsteps by joining, in sequence, the Hauraki, Waikato, and Hamilton Rifle Volunteers.⁴²⁴ Bernard became a miner at Thames in June 1868, and was

⁴¹⁹ Details of arrival of Coleman family on board the 'Emerald Isle', 23 December 1841, provided by Barbara Hay [a descendant of Peter Coleman] to Philip Hart, 1 August 2018, email.

⁴²⁰ *New Zealand Herald*, 3 October 1882, p. 4.

⁴²¹ Letter from Peter Coleman, *Waikato Times*, 23 March 1880, p. 2.

⁴²² *New Zealand Herald*, 3 October 1882, p. 4.

⁴²³ Army Department, Waikato Militia, Fourth Regiment, Nominal and Descriptive Long Roll Book, nos. 421, 425, 426; Land Registry 1864, microfilm; Waikato Immigrants, Register of Crown Grants 1865-1882, folios 65, 73, Lands and Survey Department, BAAZ 1175/2, ANZ-A; *Waikato Electoral Roll, 1875*, p. 4; L.L. Barton, *Australians in the Waikato Wars* (Sydney, 1979), p. 86.

⁴²⁴ Hauraki Rifle Volunteers, No. 3 Company, Nominal Roll as at 31 March 1871, Army Department, ARM 41, 1878/1v; Waikato Rifle Volunteers, Nominal Roll to 31 March 1875, Army Department, ARM 41, 1873/1w; Hamilton Rifle Volunteers, Capitation Roll, March 1880, Army Department, ARM 41, 1880/1q, ANZ-W; *Waikato Times*, 2 October 1880, p. 2.

joined by John one month later.⁴²⁵ Each had an interest in a different claim, and John invested in one company.⁴²⁶ In the mid-1870s, they were still mining there.⁴²⁷ A sister was married there in 1874.⁴²⁸ In December 1873 John enrolled in the Waikato Rifle Volunteers,⁴²⁹ suggesting he was living either in Hamilton or on the family farm with William and his father.⁴³⁰ In 1875, when he was a clerk at Tairua, he invested in the Brothers claim and subsequent company formed there.⁴³¹ The following year, William opened a butcher's shop in Hamilton East, but in September transferred his business to his brothers John and Bernard.⁴³²

John and Bernard owned butcheries in Hamilton East and West and Ohaupo in the late 1870s and early 1880s.⁴³³ Both brothers were charged with sheep stealing in 1879, but the charges were dropped for lack of evidence.⁴³⁴ Coleman Bros, as they were known, sold their shops in August and September 1882 so they could settle in Te Aroha.⁴³⁵ In addition to being butchers, they were drainage contractors. Bernard had a contract to construct part of the railway line from Hamilton to Morrinsville, and in

⁴²⁵ Thames Warden's Court, Register of Miners' Rights 1868, nos. 6356, 7572, BACL 14358/2a, ANZ-A.

⁴²⁶ Thames Warden's Court, Claims Register 1868, folio 138, BACL 14397/1a; Shortland Claims Register 1871-1872, no. 2600, BACL 14397/6a, ANZ-A; *Thames Advertiser*, 8 October 1872, p. 2.

⁴²⁷ *Waikato Electoral Roll, 1875*, p. 4; *Auckland Directory 1875-1876* (Auckland, 1875), p. 51.

⁴²⁸ Marriage Certificate of Alice Coleman, 18 April 1874, 1874/8887, BDM; *Waikato Times*, 23 April 1874, p. 2.

⁴²⁹ Waikato Rifle Volunteers, Nominal Roll to 31 March 1875, Army Department, ARM 41, 1873/1w, ANZ-W.

⁴³⁰ *Waikato Electoral Roll, 1875*, p. 4.

⁴³¹ Thames Warden's Court, Register of Claims 1875-1876, folio 49, BACL 14397/9a, ANZ-A; *New Zealand Gazette*, 23 September 1875, p. 617.

⁴³² *Waikato Times*, 18 March 1876, p. 2, advertisement, 5 September 1876, p. 5.

⁴³³ *Waikato Times*, 18 May 1878, pp. 2, 3, advertisement, 20 June 1878, p. 3, 19 October 1880, p. 2, 30 July 1881, p. 2, 6 June 1882, p. 2.

⁴³⁴ Frankton Police Station, Warrant Book 1877-1912, entry for 12 March 1879, BADB 11344/1a, ANZ-A; *Waikato Times*, 13 March 1879, p. 2, 20 March 1879, pp. 2, 3; Supreme Court, *Auckland Weekly News*, 12 April 1879, p. 16.

⁴³⁵ *Waikato Times*, 22 August 1882, p. 2, 2 September 1882, p. 3, 12 September 1882, p. 2.

1880 was fined £25 for providing sly grog for his labourers.⁴³⁶ The brothers had a contract for part of the road from Hamilton to Whatawhata in that year.⁴³⁷ In September 1881 they obtained one of the drainage contracts for the Aroha Block, but unsuccessfully tendered for another.⁴³⁸ The drains they constructed at Shaftesbury were criticized in 1882.⁴³⁹ Bernard would be a contractor on the main trunk line in 1885, and when he died, in 1906, his occupation was a 'railway contractor'.⁴⁴⁰

In the 1870s and early 1880s, the three brothers also worked on the family farm, 'Ravensdale', 360 acres near Hamilton, and one or more lived on it at different times.⁴⁴¹

In October 1882, Coleman purchased the Hot Springs Hotel.⁴⁴² He shared the ownership with others, including his brother Bernard, and, at first, appointed a former Auckland publican as manager.⁴⁴³ An unmarried sister assisted him.⁴⁴⁴ Early in 1883, he advertised that he ran 'that well-known Commercial and Family Hotel at Te Aroha – the Hot Springs Hotel. The Hotel has been recently enlarged and fitted up in the best style'.⁴⁴⁵ Then disaster struck in late May, as he told the inquest:

⁴³⁶ Magistrate's Court, *Waikato Times*, 15 July 1880, p. 2.

⁴³⁷ *Waikato Times*, 31 August 1880, p. 2.

⁴³⁸ E.W. Otway to Engineer in Charge of Public Works, 20 August 1881, 6 September 1881, Lands and Survey Department, LS 1/2344, ANZ-W; *Waikato Times*, 20 August 1881, p. 2.

⁴³⁹ *Auckland Weekly News*, 18 February 1882, p. 23.

⁴⁴⁰ *Waikato Times*, 5 May 1885, p. 2; Death Certificate of Bernard Coleman, 21 February 1906, 1906/1478, BDM.

⁴⁴¹ Notices of Intentions to Marry 1881, p. 287, Births Deaths and Marriages, BDM 20/26, ANZ-W; Probate of Peter Coleman, Probates BBAE 1568/1084, ANZ-A; Birth Certificate of Eileen Gladys Ida Coleman, 1 February 1884, 1884/1364, BDM; *Auckland Provincial Government Gazette*, 21 May 1869, p. 408; *Waikato Electoral Roll, 1875*, p. 4; *Waikato Times*, advertisement, 2 January 1879, p. 1, 3 September 1881, p. 3, 18 April 1882, p. 2, 29 December 1883, p. 3, 2 February 1884, p. 2, advertisement, 26 July 1884, p. 3; *A Return of the Freeholders of New Zealand*, p. C 52.

⁴⁴² *Thames Advertiser*, 28 October 1882, p. 2.

⁴⁴³ Te Aroha Magistrate's Court, Register of Publicans' Licenses 1882-1892, Hot Springs Hotel, BBAV 11493/1a; Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 41/1883, BCDG 11221/1a, ANZ-A; *Waikato Times*, 26 October 1882, p. 2..

⁴⁴⁴ *Church Gazette*, January 1883, p. 6; *Waikato Times*, 19 May 1883, p. 2, 31 May 1883, p. 2.

⁴⁴⁵ Advertisement, *Waikato Times*, 8 March 1883, p. 1.

He retired to rest on the night in question between 12 and 1 a.m. Was the last up in the house. Before retiring, he extinguished all the lights and fires in the house. There were two fires kept going on the night preceding the fire, one in the private dining-room. Was awakened by his sister about 3 o'clock who sang out "fire." On getting up, found the roof of the old dining-room and his sister's bedroom in flames. Did not think there was then any possibility of saving the house. Was not aware of the cause of the fire, but supposed that to have originated with the chimney.⁴⁴⁶

Immediately afterwards, Coleman carried on business in a store on the opposite side of the road but then set up a bar in the old billiard room and had plans prepared for a new hotel.⁴⁴⁷ At the end of the month, full details of the new hotel were published. Of two storeys, and 60 feet by 40, the ground floor was divided into a bar, a bar parlour, a private parlour, a commercial room, a dining room, a kitchen, a servants' room, a pantry, and passages, while the first floor contained a large sitting room and 17 bedrooms. The width of the allotment would permit later extensions.⁴⁴⁸ He accepted a tender for £885 for its erection.⁴⁴⁹

In mid-July, contractors cleared away the debris left after the fire and promised to complete the hotel in ten weeks.⁴⁵⁰ Late in the month, the framework of the lower storey was levelled by a big gale, causing damage of £6 or £7.⁴⁵¹ The local newspaper considered it to be 'in every respect a creditable building to all concerned'. The ground floor contained a 'rather small' bar, a commercial room, a dining room, and kitchen, servants' room, and a temporary bathroom, Coleman planning to raise the roof of the kitchen and put in two large bedrooms and a bathroom on the floor above, which had 16 bedrooms and a 'very comfortable and commodious sitting-room. A balcony runs along two sides of the house, and is a most agreeable feature of the establishment. It commands a most extensive and magnificent view'. The 'excellent cellar' would keep its contents cool. 'The whole of the house is tastefully painted and papered, and the furniture will

⁴⁴⁶ *Waikato Times*, 31 May 1883, p. 4.

⁴⁴⁷ *Waikato Times*, 19 May 1883, p. 2, 22 May 1883, p. 2.

⁴⁴⁸ *Waikato Times*, 31 May 1883, p. 2.

⁴⁴⁹ *Thames Advertiser*, 25 June 1883, p. 2.

⁴⁵⁰ *Te Aroha News*, 14 July 1883, p. 2.

⁴⁵¹ *Waikato Times*, 26 July 1883, p. 2, 31 July 1883, p. 3; *Te Aroha News*, 28 July 1883, p. 2.

be new throughout'; it would be 'most comfortable', for 'neither pains nor expense have been spared'.⁴⁵² A local correspondent described it as 'second to none in the district'.⁴⁵³ Coleman 'wisely' delayed reopening until he was 'thoroughly prepared to do justice to his guests'.⁴⁵⁴ When it did reopen at the end of October, he celebrated with a free night.⁴⁵⁵ In December, he announced that he would increase the number of bedrooms and add a billiard room.⁴⁵⁶

In late April 1884, it was reported that, 'owing to the present depression in business, and the very heavy losses sustained by the destruction of the old hotel by fire', Coleman had 'decided to give up the business, and leave the district'.⁴⁵⁷ George Stewart O'Halloran, his predecessor,⁴⁵⁸ succeeded him.⁴⁵⁹ He did not leave the district immediately, in mid-July being granted the license for the Commercial Hotel at Waiorongomai.⁴⁶⁰ The following month, when it was being 'properly finished and furnished' in readiness for their taking it over, the *Te Aroha News* wrote that 'Mr and Miss Coleman have established a reputation for making their boarders and visitors comfortable'.⁴⁶¹ This license was abandoned in late November, and another publican took over the hotel.⁴⁶²

When giving up the Hot Springs Hotel, the local newspaper described Coleman as 'widely known and respected, and his many friends will much regret his going away'.⁴⁶³ When at Waiorongomai, a resident thanked him for assisting when his house burnt down.⁴⁶⁴ The Church of England journal

⁴⁵² *Te Aroha News*, 6 October 1883, p. 2.

⁴⁵³ *Te Aroha Correspondent*, *Waikato Times*, 26 April 1884, p. 2.

⁴⁵⁴ *Te Aroha News*, 6 October 1883, p. 2.

⁴⁵⁵ 'Te Aroha', *Observer*, 27 October 1883, p. 8; *Waikato Times*, 1 November 1883, p. 2.

⁴⁵⁶ *Te Aroha News*, 8 December 1883, p. 2.

⁴⁵⁷ *Te Aroha News*, 26 April 1884, p. 2; *Thames Advertiser*, 28 April 1884, p. 2.

⁴⁵⁸ See paper on his life.

⁴⁵⁹ *Te Aroha Magistrate's Court, Register of Publicans' Licenses 1882-1892*, Hot Springs Hotel, BBAV 11493/1a, ANZ-A.

⁴⁶⁰ *Te Aroha Magistrate's Court, Register of Publicans' Licenses 1882-1892*, Commercial Hotel, BBAV 11493/1a, ANZ-A; *Waikato Times*, 26 July 1884, p. 3.

⁴⁶¹ *Te Aroha News*, 9 August 1884, p. 2.

⁴⁶² *Te Aroha Magistrate's Court, Register of Publicans' Licenses 1882-1892*, Commercial Hotel, BBAV 11493/1a, ANZ-A; *Te Aroha News*, 20 December 1884, p. 2.

⁴⁶³ *Te Aroha News*, 26 April 1884, p. 2.

⁴⁶⁴ *Te Aroha News*, 1 November 1884, p. 2.

reported, in January 1883, that both the bishop and the clergyman who periodically visited had stayed at his hotel. 'The visiting clergyman is greatly indebted for the free hospitality he has received'.⁴⁶⁵ Subsequently Coleman was elected, twice, to the local vestry.⁴⁶⁶ What was unusual about this appointment was that although his mother was an 'Episcopalian' his father was a Catholic.⁴⁶⁷ His brother Bernard and other family members were also Catholic.⁴⁶⁸

In June 1883, when Te Kooti was staying with a local rangatira on his way to Ohinemuri, Coleman invited him to visit the township.⁴⁶⁹ When Te Kooti visited the hotel, 'a few white people went to Coleman's to see him, and some, but not many, drank with the visitor at his expense'.⁴⁷⁰

Coleman limited his investments in local mining to three claims, two of which became companies, and to two other companies, selling a few shares before being warned that the remainder would be forfeited if he did not pay a call.⁴⁷¹ He was a director of one of these companies.⁴⁷² He would not have received any financial benefit from these unsuccessful ventures, and nor did he receive much financial benefit from being a publican. He started the decade owning property worth £75 in Hamilton, and with William shared in the ownership of the family farm, valued at £1,800.⁴⁷³ He was already under some financial stress. In March 1880, he and Bernard were warned by a solicitor that they owed interest amounting to £9 6s 2d,

⁴⁶⁵ *Church Gazette*, January 1883, p. 6.

⁴⁶⁶ *Waikato Times*, 27 February 1883, p. 2; *Church Gazette*, April 1883, p. 37; *Te Aroha News*, 5 April 1884, p. 2.

⁴⁶⁷ Death Certificate of Peter Coleman, 29 September 1882, 1882/4215, BDM; *Waikato Times*, 3 October 1882, p. 2; advertisement, *Auckland Weekly News*, 26 February 1887, p. 22.

⁴⁶⁸ *Waikato Militia*, Fourth Regiment, Descriptive Long Roll Book, no. 426, Army Department, microfilm; *Waikato Times*, 3 October 1882, p. 2.

⁴⁶⁹ *Te Aroha News*, 23 June 1883, p. 3.

⁴⁷⁰ *Te Aroha News*, 30 June 1883, p. 2.

⁴⁷¹ Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folio 278, BBAV 11567/1a; Register of Licensed Holdings 1881-1887, folios 97, 118, BBAV 11500/9a, ANZ-A; *New Zealand Gazette*, 14 December 1882, p. 1885, 31 May 1883, p. 722, 6 September 1883, p. 1265, 18 October 1883, p. 1518; advertisement, *Te Aroha News*, 29 March 1884, p. 7.

⁴⁷² Company Files, BBAE 10286/12e, ANZ-A.

⁴⁷³ *A Return of the Freeholders of New Zealand*, p. C 52.

and that unless this amount was ‘paid and the Policy of insurance for £150 effected’ to the mortgagee ‘within one week from this date we will proceed to sue’.⁴⁷⁴ They did as required, but in August were warned that as £3 15s had been due ‘for some time and the neglect in payment of the same upon the due date causes us much inconvenience and trouble’ they must pay immediately.⁴⁷⁵ In May 1881, they were warned that they had failed to pay £15 off their mortgage two months previously and were threatened with legal action.⁴⁷⁶ The following year, Coleman had to be sued to obtain 9s 8d, calls in a Thames mining company.⁴⁷⁷

One reason for failing to make some payments on time was that others were slow to pay him, forcing Coleman to sue them.⁴⁷⁸ In September 1882, the night before he died, his father made a will leaving all his estate of £589 7s to him.⁴⁷⁹ Probably encouraged by this legacy, and certainly by Waiorongomai’s prospects, he took over the Hot Springs Hotel the following month. Lacking sufficient capital, in October 1882 he obtained a loan of £1,800 from Samuel Jagger, a partner in the Auckland brewery Hancock and Company;⁴⁸⁰ for security, he gave Jagger a mortgage over the hotel and its section, and Jagger retained an interest in the business.⁴⁸¹ In February 1883 he was warned that two quarters’ interest was owed on another mortgage on his Waikato property and unless £26 8s was paid he would be

⁴⁷⁴ Jackson and Russell to Bernard and John Coleman, 5 March 1880, Letterbook no. 19, p. 779, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁷⁵ Jackson and Russell to Bernard and John Coleman, 5 August 1880, Letterbook no. 20, p. 297, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁷⁶ Jackson and Russell to Bernard and John Coleman, 13 May 1881, Letterbook no. 22, p. 69, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁷⁷ Thames Magistrate’s Court, Complaint Book 1881-1884, 291/1882, BACL 13737/12a, ANZ-A.

⁴⁷⁸ Hamilton Magistrate’s Court, Distress Warrant Book 1880-1922, 4, 6-8, 12, 16/1880; 5/1881; 1, 2/1882; 7/1883, BCDG 11261/1a, ANZ-A.

⁴⁷⁹ Death Certificate of Peter Coleman, 29 September 1882, 1882/4215, BDM; Probates, BBAE 1568/1984; Testamentary Register 1876-1882, folio 179, BBCB 4208/1, ANZ-A.

⁴⁸⁰ See *Cyclopedia of New Zealand*, vol. 2, p. 333.

⁴⁸¹ John Coleman to Hancock and Co, 7 October 1884, Te Aroha Warden’s Court, Certified Instruments 1884, BBAV 11581/5a, ANZ-A; *Waikato Times*, 31 May 1883, p. 2.

sued; 'the interest must be kept paid up more punctually in future'.⁴⁸² In April he was sued to obtain payment of £30 and £10 14s 7d.⁴⁸³ The following month, he and his brother were told that yet another mortgagee refused to extend the time to pay the £300 he was owed on Waikato land. If not paid by 25 May, 'we shall then proceed to advertise your property for sale'.⁴⁸⁴ Before that date, his hotel was destroyed by fire. Although he managed to remove much of the furniture, '£400 worth of stock and furniture were destroyed. Upwards of £300 worth was in the cellar, but in the endeavour to save the effects from the burning house, this was not thought of until it was too late'.⁴⁸⁵ The building and some of the stock and furniture was insured in Jagger's name, and Coleman estimated his own loss at £1,500, only £700 of which was covered by insurance.⁴⁸⁶ At first he 'estimated his loss personally at over £700 in stock and depreciation of the value of the property and the business', later reducing this amount to 'about £500'.⁴⁸⁷

As warned, in June the Waikato mortgagee's solicitor advertised Coleman's allotments in Hamilton East for sale. 'We had no other course to pursue as you have been given every opportunity of paying the money due ... and have not done so'.⁴⁸⁸ Coleman immediately paid the amount owing and the sale was cancelled but he had to pay legal costs of £15 1s.⁴⁸⁹ One month later, he and William were required to pay interest of £26 8s within

⁴⁸² Jackson and Russell to John Coleman, 24 February 1883, Letterbook no. 25, p. 972, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁸³ Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 41, 42/1883, BCDG 11221/1a, ANZ-A.

⁴⁸⁴ Jackson and Russell to Bernard and John Coleman, 15 May 1883, Letterbook no. 26, p. 408, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁸⁵ *Waikato Times*, 19 May 1883, p. 2.

⁴⁸⁶ *Thames Advertiser*, 21 May 1883, p. 3, 24 May 1883, p. 2.

⁴⁸⁷ *Waikato Times*, 31 May 1883, p. 4; District Court, *Thames Advertiser*, 4 February 1885, p. 3.

⁴⁸⁸ Jackson and Russell to John Coleman, 7 June 1883, Letterbook no. 26, p. 541, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

⁴⁸⁹ Jackson and Russell to John Coleman, 22 June 1883, Letterbook no. 26, p. 638, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

a week, otherwise ‘we shall advertise your property for sale, without giving you any further notice’.⁴⁹⁰ Another month later he was warned that his Hamilton property would be sold if he was not paid.⁴⁹¹ In November, he took out another mortgage over the hotel, for £534, from Jagger.⁴⁹² Also in that month he and Bernard mortgaged another property to a building society, and, yet again, were hounded for £19 3s 10d, interest owing.⁴⁹³ As they delayed signing a new deed to this mortgagee, they were threatened with legal action again.⁴⁹⁴ Late in the month, he and William were warned that if they did not pay £52 10s due to one mortgagee, their property would be sold.⁴⁹⁵

In January 1884, Coleman was taken to court to make him pay two debts, one only 15s.⁴⁹⁶ Two months later, he was informed that, upon returning a promissory note for £38 4s 4d, his ‘matter’ with one of the mortgagees of his Waikato properties would be ‘considered settled’. The solicitor then warned: ‘If as you usually do you make any delay in attending to the business, it must take its course’.⁴⁹⁷ Also in March, he was ordered to

⁴⁹⁰ Jackson and Russell to John and William Coleman, 27 July 1883, Letterbook no. 27, p. 79, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

⁴⁹¹ Jackson and Russell to John Coleman, 28 August 1883, Letterbook no. 27, p. 210, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

⁴⁹² John Coleman to Hancock and Co, 7 October 1884, Te Aroha Warden’s Court, Certified Instruments 1884, BBAV 11581/5a, ANZ-A.

⁴⁹³ Jackson and Russell to Bernard and John Coleman, 7 November 1883, Letterbook no. 27, p. 545, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁹⁴ Jackson and Russell to John Coleman, 22 November 1883, Letterbook no. 27, p. 634, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁹⁵ Jackson and Russell to John and William Coleman, 26 November 1883, Letterbook no. 27, p. 638, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁴⁹⁶ Te Aroha Magistrate’s Court, Civil Record Book 1881-1884, 200/1883, 29/1884, BCDG 11221/1a, ANZ-A.

⁴⁹⁷ Jackson and Russell to John Coleman, 12 March 1884, Letterbook no. 27, p. 972, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

pay £5 in arrears of rent on a Te Aroha business site; when he did not, it was forfeited.⁴⁹⁸ He was also sued for £9 19s by an Auckland sharebroker and £46 5s 6d by a Thames merchant.⁴⁹⁹ He managed to sell one Waiorongomai allotment for £20 but the bailiff seized another under a warrant of distress.⁵⁰⁰ In April, a Thames blacksmith sued for £27.⁵⁰¹ Immediately afterwards, he sold another Waiorongomai allotment to his brother-in-law Isaac Coates for £20.⁵⁰² In July, because interest on its mortgage remained unpaid, a solicitor threatened to sell the family farm.⁵⁰³ Although Coleman sent £35 two weeks later, he was told it was advertised for sale and would 'not be withdrawn'.⁵⁰⁴ It was indeed advertised;⁵⁰⁵ but whether the sale went ahead was not recorded in the press, and one of the brothers was still living on it in the following year.⁵⁰⁶ He was also told that as the promissory note had not been paid and no reply had been received to a request to pay it he must reply at once or suffer legal action.⁵⁰⁷ As there was no further correspondence, it must be assumed that the money was paid. In October, to repay the mortgage, he transferred the hotel and

⁴⁹⁸ Te Aroha Magistrate's Court, Plaint Book 1880-1898, 1/1884, BBAV 11546/1a; Letterbook 1883-1900, p. 34, BBAV 11534/1a, ANZ-A.

⁴⁹⁹ Thames Magistrate's Court, Plaint Book 1881-1884, 50, 66/1884, BACL 13737/12a, ANZ-A.

⁵⁰⁰ John Coleman to George Robson, 11 March 1884; Memorandum by Bailiff, 20 March 1884, Te Aroha Warden's Court, Certified Instruments 1884, BBAV 11581/5a, ANZ-A.

⁵⁰¹ Thames Magistrate's Court, Plaint Book 1884-1888, 100/1884, BACL 13737/13a, ANZ-A.

⁵⁰² John Coleman to Isaac Coates, 4 April 1884, Te Aroha Warden's Court, Certified Instruments 1884, BBAV 11581/5a, ANZ-A.

⁵⁰³ Jackson and Russell to John Coleman, 4 July 1884, Letterbook no. 28, p. 421, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁵⁰⁴ Jackson and Russell to John Coleman, 28 July 1884, Letterbook no. 28, p. 540, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

⁵⁰⁵ Advertisement, *Waikato Times*, 26 July 1884, p. 3.

⁵⁰⁶ *Waikato Times*, 9 July 1885, p. 2.

⁵⁰⁷ Jackson and Russell to John Coleman, 29 July 1884, Letterbook no. 28, p. 545, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Library.

section to Jagger.⁵⁰⁸ The following month, a Thames plumber sued for a dishonoured cheque for £8 18s.⁵⁰⁹ In mid-December, he gave up the Commercial Hotel, left the district, and filed as bankrupt.⁵¹⁰

The following February, Coleman told the court that his liabilities were £360 and his assets £100.⁵¹¹ The judge recorded his statement:

I was 2 yrs ago a member of the firm Coleman Bros butchers at Hamilton & sold goodwill to Beecham Bros and went to Te Aroha. The price was £470 not paid in cash.

I then kept the Hot Spring Hotel Te Aroha belonging to Mr Jagger.

On receipt of money from Beecham I was to put the money into the hotel –

I had an interest in a farm in Waikato over which I gave Jagger security.

I carried on business for abt 7 mos at the hotel –

Then Beecham failed & I lost the whole of the purchase money of the butchering business.

Abt 3 weeks after this the hotel was destroyed by fire –

I lost ab £500 by that over the insurance for which I am responsible to Jagger – I was quite solvent up to the time of these losses –

Jagger & Co rebuilt the hotel I went into it again

The pressure of my Creditors obliged me to file

One obtained a judgt order against me –

Jagger kept the hotel. I was 13 weeks as servant of Mr Jagger in another hotel at Waiorongomai

Since then I have been unable to obtain employt

My liabilities are abt £300 and my assets abt £100 –

I have given up all my ppty

I attribute my loss to the failure of Beecham and to the fire.

To the blacksmith he owed £27 for providing a range for the hotel; when he had ordered this there was no bill of sale over his property, but then he ‘gave this bill to Jagger’ two months later, in December 1883. He

⁵⁰⁸ John Coleman to Hancock and Co, 7 October 1884, Te Aroha Warden’s Court, Certified Instruments 1884, BBAV 11581/5a, ANZ-A.

⁵⁰⁹ Te Aroha Magistrate’s Court, Complaint Book 1884-1888, 467/1884, BACL 13737/13a, ANZ-A.

⁵¹⁰ *Thames Star*, 17 December 1884, p. 3; *Te Aroha News*, 20 December 1884, pp. 2, 7.

⁵¹¹ District Court, *Thames Advertiser*, 4 February 1885, p. 3.

told the judge: 'I was obliged to do so or he wd have stopped supply of spirits'. His 'liabilities at that time were light'.⁵¹²

The press report of his statement explained that he had taken the Hot Springs Hotel 'on the usual terms', meaning with a 'mortgage for advances' from Jagger. He had been forced to leave the Commercial Hotel 'in consequence of the pressure of his old creditors'. After working for Jagger in the Waiorongomai hotel he 'was now out of employment'. The court ordered his discharge at the next sitting.⁵¹³ As no creditors opposed his discharge and the assignee was 'satisfied', his discharge was granted but suspended until he paid costs.⁵¹⁴

In May 1888, the *Te Aroha News* reported that Coleman, who had left Waikato for the Kimberley rush in Western Australia, 'had met with a slice of good luck'. He had written to his family that, with another man, he had 'discovered a rich gold-gearing reef in a place called Golden Gully, not far from Perth'.⁵¹⁵ In 1895, he briefly revisited Hamilton before returning to Coolgardie. Having been on the Western Australian goldfields 'for some years', he spoke 'most favourably' of the 'immense goldfield' at Coolgardie, which he expected to 'fully equal the wealth of the Victorian goldfields in the fifties'.⁵¹⁶ Late that year, he was elected a town councillor at Esperance, Western Australia, with a large majority.⁵¹⁷ In 1898, after he retired as manager of the Esperance brewery, he purchased two shops along with the Esperance Hotel, and also resigned from the council.⁵¹⁸ In 1904, the *Observer* wrote that he was 'reported to have amassed a fortune in the Golden West'.⁵¹⁹

In 1934, when he died in Tully, a town south of Cairns, Queensland, the *Cairns Post* described him as 'a northern pioneer' and 'a well-known Northern identity' who 'during his life had visited many mining fields in

⁵¹² District Court, Note Book of Bankruptcy Cases 1885-1887, hearing of 3 February 1885, BACL 14415/1a, ANZ-A.

⁵¹³ District Court, *Thames Advertiser*, 4 February 1885, p. 3.

⁵¹⁴ District Court, Bankruptcy Cases 1885-1887, Judge's Notes for Hearing of 21 April 1885, BACL 14415/1a, ANZ-A; District Court, *Thames Advertiser*, 22 April 1885, p. 3.

⁵¹⁵ *Te Aroha News*, 5 May 1888, p. 2.

⁵¹⁶ *Auckland Weekly News*, 20 April 1895, p. 28.

⁵¹⁷ *Waikato Times*, 14 December 1895, p. 6.

⁵¹⁸ *Western Mail*, 25 February 1898; *Albany Advertiser*, 9 June 1898.

⁵¹⁹ *Observer*, 6 August 1904, p. 4.

Australia and New Zealand'.⁵²⁰ Possibly in late 1910 and certainly in early 1911 he was prospecting at the Tanami goldfield, in the Northern Territory.⁵²¹ In June 1911, when he had returned to Sydney, he told a newspaper that during his visit 'he had seen a good deal of the country' around Tanami. Although only ten miners remained there, Coleman blamed this on the adverse report of a mining expert. 'Mr Coleman, who is an experienced mining man, holds the belief that there is still a big future before the field', although it required plenty of capital. 'But he thinks it surprising that men should rush away to an arid spot like Tanami, when there are so many fine-looking mineral belts nearer at hand in the Territory, which give every indication that they would repay systematic prospecting'.⁵²² An obituary mistakenly claimed he and two other prospectors had 'located' the Tanami goldfield, then 'being compelled to vacate the field after a period of privation'.⁵²³ In fact, this field had been discovered in the 1890s if not earlier.⁵²⁴

In November 1920, when living in Sydney, a newspaper reported that he had 'returned from a tour of ex-German New Guinea, where he led a small party in search of gold'. He had followed the Waira River from the coast to the mountains, finding 'some fine gold along the river valley, but nothing to warrant a rush'.⁵²⁵ In July 1926 he wrote (from Tully) to the press in response to a report about a new gold find in the 'New Guinea Mandated Territory', giving advice to those interested in venturing there and revealing the conditions under which he had laboured there six years previously, when aged 70:

I was prospecting on the Waira River in 1920, and native boys informed me that there was plenty of gold over the Bismarck Range. These boys had worked on various alluvial fields in Papua in the early days, so knew what they were talking about.

The country was in a very unsettled state – the Australians taking the Administration over from the Germans – and I was advised by the Administration at Rabaul not to venture so far inland.... Any

⁵²⁰ *Cairns Post*, 18 February 1911 [all extracts from this newspaper provided by Barbara Hay: Barbara Hay to Philip Hart, 31 July 2018, email].

⁵²¹ *Cairns Post*, 18 February 1911.

⁵²² *Sydney Morning Herald*, 8 June 1911.

⁵²³ *Cairns Post*, 18 June 1934.

⁵²⁴ *Worker* [Brisbane], 7 February 1934, p. 20.

⁵²⁵ *Barrier Miner* (Broken Hill), 15 November 1920.

miner contemplating a visit should book direct to Rabaul, and then get a small boat to land them on the coast, five or six days' journey to the field. The distance is only about 30 miles, but until one has had a trial of travelling that broken rugged country he has no idea of the almost unsurmountable difficulties.

When the coast is left behind, there is no danger of fever, and from a health point of view, the altitude of the field makes it ideal. During my sojourn on the Waira, I never once used my mosquito net....

There is no shortage of water, the giant mountains are gashed by streaming creeks on all sides, so the difficulties of Coolgardie, Kimberley and Tunami are non-existent. Although most of the food supplies must be man-handled from the coast up the almost impassable track, there are wild pigs and wallabies to be shot, and from the native villages sweet potatoes, etc, may be procured. The sweet "buck"⁵²⁶ grows almost wild.⁵²⁷

In September, a journalist interviewed Coleman about the latest gold discoveries in New Guinea, reported that he 'was in the vicinity of the present "finds" in 1920' and, in addition, had 'been at the Milne Bay Rush, the Giera Rush, and the Yodder Rush'. When in New Guinea in 1920 he had been advised by the Administrator and two Lutheran missionaries about how to find his way to the goldfield. As it was a hundred-mile trip up the Waira River, carriers, known as 'boys', were essential, and he 'emphatically' stated 'that he experienced no trouble in procuring these'.

Every village visited and there were quite a number along the 100-mile route, supplied "boys." The villages were between eight and ten miles apart, and the Head Boys of each village procured the number required. The carriers would only go from one village to another, but not past it; so it was necessary to procure fresh carriers at every village. They were paid in kind. They particularly liked tobacco and salt.

He went to the head of the Waira River, near the Giera goldfield, and 'having gained the necessary information and found out what he could', he 'retraced his steps and arrived back at Marobe with as much ease as on the outward trip'. There the officer-in-charge asked him to describe the country, and Coleman advised another man 'about to start on a prospecting expedition'. Asked to lead a party up the Twatta River to find an allegedly 'very promising spot', he declined because 'the interior was still in an

⁵²⁶ Clearly an edible plant, but not traced.

⁵²⁷ Letter from John Coleman, *Cairns Post*, 2 July 1926.

unsettled state, particularly so soon after the [First World] war. In addition he required rest. Mr Coleman adds that he now regrets his negative decision'. As for the climate, he stated 'that his health there was as good, if not better, than it was in the early days of the Western Australian gold rushes. He had not had to endure the hardships and privations he experienced at Kimberley'. Compared to prospecting in Australia, there was 'an abundant supply of water, sweet potatoes grow almost wild, wild pigs are plentiful, and there is an abundance of game'. As well, 'a prospector does not need a great amount of money, sufficient to set himself up, for the natives have no use for the money'.⁵²⁸

Whatever money he made from mining had not provided him with a comfortable retirement, for when he died aged 84 it was noted that 'of recent years' he had 'conducted a bookstall at the Tully railway station'.⁵²⁹

Whilst living in the Te Aroha district, Coleman, like all publicans, supported horse racing and sports. In 1883 he was elected to the committee of the Jockey Club.⁵³⁰ The following year, he was on its 'working committee' as well as acting as a steward.⁵³¹ He owned a horse that participated in steeplechase races.⁵³² In 1883, he sold tickets in the 'Waikato Company Consultation' on the Melbourne Cup.⁵³³ Before moving to Te Aroha, he had helped organize Boxing Day sports at Hamilton East.⁵³⁴ In December 1883, Coleman lost a 100-yard race with an Auckland visitor by about a yard. 'The boniface was by no means satisfied, and another race was arranged, which crowned the local ped with the laurels of victory. A good many sovereigns changed hands on the event'.⁵³⁵ Shortly afterwards, he was a member of the committee organizing Boxing Day sports at Te Aroha and New Year's Day sports at Waihou.⁵³⁶ One year later, in the annual sports he

⁵²⁸ *Cairns Post*, 22 September 1926.

⁵²⁹ *Cairns Post*, 18 June 1934.

⁵³⁰ *Thames Advertiser*, 12 February 1883, p. 2; *Te Aroha News*, 8 September 1883, p. 2.

⁵³¹ *Te Aroha News*, 22 November 1884, p. 2.

⁵³² *Te Aroha News*, 20 October 1883, p. 2.

⁵³³ *Te Aroha News*, 1 September 1883, p. 3.

⁵³⁴ *Waikato Times*, 3 December 1881, p. 3.

⁵³⁵ *Te Aroha News*, 8 December 1883, p. 2.

⁵³⁶ *Te Aroha News*, 15 December 1883, pp. 2, 7.

won footraces and Bernard successfully participated in several events.⁵³⁷ He also played cricket for the Te Aroha team.⁵³⁸

If his death certificate recorded the correct details, **Arthur Downes'** wife died almost immediately after they married in England, when he was 28.⁵³⁹ Subsequently he migrated to New Zealand and in 1884 managed a Waitoa farm and then purchased the Wairakau farm, a short distance upstream of Waiorongomai, before selling it in May 1886.⁵⁴⁰ The following month, **Emily Jex**, formerly 'connected with' two Napier and two Auckland hotels and other unspecified ones, including one in Thames,⁵⁴¹ was granted a temporary license for the Club Hotel at Te Aroha. Two members of the licensing committee opposed her receiving a license because it was inappropriate for a single woman to run a hotel.⁵⁴² This was a common prejudice shared, for instance, by the Thames licensing committee.⁵⁴³ A visiting reporter considered it 'a most convenient and well appointed house' and described her as 'a lady whose business tact and agreeable manner will no doubt ensure for her a great share of the public patronage'.⁵⁴⁴ Five months after being granted the license, 'Miss Jex, the popular hostess', married Downes. Both were aged 33, and her surname was recorded as Hunter because she was the daughter of George Hunter, a soldier, and Ann Jex, and the adopted daughter of her grandfather, a surgeon.⁵⁴⁵ Within a month of their wedding, the license was transferred to her husband.⁵⁴⁶ They were effective partners in the business: he was praised for running it well and she controlled the 'domestic management' and was 'a caterer of the first

⁵³⁷ *Te Aroha News*, 27 December 1884, p. 2; *Waikato Times*, 30 December 1884, p. 2.

⁵³⁸ *Te Aroha News*, 26 January 1884, p. 7, 23 February 1884, p. 2.

⁵³⁹ Death Certificate of Arthur Downes, 30 April 1931, 1931/3793; Marriage Certificate of Arthur Downes, 3 November 1886, 1886/2716, BDM.

⁵⁴⁰ *Te Aroha News*, 19 January 1884, p. 2, 20 September 1884, p. 2, 27 September 1884, p. 2, 10 April 1886, p. 2, 17 April 1886, p. 2, 29 May 1886, p. 2.

⁵⁴¹ *Te Aroha News*, 5 June 1886, p. 2; *Thames Advertiser*, 24 April 1888, p. 2.

⁵⁴² Licensing Committee, *Te Aroha News*, 12 June 1886, p. 2.

⁵⁴³ Rosemary Killip, *To Find a Fortune: Women on the Thames goldfield 1867-1893* (Wellington, 1995), pp. 68-69.

⁵⁴⁴ Travelling Correspondent, 'Te Aroha Notes', *Thames Advertiser*, 2 August 1886, p. 2.

⁵⁴⁵ Marriage Certificate of Arthur Downes, 3 November 1886, 1886/2716, BDM; *Te Aroha News*, 6 November 1886, p. 2, 13 November 1886, p. 2. Marriage Notice, *Auckland Weekly News*, 13 November 1886, p. 1.

⁵⁴⁶ Te Aroha Licensing Committee, *Waikato Times*, 7 December 1886, p. 3.

water'.⁵⁴⁷ In late 1892, when the license was in Emily's name, possibly because her husband was in hospital, it was transferred to another publican, and they left the district to run first the Club and then Masonic hotels in Wellington, which were held in her name.⁵⁴⁸ Her husband may have assisted to operate the hotels, but the only reference to him in the press when in Wellington was when his pocket was picked in Courtney Place.⁵⁴⁹ In 1897 Emily left the Masonic Hotel to run the Albion Club Hotel in Gisborne.⁵⁵⁰ During her years in charge of this hotel until she transferred the license to another publican in 1900 she was fined £2 because a barmaid served men who were not *bona fide* travellers on a Sunday. Emily was out for her regular Sunday drive at the time and, the prosecuting constable admitted, had 'conducted the hotel very well as far as he knew', but the magistrate ruled that 'though of course there was nothing against Mrs Downes personally the license would have to be endorsed' because insufficient enquiry had not been made about whether the men were indeed travellers.⁵⁵¹ When she died in 1918 in Wellington her address was the Waitangi boarding house,⁵⁵² but whether she operated it is not known.

While they lived in Te Aroha, Emily and Arthur had three children, and another daughter was born after their departure.⁵⁵³ Their married life had its strains. In January 1887, just after their marriage, he was sued in Auckland because he 'had stopped cheques in respect of money he had lost at gambling, believing that he had been hocussed' [hoaxed].⁵⁵⁴ The holders of the cheques 'evidently thought better of it, as they did not appear' in

⁵⁴⁷ *Thames Advertiser*, 24 April 1888, p. 2, 17 October 1891, p. 2.

⁵⁴⁸ *Ohinemuri Gazette*, 25 June 1892, p. 5, 17 July 1892, p. 7; *Thames Advertiser*, 8 September 1892, p. 2; *Observer*, 'Te Aroha', 26 October 1895, p. 21, 28 March 1896, p. 3; *New Zealand Times*, 3 June 1896, p. 3, 17 June 1896, p. 2, 5 May 1897, p. 3, 5 June 1897, p. 3; *Evening Post*, 11 November 1896, p. 8, 5 December 1896, p. 6, 11 May 1897, p. 6.

⁵⁴⁹ *Evening Post*, 11 May 1897, p. 6, 22 May 1897, p. 4.

⁵⁵⁰ *New Zealand Times*, 5 October 1897, p. 2; *Evening Post*, 3 December 1897, p. 6; *Poverty Bay Herald*, 18 December 1897, p. 3, 7 May 1898, p. 3.

⁵⁵¹ *Poverty Bay Herald*, 8 July 1898, p. 3, advertisement, 5 February 1900, p. 3.

⁵⁵² *New Zealand Times*, 31 July 1918, p. 4.

⁵⁵³ Birth Certificates of Ethel Muriel Downes, 17 August 1887, 1887/5504; Arthur George Downes, 26 October 1888, 1888/7746; Florence Eva Downes, 16 February 1890, 1890/1843; Dorothy Emily Downes, 1896/13403; Death Certificate of Arthur Downes, 30 April 1931, 1931/3792, BDM.

⁵⁵⁴ Partridge, p. 557.

court.⁵⁵⁵ More serious was Emily charging him in mid-1892 with habitual drunkenness. She sought the protection of her property, and as Downes did not appear, being in hospital, her property and earnings were protected from Downes and his creditors and she was given exclusive custody of her children.⁵⁵⁶ It must be assumed that he changed his ways because they stayed together, having one more child; his children recalled him as being the 'beloved husband' of Emily.⁵⁵⁷

Emily died in 1918, leaving an estate estimated to be worth under £2,400; when Downes died in 1931 his occupation was given as 'farmer'.⁵⁵⁸

William Henry Knock was born in Norfolk, England, in 1849.⁵⁵⁹ On his death certificate his father was recorded as a 'Minister', but in fact he was an agricultural labourer. Before coming to New Zealand, Knock had married in 1885, but nothing is known of this marriage apart from no children being born.⁵⁶⁰ In 1891, when running a hotel at Poroti, near Whangarei, he married Margaret Woodhouse.⁵⁶¹ Although he was an Anglican, his wife was an Irish Catholic, and their only child, a daughter, was baptized as a Catholic.⁵⁶²

In February 1892, Knock bought the Hot Springs Hotel.⁵⁶³ After one year he sold it.⁵⁶⁴ During the subsequent year, he was landlord of two

⁵⁵⁵ Te Aroha Magistrate's Court, Civil Record Book 1884-1889, 7/1887, BCDG 11221/1b, ANZ-A; *Thames Advertiser*, 15 January 1887, p. 2.

⁵⁵⁶ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 13/1892, BCDG 11220/1a, ANZ-A; *Ohinemuri Gazette*, 25 June 1892, p. 5.

⁵⁵⁷ Death Notice of Arthur Downes, *New Zealand Herald*, 1 May 1931, p. 1.

⁵⁵⁸ Death Notice, *Evening Post*, 1 August 1918, p. 1; Probates, AAOM 6029, 1918/24190, ANZ-W; Death Certificate of Arthur Downes, 30 April 1931, 1931/3793, BDM.

⁵⁵⁹ Birth Certificate of Anna Knock, 21 May 1892, 1892/9617, BDM; Ancestry.co.uk.

⁵⁶⁰ Death Certificate of William Henry Knock, 24 March 1927, 1927/368, BDM; Ancestry.co.uk.

⁵⁶¹ Marriage Certificate of William Henry Knock, 3 January 1891, 1891/37, BDM; *The Mercantile and Bankruptcy Gazette*, 5 March 1891, p. 50.

⁵⁶² Birth Certificate of Anna Knock, 21 May 1892, 1892/9615; Death Certificates of William Henry Knock, 24 March 1927, 1927/368; Margaret Knock, 28 July 1942, 1942/25309, BDM; Probate of Margaret Knock, Probates, BBAE 1570. 791/42, ANZ-A; Te Aroha Catholic Church, Register of Baptisms 1884-1949, no. 144, Catholic Archives, Auckland.

⁵⁶³ *Waikato Times*, 1 March 1892, p. 2.

⁵⁶⁴ *Thames Advertiser*, 11 May 1893, p. 2.

Auckland hotels.⁵⁶⁵ In June 1894, when he repurchased the Hot Springs Hotel, a local correspondent described him and his wife as having been ‘well liked by the visitors’.⁵⁶⁶ Knock considered his name so enticing that he informed the Auckland press that he had ‘re-taken’ the hotel.⁵⁶⁷ In November 1897 a fire was detected in the kitchen at about half past three in the morning, but, ‘there being no appliances to quell the fire, the building was soon in a blaze’. All the ‘large number of boarders’ escaped, all losing some of their possessions. The building was owned by a brewery which had fully insured it, but Knock ‘was not insured, and his loss is heavy’; all his belongings had been burnt.⁵⁶⁸ He immediately erected temporary premises on the site and tried to operate as normal.⁵⁶⁹

In October 1898, a Hamilton newspaper enthused over photographs of the newly rebuilt hotel. ‘As the internal arrangements are as complete and well arranged as the exterior is handsome and striking, patrons may rely on obtaining every comfort and convenience’. It had been designed

on the latest and most approved principles. Pending the establishment of the borough water supply, a temporary system has been instituted, the water being drawn from the creek. Every attention has been paid to sanitation, the drainage system – leading straight to the river – being quite equal to that of any city hotel, and the numerous lavatories, bars, and other conveniences have a copious supply of water laid on.

A high-pressure boiler in the kitchen supplied hot water to the bathrooms. The 40 bedrooms were ‘all large, airy, and tastefully furnished’, and ‘so arranged that four suites of rooms can be obtained in the best part of the building, if required. The property adjoins the Domain, into which there is a private entrance’, an important advantage to invalids.⁵⁷⁰ In 1902, it was described as

a large two-storey building, with a verandah and balcony on two sides. It has sixty rooms, forty of which are bedrooms, and there are five sitting rooms, exclusive of the bar parlours. The dining

⁵⁶⁵ *Mercantile and Bankruptcy Gazette*, 3 August 1893, p. 283, 23 November 1893, p. 472.

⁵⁶⁶ Te Aroha Correspondent, *Auckland Weekly News*, 16 June 1894, p. 22.

⁵⁶⁷ *Observer*, 27 October 1894, p. 9.

⁵⁶⁸ *Waikato Argus*, 23 November 1897, p. 2; *Ohinemuri Gazette*, 23 November 1897, p. 2.

⁵⁶⁹ *Ohinemuri Gazette*, 27 November 1897, p. 2.

⁵⁷⁰ *Waikato Argus*, 25 October 1898, p. 2.

room has seating accommodation for one hundred guests, and there is a large billiard room.⁵⁷¹

In December 1901, he sold the hotel to Ralph Lake Somers,⁵⁷² whose career is outlined below.

In 1898, a Hamilton newspaper described Knock and his wife as ‘well-known in the district, having made themselves popular with the travelling public’.⁵⁷³ The local newspaper, in describing the newly completed hotel, added that, ‘as is well known’, Knock and his wife were ‘second to none in the colony in the hotel keeping business’.⁵⁷⁴ Despite this praise, in late 1900 he was charged with breaches of the Licensing Act, to which he pleaded not guilty;⁵⁷⁵ because of incomplete court records and the loss of the local newspaper the nature of this offence and the outcome are not known. In January 1901, the *Observer* scolded him under the headline ‘A Nasty Knock’:

W.H. KNOCK, who describes himself on his letter-paper as the proprietor of the Hot Springs Hotel, Te Aroha, forwards us an account of what he calls “a rather amusing incident” which he says happened at his hotel during the holidays. He states that two young gentlemen of the “smart” persuasion [‘a very elegant young man about town’],⁵⁷⁶ whom he names, arrived there with their lady friends, evidently with the intention of having a good time, on the cheap if possible, but at any rate a good time. This by way of preamble. Let us interpolate, however, that the young people did not know Mr Knock if they thought they were going to have their good time on the cheap, while their innocent delusion that they were going to have a good time at all evidently indicates a want of knowledge of their host.

“The first move of the group,” proceeds Mr Knock, “was a progressive euchre party, but evidently owing to want of funds the arrangements did not work very smoothly, as after a light supper was thought of the idea had to be abandoned for something less gorgeous, and it was proposed to get ginger pop from a lemonade factory to help make things lively. They had no

⁵⁷¹ *Cyclopedia of New Zealand*, vol. 2, p. 831.

⁵⁷² *Observer*, 14 December 1901, p. 4.

⁵⁷³ *Waikato Argus*, 25 October 1898, p. 2.

⁵⁷⁴ *Te Aroha News*, 28 July 1898, p. 2.

⁵⁷⁵ Te Aroha Magistrate’s Court, Criminal Record Book 1896-1907, 47, 50/1900, BCDG 11220/1b, ANZ-A.

⁵⁷⁶ Partridge, p. 1094.

idea of paying the proprietor of the hotel 6d for such a luxury, and kicked on 3d corkage. The upshot of the matter was that they were requested to go to fresh fields and pastures new, or in other words clear out, which they eventually did, after requesting an apology for their treatment. The proprietor considers this explanation an ample apology.

We make no comment upon the bad taste of Mr Knock in writing stories to this or any other newspaper for the purpose of belittling guests who had stayed at his hotel. Neither have we anything to say about the vulgar suggestiveness of his coarse joke about "two young gentlemen bringing their lady friends there for the purpose of having a good time." But we have something to say about Mr Knock's consummate impudence in endeavouring to make use of the OBSERVER as a means of gratifying his spite against these young people.

His 'miserable and insulting paragraph' had 'made himself more offensive to the OBSERVER than to his recent lodgers', for it was not 'a whip to be used by anyone with a grievance on the backs of those who have annoyed him'.

We have gone to some trouble to investigate the facts of this alleged "amusing incident," and they are not in any way calculated to encourage other young people to use Mr Knock's hotel as a holiday resort. Whatever the fault of the young people, Mr Knock's behaviour in ordering them out of his house was high-handed, boorish and unwarrantable. After a progressive euchre party, at which they had entertained some friends, they refreshed these friends in their own rooms with cake and lemonade, which latter was not bought in the hotel because the proprietor wished to charge 6d per bottle.

The proceeding was unusual, but nevertheless was within the boarders' rights. Had they entertained their guests with beer or whisky not purchased at the hotel, the position would have been different, seeing that the proprietor pays a license fee for the sale of these liquors. But, as Mr Knock himself says, the refreshment was lemonade. Next day, because of certain treatment which they resented, the ladies of the party wrote to Mr Knock demanding an apology. Be it remembered that they are all highly respectable young people, and the daughters of estimable citizens. But mark Mr Knock's treatment of the ladies. According to his own statement, they were promptly ordered out of the house....

His action in ordering these girls to clear out of his house was an indefensible breach of the Licensing Act, and one of which the police ought to take cognizance. As it happened, the young ladies could not get accommodation at either of the other hotels, and it

was only as a matter of favour that they were taken into a private house....

Mr Knock having specially desired that we should give publicity to "the amusing incident," we have obliged him, but we must confess that we are still at a loss to see the humour of the joke. It may be fun to a publican like Mr Knock to insult young and unprotected girls, who have gone to his hotel to spend their holidays, and to peremptorily order them out of his house, but the point of the joke is lost upon us. And if this is Mr Knock's usual method of having fun, and if he is in the habit of behaving to his guests in this way on mild provocation, we shall not be surprised if his hotel is carefully avoided by holiday seekers at Te Aroha – and especially those of the gentler sex.⁵⁷⁷

Perhaps this expose was one reason why Knock sold his hotel at the end of this year.

A bill of sale over its furniture and effects was arranged in mid-1894 by the brewery owning the hotel to ensure repayment of £250.⁵⁷⁸ His bank manager described Knock as a 'fair risk' by in 1897 and 1898.⁵⁷⁹ A month after the second evaluation, a bill of sale was prepared over newly purchased furniture; it required him to pay £15 per month, and charged interest of eight per cent.⁵⁸⁰ In the late 1890s, Knock was a partner with Percy Snewin⁵⁸¹ in P. Snewin and Co., timber merchants.⁵⁸² 'Their means are small', their bank manager noted,⁵⁸³ and they do not seem to be very successful;⁵⁸⁴ the business folded after Snewin left the colony in early 1899.⁵⁸⁵ Knock was on a works committee of one Stoney Creek syndicate,

⁵⁷⁷ *Observer*, 19 January 1901, p. 2.

⁵⁷⁸ *Mercantile and Bankruptcy Gazette*, 5 July 1894, p. 307.

⁵⁷⁹ Bank of New Zealand, Paeroa Branch, Balance Books, Balances as at 30 September 1897, 30 September 1898, Securities, Bank of New Zealand Archives, Wellington.

⁵⁸⁰ Jackson and Russell to W.H. Knock, 23 October 1898, Letterbook no. 70, p. 854, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

⁵⁸¹ See papers on Edward Gallagher and James Mills.

⁵⁸² Advertisement, *Te Aroha Times and Waiorongomai Advocate*, 3 November 1897, p. 2.

⁵⁸³ National Bank, Paeroa Branch, Inspection Reports, entry for 16 December 1898, National Bank Archives, Wellington.

⁵⁸⁴ For example, Piako County Council, *Waikato Argus*, 13 September 1898, p. 3.

⁵⁸⁵ Bank of New Zealand, Paeroa Branch, Balances Books, Balance as at 31 March 1899, Accounts Closed, Bank of New Zealand Archives, Wellington.

treasurer of another, and invested in one company working in that area;⁵⁸⁶ this involvement cannot have produced any reward. On his death in 1927 his estate was sworn as worth less than £270.⁵⁸⁷

A correspondent reporting his departure from the district at the end of 1901 wrote that he and his wife had ‘made many friends, and their departure from our midst will be missed in more ways than one’.⁵⁸⁸ Immediately afterwards he became a publican at Hamilton.⁵⁸⁹ By 1909, he was a wine and spirit merchant in Auckland, and remained one until his death.⁵⁹⁰

Knock had the traditional publican’s involvement in sport and horse racing, although his support for sport was limited to being one of the many vice-presidents of the football club.⁵⁹¹ He was on the committee of the Jockey Club and acted as a steward.⁵⁹² His real enthusiasm was for rifle shooting and the Volunteers. During his first year at Te Aroha he organized a ‘sparrow match’ (which killed only two sparrows) and a pigeon match.⁵⁹³ In 1896, he presented the Te Aroha Rifles ‘with a handsome silver-mounted belt for shooting competition’ which became known as the Knock Belt.⁵⁹⁴ As it was not allowed to remain anyone’s property no matter how many times it was won, two years later he provided a ‘very handsome gold medal’ to be presented to anyone winning the belt more than once.⁵⁹⁵ In May 1900, he enrolled as Sergeant Major in the newly formed Te Aroha Mounted Rifles, and five months later was in charge of arranging a camp of the Piako

⁵⁸⁶ *Te Aroha News*, 15 June 1895, p. 2, 31 August 1895, p. 2; *New Zealand Gazette*, 6 May 1897, p. 1036.

⁵⁸⁷ Probates, BBAE 1570, 300/27, ANZ-A.

⁵⁸⁸ Paeroa Correspondent, *Thames Star*, 5 December 1901, p. 4.

⁵⁸⁹ Paeroa Warden’s Court, Register of Te Aroha Mining Privileges 1899-1913, folio 89, ZAAP 11500/10a, ANZ-A; *New Zealand Police Gazette*, 12 July 1905, p. 244.

⁵⁹⁰ Company Files, BADZ 5181, box 248 no. 1455; Probates, BBAE 1569/8795; 1570, 300/27, ANZ-A.

⁵⁹¹ *Thames Advertiser*, 1 April 1896, p. 2.

⁵⁹² *Ohinemuri Gazette*, 23 January 1897, p. 4, 4 December 1897, p. 2.

⁵⁹³ *Auckland Weekly News*, Te Aroha Correspondent, 20 August 1892, p. 23, 3 September 1892, p. 10.

⁵⁹⁴ *Auckland Weekly News*, 7 March 1896, p. 23; *Ohinemuri Gazette*, 8 May 1897, p. 5.

⁵⁹⁵ *Te Aroha News*, 24 May 1898, p. 2; *Auckland Weekly News*, 28 May 1898, p. 36.

Mounted Rifles, as they became known.⁵⁹⁶ When he left the district, a correspondent wrote that he had taken ‘a keen interest in the welfare of the Company, and considered nothing too great a sacrifice that was for the betterment of the corps’.⁵⁹⁷ He transferred to the Auckland Mounted Rifles.⁵⁹⁸

Knock was public spirited in a variety of ways. In 1897 he was on the committee of a medical association attempting to attract a doctor to settle.⁵⁹⁹ The following year, as his hobby was gardening and he was a member of the domain board, he supervised the pruning of the domain’s willows.⁶⁰⁰ In 1900, he chaired a meeting to organize a school excursion, and was appointed treasurer for it.⁶⁰¹

Knock came bottom of the poll in July 1895 in his first attempt to be elected to the town board.⁶⁰² In his second attempt, in the following year, he received 70 votes, the third highest score; the highest was 81.⁶⁰³ In July 1898, he came bottom of the poll for the new borough council, with 48 votes compared with the highest tally of 115.⁶⁰⁴ His actions on the board have not been traced to explain this drastic loss of support.

Martin Murphy, born in County Galway, Ireland, to a farmer, in either 1848, 1853, or 1855,⁶⁰⁵ was proudly Irish. In 1881, for example, when at Coromandel, he gave £1 to the Irish Land League.⁶⁰⁶ Eight years later,

⁵⁹⁶ Te Aroha Rifles, Parade Register 1892-1903, no. 213, MS 2000/69, Library of the Auckland Institute and War Memorial Museum; Piako Mounted Rifle Volunteers, Nominal Roll to 28 February 1901, Army Department, ARM 41, 1911/66w, ANZ-W; *Thames Star*, 24 May 1900, p. 2; *Ohinemuri Gazette*, 20 October 1900, p. 2.

⁵⁹⁷ Paeroa Correspondent, *Thames Star*, 5 December 1901, p. 4.

⁵⁹⁸ Te Aroha Rifles, Parade Register 1892-1903, no. 213, MS 2000/69, Library of the Auckland Institute and War Memorial Museum; Piako Mounted Rifle Volunteers, Nominal Roll to 29 February 1904, Army Department, ARM 41, 1911/66z, ANZ-W.

⁵⁹⁹ *Thames Advertiser*, 17 May 1897, p. 3.

⁶⁰⁰ *Waikato Argus*, 8 May 1897, p. 3; *Te Aroha News*, 5 July 1898, p. 2.

⁶⁰¹ *Te Aroha News*, 23 January 1900, p. 2.

⁶⁰² *Te Aroha News*, 12 July 1895, p. 2.

⁶⁰³ *Thames Advertiser*, 19 September 1896, p. 2.

⁶⁰⁴ *Te Aroha News*, 12 July 1898, p. 2.

⁶⁰⁵ Marriage Certificate of Martin Murphy, 9 June 1883, 1883/1706; Birth Certificate of Patrick John Murphy, 22 September 1888, 1888/7744; Death Certificate of Martin Murphy, 3 June 1910, 1910/2459, BDM.

⁶⁰⁶ *Coromandel Mail*, 8 October 1881, p. 4.

when at Waiorongomai, he was on a three-man committee collecting subscriptions for evicted Irish tenants.⁶⁰⁷

In August 1881, when there was a rush to the new Tiki goldfield near Coromandel township, the *Observer* reported that 'Martin Murphy keeps the Hospital Hut', meaning a bush hotel, and was 'in all respects one of the best fellows on the field'.⁶⁰⁸ After his marriage in Auckland in 1883, when he was a railway labourer, he and his wife ran a hotel there for several years.⁶⁰⁹ In May 1888, when he had a hotel at Coromandel, he applied for a publican's license at Waiorongomai.⁶¹⁰ He was granted one for the Premier Hotel, which he refurnished, spending £140 acquiring a 'first-class' billiard table.⁶¹¹

When his license came up for renewal in June 1889, the police reported that he had conducted the hotel 'passably well, but complaints have been made with reference to men being allowed to remain drinking after closing hours, to the great annoyance of their wives and families'. In renewing the license, the chairman of the licensing committee merely requested that he stopped 'Sunday trading and late hours'.⁶¹² In September, Murphy accused Thomas Murphy, apparently not a relative, of assault, but after extenuating circumstances were pleaded his assailant, who had pleaded guilty, was let off with a caution. The charge of obscene language was withdrawn, but Thomas was required to pay the cost of replacing a pane of glass.⁶¹³ Two months later, Murphy asked the council to repair the road outside his hotel.⁶¹⁴

⁶⁰⁷ *Te Aroha News*, 13 November 1889, p. 7.

⁶⁰⁸ *Observer*, 20 August 1881, p. 570.

⁶⁰⁹ Marriage Certificate of Martin Murphy, 9 July 1883, 1883/1706, BDM; *Te Aroha News*, Licensing Committee, 13 June 1888, p. 2, 30 June 1932, p. 5.

⁶¹⁰ *Te Aroha News*, 16 May 1888, p. 2.

⁶¹¹ *Te Aroha News*, 9 June 1888, p. 2, Licensing Committee, 13 June 1888, p. 2, 23 June 1888, p. 2, 27 June 1888, p. 7, 29 August 1888, p. 2.

⁶¹² Licensing Committee, *Te Aroha News*, 12 June 1889, p. 2.

⁶¹³ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 40-42/1889, BCDG 11220/1a, ANZ-A; Magistrate's Court, *Te Aroha News*, 4 September 1889, p. 2.

⁶¹⁴ Piako County Council, Minutes of Meeting of 27 November 1889, Matamata-Piako District Council Archives, Te Aroha.

In mid-1891, he abandoned the Premier Hotel to become licensee of the Waiorongomai Hotel, which had 21 rooms.⁶¹⁵ When his license was renewed in 1897, as the police required him to make repairs he had ‘the whole of his premises thoroughly renovated to keep pace with the times’.⁶¹⁶ The following month, he was reported to have received a ‘substantial’ offer from ‘outside capitalists’ for it.⁶¹⁷ He did not accept the offer, and the following March bought the abandoned Premier Hotel and pulled it down. As he had ‘great faith in the Waiorongomai mines proving a success in the near future’, he intended to use the timber to erect five or six cottages.⁶¹⁸

Proving his faith in the local mines, Murphy in 1888 he was an owner of one unsuccessful claim.⁶¹⁹ In 1892, he was a member of a committee that formed a prospecting association.⁶²⁰ He chaired its first meeting, provided £10, obtained more subscriptions, and was on the committee that drew up the prospecting scheme.⁶²¹ He subscribed to this association for the year it lasted.⁶²² After it discovered the Loyalty mine, one of the rare successes of that decade,⁶²³ he became one of its owners.⁶²⁴ In 1895 he applied for two worthless claims.⁶²⁵

In addition to running his hotels, Murphy in the early 1890s was a roading contractor.⁶²⁶ In 1900, he unsuccessfully tendered to extend the Te

⁶¹⁵ Te Aroha Magistrate’s Court, Register of Publicans’ Licenses 1882-1892, Waiorongomai Hotel, BBAV 11493/1a, ANZ-A; *Thames Advertiser*, 11 May 1891, p. 2.

⁶¹⁶ *Thames Advertiser*, 3 June 1897, p. 2; *Waikato Argus*, 5 June 1897, p. 3; *Observer*, 5 June 1897, p. 4.

⁶¹⁷ *Thames Advertiser*, 10 July 1897, p. 3.

⁶¹⁸ *Te Aroha News*, 29 March 1898, p. 2.

⁶¹⁹ Te Aroha Warden’s Court, Register of Applications 1883-1900, 55/1888, BBAV 11505/1a, ANZ-A.

⁶²⁰ *Auckland Weekly News*, 5 November 1892, p. 23, 26 November 1892, p. 23.

⁶²¹ *Auckland Weekly News*, 28 January 1893, p. 18.

⁶²² Te Aroha Warden’s Court, Letterbook 1883-1900, p. 306, BBAV 11534/1a, ANZ-A; Mines Department, MD 1, 93/128, ANZ-W.

⁶²³ See paper on Thomas Gavin.

⁶²⁴ Te Aroha Warden’s Court, Plaints 1895, 1/1895, BBAV 1572/2a, ANZ-A.

⁶²⁵ Te Aroha Warden’s Court, Complaint Book 1880-1898, 23/1895, BBAV 11547/1a; Mining Applications 1895, 34/1895, BBAV 11289/14a, ANZ-A.

⁶²⁶ Piako County Council, Minutes of Meeting of 28 March 1893, Matamata-Piako District Council Archives, Te Aroha.

Aroha domain lawn.⁶²⁷ In 1894, he purchased a 97-acre farm in the High School Endowment for £260.⁶²⁸ After farming this for eight years he took up a farm at Eureka.⁶²⁹ When he died there in 1910, of cancer, aged 57, he left an estate of £4,041 19s 3d.⁶³⁰

Murphy was a popular member of the community. A family burnt out of their home in 1897 was 'taken to Murphy's hotel, where they received every kindness'.⁶³¹ He was not only treasurer of athletic sports held in 1888, but participated in this event, coming second in the hop, step, and jump.⁶³² He was both on the committee and a steward of Te Aroha's jockey club.⁶³³ When complaining to the council about a piggery fouling the street, he said he was 'willing to subscribe towards the cost' of repairs.⁶³⁴ In 1898 he provided a site for a teacher's house, the same year that he was elected to the school committee.⁶³⁵ He was re-elected in the following year.⁶³⁶ His widow, who remained on the Eureka farm, also assisted the community, her obituary recording that she 'took a keen interest in the affairs of the district and among other things she gave the piece of land on which the Eureka Hall now stands'.⁶³⁷

Patrick O'Meagher was recalled, in 1938, as having been 'a most popular figure in Te Aroha'.⁶³⁸ Born in Tipperary in 1854, before coming to New Zealand he served in the army learning skills that would be of more use to a publican than a soldier, as shown in the account of his military career provided to the *Cyclopedia of New Zealand*:

⁶²⁷ *Te Aroha News*, 22 March 1900, p. 2.

⁶²⁸ Te Aroha Correspondent, *Auckland Weekly News*, 6 October 1894, p. 10.

⁶²⁹ *Thames Star*, 1 September 1902, p. 4; *Auckland Weekly News*, 4 September 1902, p. 37; *Te Aroha News*, 30 June 1932, p. 5.

⁶³⁰ Death Certificate of Martin Murphy, 3 June 1910, 1910/2459, BDM; Testamentary Register 1908-1911, folio 140, BBCB 4208/7, ANZ-A.

⁶³¹ *Waikato Argus*, 5 June 1897, p. 3.

⁶³² *Te Aroha News*, 22 September 1888, p. 2, 26 September 1888, p. 2.

⁶³³ *Te Aroha News*, 23 January 1889, p. 2, 19 February 1890, p. 2; *Ohinemuri Gazette*, 4 December 1897, p. 2.

⁶³⁴ Piako County Council, *Te Aroha News*, 30 November 1889, p. 2.

⁶³⁵ *Te Aroha News*, 28 April 1898, p. 3.

⁶³⁶ *Auckland Weekly News*, 5 May 1899, p. 36.

⁶³⁷ *Te Aroha News*, 29 June 1932, p. 5.

⁶³⁸ *Te Aroha News*, 11 May 1938, p. 4.

He enlisted at the age of seventeen to the 98th Prince of Wales Foot, saw service in the Ashantee war of 1874, under Lord Wolseley, and served altogether twelve years, including a period in Jamaica. While in the West Indies, he was for four years butler to the Hon. John Devereaux, and for a short time to Viscount Valencia, late of the 10th Hussars. During his residence in Jamaica, he was for two years in charge of the officers' mess. For a time he served in Malta, where he was one of the men selected to wait on the Prince of Wales on his return from India.⁶³⁹

Whilst in Malta, he married an Englishwoman, Louisa Kate Cripps; they were to have three daughters.⁶⁴⁰

In 1889, O'Meagher was licensee of the Lake Hotel at Takapuna, known to some as the 'Honeymoon' Hotel.⁶⁴¹ In the early 1890s he became licensee of the Bridge Inn at Parawai, Thames.⁶⁴² In 1893, he was licensee of the Bridge Hotel at Coromandel.⁶⁴³ An application in the following June to lease it and appoint a tenant to operate it was declined.⁶⁴⁴ By 1896 he had moved to Te Aroha.⁶⁴⁵

In April 1897, it was reported that O'Meagher, 'the genial and deservedly popular landlord of the present Family Hotel', situated on the corner of Whitaker and Rolleston Streets, would move to its replacement as soon as it was completed.⁶⁴⁶ A new lease of £8 5s a week from Ehrenfried's brewery was signed in August.⁶⁴⁷ In dealings with him in 1891, O'Meagher had been forced to pay £121 19s 7d for goods supplied plus rent.⁶⁴⁸ The new two-storied building, completed in August, was lavishly praised in a Thames newspaper, which considered he was 'to be heartily congratulated on obtaining possession of such a handsome and well appointed hotel and

⁶³⁹ *Cyclopedia of New Zealand*, vol. 2, pp. 830-831.

⁶⁴⁰ Death Certificates of Patrick O'Meagher, 17 December 1910, 1910/9018; Louisa Kate O'Meagher, 5 April 1918, 1918/12799, BDM.

⁶⁴¹ *Observer*, 26 October 1889, p. 13, cartoon, 21 December 1889, p. 15.

⁶⁴² Licensing Committee, *Thames Advertiser*, 30 June 1894, p. 3.

⁶⁴³ *The Mercantile and Bankruptcy Gazette*, 5 October 1893, p. 390.

⁶⁴⁴ Licensing Committee, *Thames Advertiser*, 30 June 1894, p. 3.

⁶⁴⁵ For example, *Thames Advertiser*, 1 April 1896, p. 2.

⁶⁴⁶ *Thames Advertiser*, 5 April 1897, p. 2.

⁶⁴⁷ *Mercantile and Bankruptcy Gazette of New Zealand*, 16 September 1897, p. 495.

⁶⁴⁸ Supreme Court, *Auckland Weekly News*, 9 July 1892, p. 30.

he will doubtless receive his full share of business'.⁶⁴⁹ The following May, because of its 'growing popularity', the brewery decided to add a wing containing 20 bedrooms.⁶⁵⁰ The following month, O'Meagher went to Auckland to make arrangements for this double-storied wing, to face Rolleston Street.⁶⁵¹ In mid-1899, he changed the name to the Grand Hotel.⁶⁵² Three years later, it was described as having 'thirty-seven bedrooms, seven sitting rooms, a large dining room with seats for fifty guests, and baths supplied with hot and cold water'. He claimed it was 'one of the most popular hostelries in the township'.⁶⁵³ A Hamilton newspaper described it as 'one of the best-equipped establishments in the province'.⁶⁵⁴ In 1898, he catered 'in splendid style' for the banquet honouring the politician Alfred Jerome Cadman when he opened the bathhouse named after him.⁶⁵⁵

In 1900, the licensing committee received a report critical of his suitability as a licensee because he had been 'drinking severely', but withdrew their opposition to renewing his license after a doctor's evidence contradicted this report.⁶⁵⁶ By late 1904, O'Meagher had given up the hotel and become a billiard room proprietor.⁶⁵⁷

Newspapers agreed that O'Meagher was 'popular',⁶⁵⁸ and his wife was described as 'the popular hostess'.⁶⁵⁹ In 1895, a resident thanked them 'for their many kindnesses to me since my accident some five weeks ago'.⁶⁶⁰ In February 1898 'what might have proved a disastrous outbreak of fire was arrested by' his 'promptitude'. At half-past ten one evening, 'the proprietress of the old Family Hotel boardinghouse found the wash house on fire, and

⁶⁴⁹ *Thames Advertiser*, 5 August 1897, p. 3.

⁶⁵⁰ *Te Aroha News*, 14 May 1898, p. 2.

⁶⁵¹ *Te Aroha News*, 16 June 1898, p. 2.

⁶⁵² *Thames Advertiser*, 16 June 1899, p. 2.

⁶⁵³ *Cyclopedia of New Zealand*, vol. 2, p. 830.

⁶⁵⁴ *Waikato Argus*, 24 August 1899, p. 2.

⁶⁵⁵ *Observer*, 26 May 1898, p. 2; *Auckland Weekly News*, 28 May 1898, p. 10.

⁶⁵⁶ Licensing Committee, *Thames Star*, 7 June 1900, p. 2.

⁶⁵⁷ Marriage Certificate of Katie Elizabeth O'Meagher, 28 December 1904, 1904/5783, BDM; *Te Aroha News*, 10 April 1918, p. 2.

⁶⁵⁸ For example, *Thames Advertiser*, 5 August 1897, p. 3; *Te Aroha News*, 16 June 1898, p. 2.

⁶⁵⁹ *Te Aroha News*, 14 May 1898, p. 2; see also 10 April 1918, p. 2.

⁶⁶⁰ Public Notice, *Te Aroha News*, 16 October 1895, p. 2.

immediately raised an alarm. In appealing to Mr O'Meagher, of the now well-known hotel', she 'did not appeal in vain'. He

promptly proceeded to the scene, and directed a by-stander to mount the roof, where the individual indicated at once secured a precarious footing commanding the incipient conflagration. To him were handed buckets of soap-suds, drawn from a convenient tub. After a sharp engagement with the devouring element, Mr O'Meagher had the satisfaction of announcing that danger was at an end, and the crowd breathed freely.⁶⁶¹

On one occasion, 'a scene' revealed a less appealing side to his personality. In 1900, just before a small committee meeting to arrange a school excursion, a man named [James] McCord⁶⁶² entered and stated that he had booked it from O'Meagher for a public meeting. The chairman, William Henry Knock, said 'he knew nothing about that' and 'had engaged the hall for a committee meeting and intended to use it accordingly', and did. Shortly afterwards O'Meagher 'entered the hall in a state of considerable excitement and requested to be informed by whose authority the meeting was sitting in his hall'. After Knock explained that it had been 'duly engaged', a statement confirmed by Robert Edward Crombie, who was associated with Ohinemuri mining.⁶⁶³

Mr O'Meagher informed the meeting that the hall was his hall, and that the sooner those present got outside the better. Thereupon he turned down the light, which Mr Crombie at once turned up. The turning up and turning down process was repeated several times, with considerable emphasis. Finally the meeting adjourned to the billiard-room of the Hot Springs Hotel. Mr O'Meagher being left in possession of his property, locked the door thereof, and went home.⁶⁶⁴

This report of 'a difference of opinion' was reprinted in the *Thames Star* for the amusement of residents there.⁶⁶⁵ The *Observer* also gave its slant on this storm in a teacup in what it unkindly described as 'a sort of

⁶⁶¹ *Te Aroha News*, 8 February 1898, p. 2.

⁶⁶² See *Te Aroha Warden's Court*, *Ohinemuri Gazette*, 13 March 1897, p. 5; *Ohinemuri Electoral Roll*, 1900, p. 60.

⁶⁶³ See *Ohinemuri Electoral Roll*, 1900, p. 21; *Thames Star*, 28 October 1901, p. 4.

⁶⁶⁴ *Te Aroha News*, 23 January 1900, p. 2.

⁶⁶⁵ *Thames Star*, 24 January 1900, p. 4.

North Island Sleepy Hollow', whose inhabitants 'occasionally' woke up and advertised the township by getting up 'some sort of a sensation'.

The latest *contretemps* was a row over who should have the right to hold a meeting in a public hall owned by Pat O'Meagher. The school committee, with a rival publican Knock in the chair, took possession with a view of deciding on the date of their excursion, but before they got fairly to work a Mr McCord came in and claimed he had engaged the hall for a public meeting. As the committee, however, declined to clear out, Mr McCord left, breathing dire threats. Business then went on until they got as far as fixing the price of the tickets, when Mr O'Meagher suddenly burst into the premises like a Lyddite shell, demanding to know why they were in his hall without authority, and ordering everybody out. After the general excitement subsided a little, the question arose as to whether the meeting should proceed with or without light, for O'Meagher turned out the lights and the chairman of the meeting⁶⁶⁶ turned them up again. After five minutes or so of this amusing up and down process the meeting concluded to retire in good order, leaving The O'Meagher in sole possession. A friendly billiard-room afforded them an opportunity of continuing their deliberations.⁶⁶⁷

The *Observer* did not realize that the billiard room belonged to Knock, a rival publican.

In April 1899, O'Meagher acquired a claim at Stoney Creek.⁶⁶⁸ In August, he obtained a water race and requested permission to work with two instead of the required ten men for six months. As he claimed to have done a 'considerable amount of work', this application was granted.⁶⁶⁹ As he only paid the first instalment of rent, the claim was forfeited in August 1903, and two years later the rent was treated as unrecoverable because he had no assets for the bailiff to seize.⁶⁷⁰

⁶⁶⁶ Crombie, according to the local newspaper.

⁶⁶⁷ *Observer*, 3 February 1900, p. 15.

⁶⁶⁸ Te Aroha Warden's Court, Mining Applications 1899, 6/1899, BBAV 11289/15a; Register of Licensed Holdings and Special Claims 1887-1909, folio 137, BBAV 11500/8b, ANZ-A.

⁶⁶⁹ Te Aroha Warden's Court, Mining Applications 1899, 15, 16/1899, BBAV 11289/15a, ANZ-A.

⁶⁷⁰ Te Aroha Warden's Court, Register of Licensed Holdings and Special Claims 1887-1909, folio 137, BBAV 11500/8b; Te Aroha Magistrate's Court, Home Warrant Book 1883-1928, 6/1904, BBAV 11498/1a, ANZ-A; County Clerk to Minister of Mines, 25 September 1905,

O'Meagher was an Anglican,⁶⁷¹ and an office-bearer in the local Masonic lodge.⁶⁷² As was normal for publicans, he helped to run the Te Aroha and Te Aroha West Jockey Clubs.⁶⁷³ In 1903 he was a steward for light horses at the agricultural show.⁶⁷⁴ He was a vice-president of the football club and the Piako Cricket Club.⁶⁷⁵ 'With his usual generosity' he donated caps to the former.⁶⁷⁶ He organized quoit matches, the stake on one occasion being 'A Brace of Fowls'.⁶⁷⁷ In June 1899, he became captain of the Te Aroha Rifles, resigning one year later.⁶⁷⁸ Nearly six months previously, he had failed to notify his corps of their involvement in an entertainment for the Patriotic Fund.⁶⁷⁹

In 1899, a Hamilton newspaper described the 'well known and popular' O'Meagher as 'one of the "live" men of the thermal borough, taking an active interest in all movements, and whether it is as captain of the volunteer corps or as member of the other various organizations, he is always to the fore in advancing the interests of the place'.⁶⁸⁰ He was proud to be one of the original members of the borough council.⁶⁸¹ When the first council was elected in 1898, he had the lowest vote of the six successful candidates, 75; the highest scorer received 115.⁶⁸² He was re-elected the following year.⁶⁸³ In early 1901, he retired because he intended to leave the district.⁶⁸⁴ As he did not leave, in 1902 he was re-elected with the second-

Piako County Council, Letterbook 1905-1906, p. 239, Matamata-Piako District Council Archives, Te Aroha.

⁶⁷¹ Death Certificate of Patrick O'Meagher, 17 December 1910, 1910/9018, BDM.

⁶⁷² *Te Aroha News*, 22 March 1900, p. 2.

⁶⁷³ *Ohinemuri Gazette*, 4 December 1897, p. 2; *Waikato Argus*, 14 October 1899, p. 3.

⁶⁷⁴ *Auckland Weekly News*, 12 February 1903, p. 33.

⁶⁷⁵ *Thames Advertiser*, 1 April 1896, p. 2; *Waikato Argus*, 6 April 1897, p. 2, 19 September 1899, p. 2.

⁶⁷⁶ *Te Aroha News*, 28 April 1898, p. 2.

⁶⁷⁷ *Te Aroha News*, 24 May 1898, p. 2; *Thames Star*, 5 November 1900, p. 3.

⁶⁷⁸ Te Aroha Rifles, Nominal Roll to 28 February 1900, Army Department, ARM 41, 1911/66v, ANZ-W.

⁶⁷⁹ *Te Aroha News*, 1 February 1900, p. 2.

⁶⁸⁰ *Waikato Argus*, 24 August 1899, p. 2.

⁶⁸¹ *Cyclopedia of New Zealand*, vol. 2, p. 831.

⁶⁸² *Waikato Argus*, 12 July 1898, p. 2.

⁶⁸³ *Ohinemuri Gazette*, 20 September 1899, p. 2.

⁶⁸⁴ *Auckland Weekly News*, 1 March 1901, p. 31.

highest vote, 140; the highest was 167.⁶⁸⁵ The following year, all candidates were elected unopposed.⁶⁸⁶ In 1905, he was re-elected with 111 votes compared with the highest score of 144, and became deputy mayor,⁶⁸⁷ the highest office he ever held. In 1899, when he stood as mayor he was defeated by Edward Gallagher⁶⁸⁸ by 141 votes to 89.⁶⁸⁹

O'Meagher suffered from a 'complaint of somewhat long standing' before his death in 1910.⁶⁹⁰ Aged only 57, he died from exhaustion and cirrhosis of the liver.⁶⁹¹ It seems that he was another publican whose occupation ruined his health. In January 1900, when driving a meeting out of his hall, he was described as being in a 'state of considerable excitement',⁶⁹² perhaps a euphemism for being drunk, and six months later the police opposed renewing his license because he was 'drinking severely'.⁶⁹³

Samuel Tozer Smardon, born in Devon in 1838,⁶⁹⁴ was by profession a shipwright and carpenter, having been apprenticed to a shipwright in 1831 when aged 13.⁶⁹⁵ After arriving in New Zealand in 1863 he was the proprietor of the Waikato Hotel at Ngāruawāhia in 1864 and 1865, 'in the palmy days, prior to the departure of the troops'.⁶⁹⁶ He also owned a store

⁶⁸⁵ *Auckland Weekly News*, 24 April 1902, p. 32, 8 May 1902, p. 25.

⁶⁸⁶ *Auckland Weekly News*, 23 April 1903, p. 33.

⁶⁸⁷ *Auckland Weekly News*, 4 May 1905, p. 18, 25 May 1905, p. 36.

⁶⁸⁸ See paper on his life.

⁶⁸⁹ *Thames Advertiser*, 23 November 1899, p. 2, 1 December 1899, p. 2.

⁶⁹⁰ Death Notice, *New Zealand Herald*, 20 December 1910, p. 1; Te Aroha Correspondent, *Auckland Weekly News*, 22 December 1910, p. 49.

⁶⁹¹ Death Certificate of Patrick O'Meagher, 17 December 1910, 1910/9018, BDM.

⁶⁹² *Te Aroha News*, 23 January 1900, p. 2.

⁶⁹³ Licensing Committee, *Thames Star*, 7 June 1900, p. 2.

⁶⁹⁴ Death Certificate of Samuel Tozer Smardon, 22 January 1899, 1899/612, BDM; Ancestry.co.uk.

⁶⁹⁵ For example, *Thames Advertiser*, 5 April 1881, p. 2; *Te Aroha News*, 7 July 1883, p. 2; *New Zealand Gazette*, 18 October 1883, p. 1518; *Waikato Electoral Roll, 1884*, p. 20; *Thames Star*, 11 December 1905, p. 2; 1851 United Kingdom Census, Ancestry.co.uk.

⁶⁹⁶ *Auckland Provincial Government Gazette*, 21 July 1865, p. 163; *Waikato Argus*, 24 January 1899, p. 2.

there.⁶⁹⁷ Subsequently he 'worked at his trade and as a builder' at Whangarei for several years; his eldest son was born there in 1886.⁶⁹⁸

By the early 1870s, he had moved to Thames, where he worked as a carpenter, shipwright, and, according to one record, a miner, until moving to Waiorongomai in 1883, where at first he was a carpenter.⁶⁹⁹ In April 1885, he succeeded John Bernard Kilian as license of the Premier Hotel.⁷⁰⁰ The following month, to secure repayment of the £605 he had borrowed from Louis Ehrenfried, he provided the latter with a conditional bill of sale over the hotel's stock in trade, furniture, billiard table, bar fittings, and other chattels.⁷⁰¹ Interest was charged at eight per cent; because the loan remained unpaid, the bill of sale was re-registered in 1890 and 1895.⁷⁰² Late in 1885, his silver hunting watch was stolen from the hotel.⁷⁰³ To attract visitors, he advertised 'Romantic Scenery, Beautiful Walks, and the Grandest Ferns, obtainable in Great Variety. Also can be seen the Quartz Reduction Battery at work'. After taking in these wonders, visitors were invited to take refreshments at his hotel.⁷⁰⁴

In June 1887, his license was transferred to the Waiorongomai Hotel, which he ran until June 1891.⁷⁰⁵ When the police charged him with selling

⁶⁹⁷ *Observer*, 16 December 1905, p. 3.

⁶⁹⁸ *Ohinemuri Gazette*, 9 March 1898, p. 2; *Waikato Argus*, 24 January 1899, p. 2; *Observer*, 16 December 1905, p. 3; Birth Certificate of John Samuel Smardon, 28 July 1866, 1866/10968, BDM.

⁶⁹⁹ Birth Certificates of Fred Smardon, 1867/3375; Mary Elizabeth Smardon, 1870/219; Harry Smardon, 7 June 1872, 1872/17939; Ernest Smardon, 18 September 1875, 1875/3375; Death Certificates of Harry Smardon, 28 June 1872, 1872/2695; Fred Smardon, 6 November 1879, 1879/4423, BDM; *Thames Guardian and Mining Record*, 4 November 1871, p. 2; *Thames Advertiser*, 9 March 1874, p. 2, 8 November 1879, p. 2, 5 April 1881, p. 2; *Tauranga Electoral Roll, 1887*, p. 22; *New Zealand Gazette*, 18 October 1883, p. 1518; *Thames Star*, 11 December 1905, p. 2.

⁷⁰⁰ Te Aroha Magistrate's Court, Register of Publicans' Licenses 1882-1892, Premier Hotel, BBAV 11493/1a, ANZ-A; Licensing Committee, *Te Aroha News*, 27 June 1885, p. 2.

⁷⁰¹ *Mercantile and Bankruptcy Gazette of New Zealand*, 23 May 1885, p. 172.

⁷⁰² *Weekly Advertiser and Commercial Gazette*, 23 May 1885, p. 330; *Mercantile and Bankruptcy Gazette of New Zealand*, 26 April 1890, p. 123, 19 December 1895, p. 692.

⁷⁰³ *New Zealand Police Gazette*, 25 November 1885, p. 202.

⁷⁰⁴ Advertisement, *Te Aroha News*, 27 November 1886, p. 3.

⁷⁰⁵ Te Aroha Magistrate's Court, Register of Publicans' Licenses 1882-1892, Premier and Waiorongomai Hotels, BBAV 11493/1a, ANZ-A; *Te Aroha News*, 25 June 1887, p. 2.

liquor on a Sunday in May 1888, four witnesses admitted that they had been drinking there on that morning. The magistrate commented that ‘no evidence could be much stronger’, but on the technicality that the prosecution had not proved that Smardon had a publican’s license, ‘no license having been put in evidence’, the case was dismissed.⁷⁰⁶ At the subsequent sitting, this omission was rectified, he pleaded guilty, and was fined £1.⁷⁰⁷ At the beginning of April 1889, he pleaded guilty to keeping his hotel open after hours.⁷⁰⁸

Sgt Emerson stated Constable Wild being on duty at Waiorongomai on the night in question, heard billiards being played, and went and spoke to the defendant about it, requesting that it be stopped. Defendant replied that it was only his boarders who were playing, and declined to stop it; hence the issuing of the summons, as defendant appeared to wish to establish a right and precedent; which, if allowed, would result in other hotel-keepers making similar breaches of the Act, and then saying it was only boarders.

Defendant said Constable Wild never asked him to stop the playing, and did not seem very clear as to the law himself on the subject; they simply argued the point in a friendly way. The only persons playing on the occasion referred to were boarders, who had been staying with him for months previously, the hotel being closed to all others at the proper hour. In allowing his boarders to pay he did not know he was breaking the law, and expressed regret if he had done so.

His Worship dismissed the case with a caution, and advised defendant not to allow the offence to occur again.⁷⁰⁹

In June, the police told the annual licensing meeting that the hotel was well conducted, apart from his unwitting crime of permitting boarders to play billiards after hours.⁷¹⁰ Five months later, the council directed him ‘to at once cease causing the nuisance at present arising through the

⁷⁰⁶ Police Court, *Te Aroha News*, 23 May 1888, p. 2.

⁷⁰⁷ Magistrate’s Court, *Te Aroha News*, 6 June 1888, p. 2.

⁷⁰⁸ Te Aroha Magistrate’s Court, Criminal Record Book 1881-1896, 22/1889, BCDG 11220/1a, ANZ-A.

⁷⁰⁹ Magistrate’s Court, *Te Aroha News*, 3 April 1889, p. 2.

⁷¹⁰ Licensing Committee, *Te Aroha News*, 12 June 1889, p. 2.

offensive matter flowing from his premises on to the public road or into the road drain'.⁷¹¹

In 1890, he moved to the Palace Hotel in Te Aroha, which he held until his death.⁷¹² Built by John Watson Walker and at first named after him,⁷¹³ this two-storey building had 60 rooms, 50 being bedrooms and included eight sitting rooms; the dining room could accommodate 100 people.⁷¹⁴ In February 1891, the *Te Aroha News* reported 'a very pleasant episode' at the dinner table, when Smardon and his wife,

the popular host and hostess, were presented with a testimonial from the visitors who were staying at the hotel. Mr Reston, of Auckland, read the testimonial, and said it gave him great pleasure to testify to the comfort and attention which he, as well as all the other visitors, had received during their stay at Te Aroha. He asked those present to give three cheers for Mr and Mrs Smardon, after which Mr Smardon returned hearty thanks on behalf of Mrs Smardon and himself for the very unexpected testimonial which had been presented to them. They had simply done their duty in trying to make their guests comfortable and pleased, and that they had succeeded in doing so was very gratifying to them both.⁷¹⁵

Judging by the comment in a Paeroa newspaper in mid-1892 that 'Friend Smardon is looking well and flourishing',⁷¹⁶ it was a profitable investment. Three years later, he advertised that he had the best billiard table in the town with an 'Experienced Marker'.⁷¹⁷ According to an obituary, he and his wife 'enjoyed a large measure of patronage and support from the public, due to the constant care and attention devoted to the comfort of their guests'.⁷¹⁸

⁷¹¹ Piako County Council, Minutes of Meeting of 27 November 1889, Matamata-Piako District Council Archives, Te Aroha.

⁷¹² Te Aroha Magistrate's Court, Register of Publicans' Licenses 1882-1892, folio 17, BBAV 11483/1a, ANZ-A; *Cyclopedia of New Zealand*, vol. 2, p. 831; *Thames Advertiser*, 11 May 1891, p. 3.

⁷¹³ See paper on his life.

⁷¹⁴ *Cyclopedia of New Zealand*, vol. 2, p. 831.

⁷¹⁵ *Te Aroha News*, n.d., reprinted in *Auckland Weekly News*, 21 February 1891, p. 18.

⁷¹⁶ *Ohinemuri Gazette*, 25 June 1892, p. 5.

⁷¹⁷ Advertisement, *Te Aroha News*, 12 October 1895, p. 2.

⁷¹⁸ *Waikato Argus*, 24 January 1899, p. 2.

Occasionally he provided food for banquets. In 1888, when a banquet was held at the Werahiko Hall for Henry Hopper Adams,⁷¹⁹ he catered for 120 guests.⁷²⁰ He 'carried out his duties in a manner that gave the greatest satisfaction; the menu included a variety of good things, in fact the spread was all that could be desired'.⁷²¹ The following year, footballers from Paeroa, Te Aroha, and Waiorongomai ate at his hotel after their match. 'Dinner was of a most substantial character, put on in host Smardon's best style'.⁷²² In May 1897, when reporting that 'Host Smardon' would provide a banquet for the Masons, a local correspondent wrote that this was 'a sufficient guarantee that it will be a first-class spread'.⁷²³

An example of a problem all publicans faced was reported in 1897:

On Saturday afternoon a disturbance took place at the Palace Hotel, Te Aroha, the originators being three roughs from Sydney, who had been visiting the various goldfield centres. They arrived at Te Aroha on Saturday and called at the hotel for drinks. One of them becoming disorderly Mr Smardon, the licensee, put him out. His mate objected, and in course of the altercation struck Mr Smardon on the face, knocking him down. The Boots of the hotel thereupon interfered in his employer's behalf, as did also Mr Smardon's son. By this time the three Sydney visitors were all fighting, and Constable Wild putting in an appearance, was very roughly handled in attempting to arrest them. So persistently did they resist that the constable had to call on the spectators to assist him, which they readily did, and after a good deal of rough and tumble work he managed to get his prisoners to the lock-up.⁷²⁴

Of the three 'roughs', all bushmen, aged 25, 32, and 33, two were born in New Zealand and the third in Tasmania. For 'riotous behaviour when drunk' and resisting arrest they received three months' hard labour.⁷²⁵

In late 1894, Smardon, as chairman of the Te Aroha Public Hall and Reading Room Company, chaired the meeting that decided to wind it up.⁷²⁶

⁷¹⁹ See paper on his life.

⁷²⁰ *Waikato Times*, 14 April 1888, p. 2.

⁷²¹ *Te Aroha News*, 14 April 1888, p. 2.

⁷²² *Te Aroha News*, 15 May 1889, p. 2.

⁷²³ Te Aroha Correspondent, *Waikato Argus*, 15 May 1897, p. 2.

⁷²⁴ *Thames Advertiser*, 4 March 1897, p. 2.

⁷²⁵ Armed Constabulary Force, Return of Charges taken at Te Aroha Lock-Up 1880-1903, 5-7/1897, in private possession.

Afterwards he acquired this hall, known during his lifetime as ‘Smardon’s Hall’, and it was the venue for both meetings and entertainments.⁷²⁷

Like all the publicans whose careers are summarized here, Smardon invested in several mines, in his case at Te Aroha, Stoney Creek, and Waiorongomai during the 1880s and 1890s.⁷²⁸ He was a member of the committee of a prospecting association formed in 1892, and three years later was chairman of a syndicate hoping to find gold close to Te Aroha.⁷²⁹

In September 1886 he was granted 150 acres in the new Gordon Special Settlement, which were held in his wife’s name.⁷³⁰ Six months later, he had made no improvements.⁷³¹ In March 1889 Anna was warned that, as she had failed to be ‘continuously in residential occupation’, the land was liable to forfeiture.⁷³² Her response was that, as the block had only from 20 to 30 acres of moderately flat but extremely stony land plus a broad stream with precipitous banks, it was quite unsuited to agriculture. Accordingly, she had sold it to a flaxmiller for £30.⁷³³

Smardon and his wife were only moderately successful financially. The size of Smardon’s estate, all of which went to his widow, is not known.⁷³⁴ When she died nearly seven years later, her estate, sworn as being under

⁷²⁶ Company Files, BADZ 5181, box 41 no. 259, ANZ-A.

⁷²⁷ Te Aroha Borough Council, Rate Book 1900-1901, Sections 7, 8 of Block XI, Matamata-Piako District Council Archives, Te Aroha; *Te Aroha News*, 18 December 1895, p. 2, 10 February 1900, p. 2, 9 October 1900, p. 2; *Auckland Weekly News*, 12 July 1898, p. 21.

⁷²⁸ Te Aroha Warden’s Court, Register of Te Aroha Claims 1880-1888, folios 132, 140, BBAV 11567/1a; Register of Applications 1891-1899, Hearings of 19 December 1892, 20 March 1893, 24 July 1893, BBAV 11505/4a, ANZ-A; *New Zealand Gazette*, 18 October 1883, p. 1518, 6 May 1897, p. 1036.

⁷²⁹ *Auckland Weekly News*, 26 November 1892, p. 23; *Te Aroha News*, 31 August 1895, p. 2.

⁷³⁰ *Waikato Times*, 7 September 1886, p. 2; Gordon Special Settlement, Memorandum of 16 March 1887, Lands and Survey Department, BAAZ 1108/102a, ANZ-A.

⁷³¹ *Te Aroha News*, 5 March 1887, p. 3.

⁷³² Chief Clerk, Lands Department, to A.R. Smardon, 4 March 1889, Lands and Survey Department, BAAZ 1108/102a, ANZ-A.

⁷³³ A.R. Smardon to Chief Clerk, Lands Department, 12 March 1889, enclosing agreement of 6 March 1889 with E.S. von Sturmer, Lands and Survey Department, BAAZ 1108/102a, ANZ-A.

⁷³⁴ Probate of S.T. Smardon, Probates, BBAE 1569/3124, ANZ-A.

£100, turned out to be worthless, unfortunately for her bankrupt son Ernest, the ‘beneficiary’.⁷³⁵

Like all local publicans, Smardon was involved with horse racing. In 1886 he was a member of the committee organizing a race meeting.⁷³⁶ Nine years later he was on the committee of the Jockey Club.⁷³⁷ In the latter year, he offered to forego a £10 claim against the club if he was made a life member, which was agreed to.⁷³⁸ Like the other publicans, he supported and participated in sporting activities. In the 1880s he helped to organize athletic sports at Waiorongomai, and was a player and vice-president of the cricket club there.⁷³⁹ In the 1890s, he was one of the many vice-presidents of the Te Aroha football club.⁷⁴⁰ Seven months before his death, he presented it with a ‘match ball’ to be competed for.⁷⁴¹

His most notable sporting involvement was a ‘somewhat novel’ foot race at Waiorongomai in 1888.⁷⁴² With the stakes at £5 a side, Smardon was to run 100 yards down the main street while his opponent, the assistant assayer at the battery, had a 50 yards start but had to carry a man on his back. The betting was ‘in favour of the weight carrier’.⁷⁴³ Smardon lost by either 15 or 20 yards (reports varied) in a race that ‘caused much amusement, and plenty of “chaff” [banter]⁷⁴⁴ was flying’.⁷⁴⁵ Subsequently, he refused to pay up by arguing that the person being carried should have been naked. ‘There was nothing specified in the agreement that the person being carried should be naked, and the action of the old gentleman in respect to this matter is generally condemned’.⁷⁴⁶

⁷³⁵ Probate of A.R. Smardon, Probates, BBAE 1569/5838; Testamentary Register 1906-1908, folio 18, BBCB 4208/6, ANZ-A; *New Zealand Herald*, 20 February 1906, p. 6, 1 March 1906, p. 3.

⁷³⁶ *Te Aroha News*, 16 January 1886, p. 2.

⁷³⁷ *Te Aroha News*, 28 January 1895, p. 2.

⁷³⁸ *Te Aroha News*, 16 November 1895, p. 2.

⁷³⁹ *Te Aroha News*, 22 September 1888, p. 2, 3 October 1888, p. 7, 10 October 1888, p. 7.

⁷⁴⁰ *Te Aroha News*, 26 April 1890, p. 2; *Thames Advertiser*, 1 April 1896, p. 2.

⁷⁴¹ *Te Aroha News*, 17 May 1898, p. 2.

⁷⁴² *Waikato Times*, 7 June 1888, p. 2.

⁷⁴³ *Te Aroha News*, 2 June 1888, p. 2.

⁷⁴⁴ Partridge, p. 194.

⁷⁴⁵ *Te Aroha News*, 2 June 1888, p. 2; *Waikato Times*, 7 June 1888, p. 2.

⁷⁴⁶ *Waikato Times*, 7 June 1888, p. 2.

Subsequently, ‘the Heavyweight’, an indication of his girth, was induced to drop his protest.⁷⁴⁷

Smardon was prominent in the community, for instance as a leading Mason.⁷⁴⁸ He tried to be active in the Waiorongomai school committee. In 1884, he received 19 votes, insufficient to be elected.⁷⁴⁹ In the subsequent election, he was elected and became chairman.⁷⁵⁰ The legality of this election as chairman caused an even split in the committee, which being deadlocked could undertake no business.⁷⁵¹ At the March meeting, although a majority asked him to resign in favour of Peter Ferguson,⁷⁵² Smardon ‘apparently “didn’t quite see it” and stoutly refused to accede to their request’. He had been ‘early on the scene, and lost no time in taking possession of the disputed seat, and never gave “the opposition” the slightest chance of “jumping” his claim’.⁷⁵³ The board of education ruled that, ‘from the facts placed before them’, Ferguson was the legally elected chairman.⁷⁵⁴ Smardon did not stand in the subsequent election, instead acting as returning officer.⁷⁵⁵ The following year, the committee rejected his complaint that the head teacher had wrongfully punished his son.⁷⁵⁶ When he stood again, in 1890, he came bottom of the poll with only five votes; the top scorer received 49.⁷⁵⁷ The *Te Aroha News* considered it was ‘only justice’ to Smardon to explain that he

had stated in reply to several householders who asked him to allow himself to be nominated, that he did not wish to be on the committee, and if anyone nominated him, and he were elected, he should resign. This being known to a good number will account for so few votes being recorded in his favour, although some of his friends insisted on nominating him.⁷⁵⁸

⁷⁴⁷ Waiorongomai Correspondent, *Waikato Times*, 14 June 1888, p. 2.

⁷⁴⁸ *Te Aroha News*, 9 October 1900, p. 3.

⁷⁴⁹ *Te Aroha News*, 2 February 1884, p. 7.

⁷⁵⁰ *Waikato Times*, 29 January 1885, p. 2.

⁷⁵¹ *Te Aroha Correspondent*, *Waikato Times*, 5 February 1885, p. 3.

⁷⁵² See paper on Peter Ferguson and his New Era.

⁷⁵³ *Te Aroha News*, 7 March 1885, p. 2.

⁷⁵⁴ *Te Aroha News*, 18 April 1885, p. 7.

⁷⁵⁵ *Te Aroha News*, 1 May 1886, p. 2.

⁷⁵⁶ Waiorongomai School Committee, *Te Aroha News*, 20 August 1887, p. 3.

⁷⁵⁷ *Te Aroha News*, 30 April 1890, p. 2.

⁷⁵⁸ *Te Aroha News*, 17 May 1890, p. 2.

In July 1883 he was elected to a committee charged with watching over the interests of Waiorongomai.⁷⁵⁹ The following July he was one of five men calling a meeting about local concerns, and was elected chairman of the meeting and a member of the committee to seek the implementation of the resolutions.⁷⁶⁰ In October that year his motion that Waiorongomai become a town district was carried.⁷⁶¹ One month later, he was elected to a committee seeking to combine Te Aroha, Waiorongomai, and Quartzville into a borough.⁷⁶² If he was in favour of this concept, he soon changed his mind, for less than three months later he was the only person at a Waiorongomai meeting to oppose the motion that this borough be formed.⁷⁶³ Also in that month, he seconded an amendment to a motion supporting the building of the New Era tramway, but only three people voted for it. 'A rather lively passage-at-arms took place ... between Messrs Smardon and [James] Munro,⁷⁶⁴ in which the former decidedly had the worst of it'.⁷⁶⁵ In June 1886 he was elected to the newly formed Waiorongomai Progress Committee, and the following month to its successor, the Waiorongomai Improvement Committee.⁷⁶⁶ He opposed a motion asking the council to levy a special rate for works needed in the Te Aroha Riding, arguing that whereas many at Waiorongomai would only pay a few shillings, 'they should consider how hardly it would bear on the farmers and settlers whose property was of more value'; his amendment to oppose this rate was defeated.⁷⁶⁷ In December, he was elected to a committee drawing up a petition opposing the closure of the telegraph office.⁷⁶⁸ A month later he was elected to a committee to obtain a water supply and helped collect subscriptions.⁷⁶⁹

⁷⁵⁹ *Thames Advertiser*, 16 July 1883, p. 2.

⁷⁶⁰ *Te Aroha News*, 5 July 1884, p. 7, 12 July 1884, p. 2.

⁷⁶¹ *Te Aroha News*, 25 October 1884, p. 2.

⁷⁶² *Te Aroha News*, 29 November 1884, p. 2.

⁷⁶³ *Te Aroha News*, 7 February 1885, p. 7.

⁷⁶⁴ See paper on John Squirrell.

⁷⁶⁵ Te Aroha Correspondent, *Waikato Times*, 5 February 1885, p. 2.

⁷⁶⁶ *Te Aroha News*, 5 June 1886, p. 2, 24 July 1886, p. 3.

⁷⁶⁷ *Te Aroha News*, 24 July 1886, p. 3.

⁷⁶⁸ *Te Aroha News*, 11 December 1886, p. 2.

⁷⁶⁹ *Te Aroha News*, 22 January 1887, p. 2.

In May 1888, he convened a public meeting 'To consider the Action of the Governors of the Thames High School Endowment, in connection with mining operations'.⁷⁷⁰ He told it that the governors were trying to kill the goose that laid the golden eggs by trying to prevent the sinking of the Alameda shaft on the edge of the township.⁷⁷¹ In July, he challenged James Mills, the chairman of a very small meeting seeking support for a borough comprising Te Aroha and Waiorongomai, about why Te Aroha residents had earlier defeated this proposal:

Mr Smardon to the Chairman: Do I understand you to state that they are dissatisfied with the form of Government they have got?

The Chairman: They are.

Mr Smardon: Why did not Te Aroha join in for the Borough on the previous occasion?

The Chairman: Because a number of the people at Te Aroha had axes to grind; but the people of Te Aroha now want a Borough.

Mr Smardon: A large number of the people now residing at Waiorongomai are newcomers since this question was last discussed, and it would be better to take a little time and have the question fully ventilated before taking action. This surely is not a representative meeting of the people of Waiorongomai.

After another opponent of the borough wanted the meeting adjourned for six months, Smardon agreed: 'It certainly would not be right for the few of us here to assume to dictate for the residents of Waiorongomai'. After his proposal that the meeting be adjourned was defeated, he refused to be a member of the committee to establish a borough.⁷⁷² In August 1889, he was elected to a committee of four to draw up a petition opposing Waiorongomai being included in a borough.⁷⁷³

In 1893, after having moved to Te Aroha, he chaired a meeting of 400 people protesting at the domain board sacking the caretakers.⁷⁷⁴ Two years later he was elected to a committee seeking to build a hospital at Paeroa.⁷⁷⁵ In February 1898, he chaired a meeting protesting at restricting the hours when the baths were open and was one of the three people delegated to

⁷⁷⁰ Advertisement, *Te Aroha News*, 16 May 1888, p. 7.

⁷⁷¹ *Te Aroha News*, 23 May 1888, p. 2.

⁷⁷² *Te Aroha News*, 7 July 1888, p. 2.

⁷⁷³ *Te Aroha News*, 10 August 1889, p. 2.

⁷⁷⁴ *Auckland Weekly News*, 2 September 1893, p. 10.

⁷⁷⁵ *Te Aroha News*, 27 November 1895, p. 2.

discuss this with the domain board.⁷⁷⁶ Five months later he stood for the new borough council, receiving 74 votes, one lower than the last person elected; the highest vote was 115.⁷⁷⁷ In standing for the council he advertised that he intended to benefit all.⁷⁷⁸ That he always portrayed himself as a thorough democrat was indicated by a comment by the *Observer* Man in 1895 that 'S.T.S. still maintains we "har" (are) the people'.⁷⁷⁹ He supported Liberal or Independent Liberal parliamentary candidates.⁷⁸⁰

Smardon died in January 1899, after suffering for two and a half years from diabetes, heart disease, and an enlarged liver.⁷⁸¹ His death was not unexpected, as having been in 'indifferent health' for some time he had been sent 'south' for a rest. A Thames newspaper described him as having been 'deservedly popular for his many sterling qualities'.⁷⁸² A Paeroa correspondent stated that he was 'well known and much respected'.⁷⁸³ 'A very large Masonic funeral' was held for him.⁷⁸⁴

After his death, the elder of his surviving sons, **John Samuel Smardon**, who had been born in 1866,⁷⁸⁵ managed the hotel.⁷⁸⁶ Obituaries would describe him as 'a favourite of all' and 'universally respected and esteemed'.⁷⁸⁷ His first appearance in a newspaper was in 1877, when charged with breaching the Thames by-laws:

John Smardon (a little boy) was charged with wheeling a barrow in Mackay-street on the 10th inst. – Defendant pleaded guilty. The father of defendant said the barrow was only a small one,

⁷⁷⁶ *Te Aroha News*, 17 February 1898, p. 3.

⁷⁷⁷ *Te Aroha News*, 12 July 1898, p. 2.

⁷⁷⁸ Advertisement, *Te Aroha News*, 30 June 1898, p. 2.

⁷⁷⁹ 'Te Aroha', *Observer*, 5 January 1895, p. 22.

⁷⁸⁰ *Te Aroha News*, 10 September 1887, p. 2; *New Zealand Herald*, 4 November 1896, p. 5.

⁷⁸¹ Death Certificate of Samuel Tozer Smardon, 22 January 1899, 1899/612, BDM; *Thames Advertiser*, 21 January 1899, p. 2.

⁷⁸² *Thames Advertiser*, 21 January 1899, p. 2.

⁷⁸³ Paeroa Correspondent, *Waikato Argus*, 24 January 1899, p. 2.

⁷⁸⁴ Te Aroha Correspondent, *Auckland Star*, 23 January 1899, p. 4.

⁷⁸⁵ Birth Certificate of John Samuel Smardon, 28 July 1866, 1866/10968, BDM.

⁷⁸⁶ Probate of John Samuel Smardon, Probates BBAE 1569/3336, ANZ-A.

⁷⁸⁷ *Ohinemuri Gazette*, 23 August 1899, p. 2; *Waikato Argus*, 22 August 1899, p. 2; Probates, BBAE 1569/3336, ANZ-A.

which he had made last week. – His Worship dismissed the defendant with a caution.⁷⁸⁸

He became a carpenter,⁷⁸⁹ and in 1885 erected tramway stables at Fern Spur, unprofitably.⁷⁹⁰ He later worked for the Te Aroha Silver and Gold Mining Company, and when it ceased work he asked its supervisor to let him know of jobs at Broken Hill. He left for there in 1890 to take up an offer,⁷⁹¹ returning early in that decade to establish a coaching firm, Smardon Bros, with his younger brother Ernest.⁷⁹² He died only seven months after his father, from heart disease, aged only 33.⁷⁹³ His excessive weight, which so amused the *Observer* that it had published a cartoon of ‘Johnny Smardon, a Te Aroha light-weight’,⁷⁹⁴ must have contributed to his early death, as his father’s weight problem must have contributed to his. A year before he died, an attack of rheumatic fever weakened his heart.⁷⁹⁵ No doubt he had been most helpful to his mother as she adjusted to widowhood and the demands of the hotel; his probate recorded him as a hotel manager.⁷⁹⁶ An especially tragic aspect was that he had been married in June 1897 and his only child, named after him, was not born until three months after his death.⁷⁹⁷

After John died, **Anna Rowe Smardon**, who had assisted her husband run his hotels,⁷⁹⁸ considered giving up the license but decided to

⁷⁸⁸ Police Court, *Thames Advertiser*, 17 August 1877, p. 3.

⁷⁸⁹ *Tauranga Electoral Roll, 1887*, p. 22; Death Certificate of John Samuel Smardon, 20 August 1899, 1899/3888, BDM.

⁷⁹⁰ *Te Aroha News*, 14 May 1885, p. 2, Piako County Council, 4 April 1885, p. 2.

⁷⁹¹ *Te Aroha News*, 29 January 1890, p. 2.

⁷⁹² Bank of New Zealand, Paeroa Branch, Half-Yearly Balance Books, Balance as at 30 September 1895, Bank of New Zealand Archives, Wellington; Te Aroha Warden’s Court, Applications 1886, 73, 151-154/1896, BBAV 11289/11a, ANZ-A; *Wise’s New Zealand Directory, 1900*, p. 694; *Te Aroha News*, 18 January 1937, p. 5.

⁷⁹³ Death Certificate of John Samuel Smardon, 20 August 1899, 1899/3888, BDM.

⁷⁹⁴ Cartoon, *Observer*, 28 December 1895, p. 22.

⁷⁹⁵ *Waikato Argus*, 22 August 1899, p. 2.

⁷⁹⁶ Probates, BBAE 1569/3336, ANZ-A.

⁷⁹⁷ Marriage Certificate of John Samuel Smardon, 7 June 1897, 1897/4831; Birth Certificate of John Samuel Smardon, 5 November 1899, 1899/8704, BDM.

⁷⁹⁸ See *Auckland Provincial Government Gazette*, 26 July 1865, p. 163; *Waikato Times*, 23 June 1885, p. 3; *Te Aroha News*, 9 June 1888, p. 2, Magistrate’s Court, 3 April 1889, p. 2;

retain it, possibly with the assistance of John's widow.⁷⁹⁹ The *Observer* was delighted at her decision. 'The house is one of the best conducted in the provincial district, and ... its success is chiefly due to Mrs Smardon's own excellent personal management'.⁸⁰⁰ According to one obituary, she and her husband had 'enjoyed a large measure of patronage and support from the public, due to the constant care and attention devoted to the comfort of their guests'.⁸⁰¹ It was also profitable; John had opened an account before his death by depositing '£6/700', and after his death his widow deposited £150 and his mother '£3/400'.⁸⁰²

Anna ran the hotel until taking over a boardinghouse, Carlton House, from Emma Blencowe⁸⁰³ in October 1901. A Thames newspaper recommended her establishment:

It is almost unnecessary to recommend visitors to Te Aroha to call on Mrs Smardon. She is so well known both on the Thames and the whole countryside. That Mrs Smardon will leave no stone unturned to make her patrons comfortable will only be in keeping with her custom for years when in the Palace Hotel.⁸⁰⁴

By this time she was eligible for the old age pension, which she was granted.⁸⁰⁵ She died in December 1905, aged 68, of senile decay and asthma.⁸⁰⁶

Ralph Lake Somers, known as 'Raaf' or 'R.L.S.',⁸⁰⁷ was born in County Cork in 1866 to an Anglican family, and arrived in Auckland in

advertisement, *Waikato Argus*, 4 August 1898, p. 1; *Cyclopedia of New Zealand*, vol. 2, p. 831.

⁷⁹⁹ *Ohinemuri Gazette*, 13 January 1900, p. 2, 24 November 1900, p. 3.

⁸⁰⁰ *Observer*, 27 January 1900, p. 7.

⁸⁰¹ *Waikato Argus*, 24 January 1900, p. 2.

⁸⁰² Bank of New Zealand, Ohinemuri Branch, Half-Yearly Balance Books, Balances as at 31 March 1899, 31 March 1900, Accounts Opened, Bank of New Zealand Archives, Wellington.

⁸⁰³ See paper on women's lives in the Te Aroha district.

⁸⁰⁴ *Thames Star*, 28 October 1901, p. 2.

⁸⁰⁵ Te Aroha Magistrate's Court, Old Age Pension Claim Register 1899-1909, no. 47, BBAV 11503/1a, ANZ-A.

⁸⁰⁶ Death Certificate of Anna Rowe Smardon, 3 December 1905, 1905/6595, BDM.

⁸⁰⁷ *Observer*, 11 April 1928, p. 5; Te Aroha Jockey Club, *Sixty Years of Racing: a diamond jubilee 1880-1940* (Te Aroha, 1940), p. 43.

1875.⁸⁰⁸ The *Te Aroha News* extolled his career prior to settling at Te Aroha:

On completing his education he was apprenticed to the jobbing department of the New Zealand Herald, where he remained for 20 years, showing that he possessed more than the ordinary amount of ability in the craft. By this time Mr Somers had many responsible positions thrust upon him, and he more than demonstrated his ability in every appointment. Mr Somers always took a keen interest in the volunteer movement, and by studious attention he became captain. On leaving the Herald he started business at Helensville, where he remained for three years. During that time he accepted his share of responsibility for the good government of the town, and was a prominent member of the Helensville Town Board.⁸⁰⁹

His obituary clarified that the Helensville business was a hotel.⁸¹⁰ In mid-1895, when he was left the newspaper to 'enter into another line of business on his own account', his fellow employees presented him with a 'silver-mounted ebony walking stick, a silver-mounted pipe, and silver match box, and a cigar case, as a mark of the esteem in which he was held' by 'all departments of the works, with many of whom he has been associated for over twenty years'.⁸¹¹ Perhaps he was tired of 'the typographical art';⁸¹² perhaps it was the influence of his wife, whom he had married earlier that year and who was his partner in this new venture.⁸¹³ In August that year he leased the Helensville Hotel from a brewer.⁸¹⁴ In December 1897 he gave security over the furniture and effects of the Terminus Hotel there for the brewer's loan of £250.⁸¹⁵

⁸⁰⁸ Death Certificate of Ralph Lake Somers, 29 November 1944, 1944/27889, BDM; 'Addresses Presented to Sir George Grey on his 74th Birthday, 14 April 1886, by European and Maori Residents of Auckland Province', p. 44, Grey New Zealand Papers, MS 275, Auckland Public Library.

⁸⁰⁹ *Te Aroha News*, 3 October 1927, Supplement, p. 2.

⁸¹⁰ *Te Aroha News*, 1 December 1944, p. 5.

⁸¹¹ *Auckland Weekly News*, 6 July 1895, p. 18.

⁸¹² *Observer*, 6 July 1895, p. 3.

⁸¹³ Marriage Certificate of Ralph Lake Somers, 1895/309, BDM; *Te Aroha News*, 22 July 1936, p. 1.

⁸¹⁴ *Mercantile and Bankruptcy Gazette of New Zealand*, 22 August 1895, p. 454.

⁸¹⁵ *Mercantile and Bankruptcy Gazette of New Zealand*, 23 December 1897, p. 69.

After being a successful publican there,⁸¹⁶ in December 1901 he purchased the Hot Springs Hotel at Te Aroha.⁸¹⁷ He was to run it until retiring in October 1923 because of his wife's poor health. The local newspaper wrote that 'sincere regret' would be 'felt both by the travelling public and visitors to Te Aroha as well as by the majority or the residents at both the town and district' at the news that this 'popular proprietor' was retiring. 'By his genial and courteous manner coupled with the kindness which has ever been displayed by Mrs Somers the hotel soon acquired a reputation right through the length and breadth of New Zealand'.⁸¹⁸ When his wife died, in 1936, she was recalled as a 'popular hostess' and 'one of the social leaders of the district'.⁸¹⁹

Somers was twice in trouble with the law during his proprietorship. In 1913, the Inspector of Awards successfully sued him for £10, presumably the amount he had underpaid staff.⁸²⁰ In 1919, he pleaded guilty to letting a chimney catch fire and was fined.⁸²¹

In 1905, he bought a property that included winemaking appliances and some bottles of New Zealand wine,⁸²² but there are no records of him making his own wine. Seven years later, he was a director of the Te Aroha Mineral Water Company,⁸²³ whose products he must have sold.

His 22 years in this hotel were highly profitable. In 1912, he declared he was worth £2,500 'in real and personal estate'.⁸²⁴ Six years after his retirement he could afford an architect to design his new house.⁸²⁵ At that time, he had a fixed deposit of £1,592 12s 6d and his wife had one of £300.⁸²⁶ The following year, he erected several shops in what he named the

⁸¹⁶ *Te Aroha News*, 22 July 1936, p. 1.

⁸¹⁷ *Observer*, 14 December 1901, p. 4.

⁸¹⁸ *Te Aroha News*, 2 October 1923, p. 1.

⁸¹⁹ *Te Aroha News*, 20 July 1936, p. 1.

⁸²⁰ Te Aroha Magistrate's Court, Civil Record Book 1911-1914, 47/1913, BCDG 11221/3a, ANZ-A.

⁸²¹ Te Aroha Magistrate's Court, Criminal Record Book 1919-1921, hearing of 10 July 1919, BCDG 11220/3a, ANZ-A.

⁸²² *Ohinemuri Gazette*, 5 April 1905, p. 2.

⁸²³ Company Files, BADZ 5181, box 268 no. 1540, ANZ-A.

⁸²⁴ Hamilton Probates, BCDG 4420/247, ANZ-A.

⁸²⁵ *Te Aroha News*, 11 January 1929, p. 5.

⁸²⁶ Bank of Australasia, Te Aroha Branch, Half-Yearly Balance Books, Balance as at 15 April 1929, p. 24, Australia and New Zealand Bank Archives, Wellington.

Jubilee Buildings.⁸²⁷ In 1939, when he owed it £4,932, his bank estimated that his assets gave him a surplus over liabilities of over £31,000; Somers estimated the surplus at over £41,000. His bank manager described him as a 'reliable man of good standing and consider [he] can be relied on for amount'.⁸²⁸ When he died, in 1944, he left an estate of £23,026 1s 4d.⁸²⁹ With these means, it was not surprising that his obituary referred to the 'generosity and hospitality' that would 'never be forgotten by the many who came into contact with him during his long and useful public career'.⁸³⁰

One reason why his financial position was strong was that he invested only minimally in mining when this was declining. He had two claims at Waihi in 1906,⁸³¹ and three years later became a shareholder in the Bendigo Company at Waiorongomai, his largest holding being 4,500; he wisely sold them before it collapsed.⁸³² As chairman of the Murphy's Find syndicate,⁸³³ he must have invested in this unsuccessful mine, and unless he sold out in time would have lost his investment. He was a director of New Zealand Cinnabar Ltd, which mined for mercury at Karangahake.⁸³⁴ He was also a director of the Thames Valley Printing Company, established to purchase the *Te Aroha Mail* and the *Morrinsville Herald*.⁸³⁵

As early as 1883, Somers was a notable member of several communities. In December 1883, presumably referring to him, Hamilton's *Observer* Man wrote that 'the young spark Somers is taking his departure for Te Aroha this week'.⁸³⁶ During over 20 years of employment by the *New Zealand Herald* he was captain of the Victoria Rifles, 'which he has fitted

⁸²⁷ *Te Aroha News*, 23 June 1930, p. 4.

⁸²⁸ Bank of Australasia, Te Aroha Branch, Half-Yearly Balance Books, Balance as at 16 October 1939, p. 23, Australia and New Zealand Bank Archives, Wellington.

⁸²⁹ Hamilton Probate Register, no. 6266, BCDG 4423/5a; Hamilton Probates, BCDG 4421, 295/1958, ANZ-A.

⁸³⁰ *Te Aroha News*, 1 December 1944, p. 5.

⁸³¹ Warden's Court, *Waihi Daily Telegraph*, 15 November 1906, p. 3, 28 November 1906, p. 3.

⁸³² List of Shares Allotted in Bendigo Company, 10 September 1908, 3 November 1909, 11 May 1910, 11 May 1911, 30 May 1912, Company Files, BADZ 5181, box 226 no. 1332, ANZ-A.

⁸³³ *Auckland Weekly News*, 4 November 1909, p. 36.

⁸³⁴ Company Files, BADZ 5181, box 258 no. 1491, ANZ-A.

⁸³⁵ Company Files, BADZ 5181, box 239 no. 1406, box 268 no. 1540, ANZ-A.

⁸³⁶ 'Hamilton', *Observer*, 22 December 1883, p. 16.

with credit'.⁸³⁷ When he left for Helensville, the *Observer* wondered how the volunteers would cope without his 'moustachios'.⁸³⁸ Although not a member of the Volunteer movement at Te Aroha, in 1902 he was a timekeeper at a Piako Mounted Rifles gymkhana.⁸³⁹ When war broke out in 1914 he did 'his best to augment the Belgian Fund being raised' and 'not only persuaded others to give but has given lavishly himself'. A member of the committee that auctioned a horse for this appeal, when his bid of £15 won he put the horse back into the auction and another person bought it for £12.⁸⁴⁰ The death in action in late 1918 of his second son, a second lieutenant, was 'a great blow to his parents' and was believed to be a cause of his wife's invalidism for the last decade or more of her life.⁸⁴¹ (They had earlier lost a son at the age of 16 months.)⁸⁴²

The *Te Aroha News* obituary described Somers as 'one of the most respected residents of the town'.⁸⁴³ Like the other publicans, he actively supported horse racing and sport. Soon after arriving in Te Aroha he was elected a vice-president of the Jockey Club, and later became treasurer and, for 25 years, president.⁸⁴⁴ He also acted as a steward.⁸⁴⁵ His obituary recorded that it was 'in the racing world' that he would 'be most familiar to the public outside Te Aroha'. Many race-goers would recall him as the president,

always immaculately attired and never without some gay buttonhole. To thousands he was a familiar figure over the 34 years he guided the Te Aroha Jockey Club from its original obscure position to its present proud place as premier country meeting in the Dominion. His wisdom and energy in the advancement of the club have reaped their reward in the respect of the racing fraternity throughout New Zealand.⁸⁴⁶

⁸³⁷ *Observer*, 6 July 1895, p. 3.

⁸³⁸ *Observer*, 6 July 1895, p. 16.

⁸³⁹ *Auckland Weekly News*, 18 December 1902, p. 33.

⁸⁴⁰ *Observer*, 21 November 1914, p. 5.

⁸⁴¹ *Te Aroha News*, 16 October 1918, p. 2, 2 October 1923, p. 1, 22 July 1936, p. 1.

⁸⁴² *Auckland Weekly News*, 3 April 1902, p. 30.

⁸⁴³ *Te Aroha News*, 1 December 1944, p. 5.

⁸⁴⁴ *Thames Star*, 10 September 1902, p. 4; *Te Aroha News*, 15 November 1918, p. 2, 30 August 1923, p. 5.

⁸⁴⁵ Photograph, *Te Aroha News*, 29 August 1934, p. 4.

⁸⁴⁶ *Te Aroha News*, 1 December 1944, p. 5.

He was also president of the local trotting club.⁸⁴⁷ A life member of the Jockey Club and the bowling and golf clubs, he was president for 35 years of the latter.⁸⁴⁸ When the former was formed in 1902, he was on its committee.⁸⁴⁹ In 1914 he became a vice-president of the South Auckland Rugby Union, and four years later was elected president of the local tennis club.⁸⁵⁰ And he was an enthusiastic cribbage player.⁸⁵¹

When the Te Aroha Chamber of Commerce was formed in 1908 he was on its committee.⁸⁵² Being in a 'mixed marriage' with a Catholic did not inhibit him from being vicar's warden at St Mark's Anglican Church for 12 years.⁸⁵³ In 1906, he was elected to the school committee, and in the following year became chairman, a position he held 'for a considerable span of years'.⁸⁵⁴ 'For a long time he was chairman of the fire board, and also president of the St John Ambulance Association', and was a patron of both the Thames Valley Agricultural Pastoral, and Horticultural Association and the Te Aroha District High School Old Pupils' Association.⁸⁵⁵ He was also for a time a member of the Thames harbour and hospital boards and held 'every important public position which it was within the power of the ratepayers to bestow'.⁸⁵⁶

In April 1903, Somers was elected unopposed to the borough council.⁸⁵⁷ He did not stand for election again until 1906, when he was elected mayor with 197 votes; his rival received 107.⁸⁵⁸ According to the *Observer* (as the local newspaper is lost, the *Observer's* claims cannot be either proved or

⁸⁴⁷ *Te Aroha News*, 2 October 1923, p. 1.

⁸⁴⁸ *Te Aroha News*, 1 December 1944, p. 5.

⁸⁴⁹ *Auckland Weekly News*, 27 November 1902, p. 33.

⁸⁵⁰ *Te Aroha News*, 29 May 1914, p. 2, 4 November 1918, p. 2.

⁸⁵¹ *Auckland Weekly News*, 27 March 1902, p. 39.

⁸⁵² *Auckland Weekly News*, 23 April 1908, p. 36.

⁸⁵³ *Auckland Weekly News*, 2 July 1908, p. 36; *Te Aroha News*, 21 May 1910, p. 2, 22 July 1936, p. 1, 1 December 1944, p. 5.

⁸⁵⁴ *Auckland Weekly News*, 3 May 1906, p. 21, 2 May 1907, p. 21, 30 April 1908, p. 32; *Te Aroha News*, 1 December 1944, p. 5.

⁸⁵⁵ *Te Aroha News*, 1 December 1944, p. 5.

⁸⁵⁶ *Te Aroha News*, 2 October 1923, p. 1.

⁸⁵⁷ *Auckland Weekly News*, 23 April 1903, p. 33.

⁸⁵⁸ *Auckland Weekly News*, 3 May 1906, p. 20.

disproved), his opponent, John Benjamin Johnson,⁸⁵⁹ had the support of the prohibitionists, who ‘plied the muck-rake for all they were worth’, attacking his character and claiming he had ‘no stake in the town worth speaking of’.⁸⁶⁰ It also commented that it was ‘no wonder’ that he had grown fat, ‘judging from the way in which he is being feted by the citizens’.⁸⁶¹ After becoming mayor, he was opposed for re-election only once, when ‘he secured a most convincing victory’.⁸⁶² Upon his re-election in 1908 councillors congratulated him ‘and expressed great satisfaction with his conduct of affairs’.⁸⁶³ The following year, after a deputation presented a petition signed by 250 residents, he agreed to stand as mayor once more and was re-elected unopposed.⁸⁶⁴ In its Christmas Annual, the *Observer* published a kindly cartoon of him, plus a poem:

Who’s this scrumtious dook?⁸⁶⁵ –
 Note his sprightly look,
 And his air so debonair and bland.
 Somers is his name,
 And he’s known to fame
 As Te Aroha’s Mayor supreme and grand,
 And each one admits
 That while Somers sits
 In the chair there cannot be a frost.⁸⁶⁶
 If they’re wise they’ll see
 Carefully that he
 Is kept within the chair at any cost.⁸⁶⁷

In 1910 he again consented to be re-nominated, and was again unopposed, as in the following year.⁸⁶⁸ Over 100 ratepayers petitioned him

⁸⁵⁹ See paper on the temperance movement in the Te Aroha district.

⁸⁶⁰ *Observer*, 5 May 1906, p. 5.

⁸⁶¹ ‘They Say’, *Observer*, 5 May 1906, p. 7.

⁸⁶² *Te Aroha News*, 3 October 1927, Supplement, p. 2.

⁸⁶³ *Auckland Weekly News*, 7 May 1908, p. 37.

⁸⁶⁴ *Te Aroha News*, 6 March 1909, p. 2; *Auckland Weekly News*, 11 March 1909, p. 26, 29 April 1909, p. 21.

⁸⁶⁵ ‘Upper-form boy’: Partridge, p. 331.

⁸⁶⁶ ‘An utter failure or complete disappointment’: Partridge, p. 430.

⁸⁶⁷ *Observer*, Christmas Annual, 1909, p. 15.

⁸⁶⁸ *Auckland Weekly News*, 31 March 1910, p. 24, 28 April 1910, p. 21, 27 April 1911, p. 40.

to stand again in 1912, which he agreed to do.⁸⁶⁹ Two years later, after eight years as mayor, he decided not to stand again.⁸⁷⁰ Upon retiring he received 'a public testimonial'.⁸⁷¹ In November 1914 the *Observer* wrote that, although he was 'taking a rest from affairs municipal and is devoting himself to the care of the Hot Springs Hotel', it was rumoured that he would stand against a prohibition candidate if his successor retired.⁸⁷² As the latter did not, Somers did not contest the mayoralty again.

In a 1927 review of his career, his successes were outlined in detail:

Up to the time he retired Mr Somers was a foremost figure in all local affairs, and by his tact and consistent efficacy in all matters tending towards the advancement of Te Aroha earned a warm spot in the heart of every true townsman. The foundations of electric lighting reticulation and sanitary concerns were laid at the time of Mr Somers' entering local politics, but the local conveniences were in a very primitive condition. Realizing this, Mr Somers immediately set to work and discussed with his colleagues ways and means for bringing the various local schemes up to a more modern state of affection. The first plant in his platform was in the direction of perfecting the electric lighting system and instituting an efficient drainage scheme. His council immediately affected an improvement by having a water pipeline laid from the electric power station and attaching it to the reservoir. The extra water supply thus obtained was most beneficial during the dry months of the season. By a gradual process the water scheme was perfected. In 1912 the ratepayers sanctioned a loan, and with this money a reservoir was constructed and a power plant was installed. During Mr Somers' administration the main portion of the town was properly sewered making it one of the healthiest towns in the province. Through Mr Somers' instrumentality Te Aroha received the sanction of the Railway Department for the re-erection of an up-to-date railway station, in place of the "dog box" variety of architecture. He was also instrumental in having the traffic bridge ... constructed, and though this bridge was not as wide as was advocated, it still served a great purpose. One of his most important acts was in obtaining the sanction of the Minister to build a post office at Te Aroha. To obtain his purpose he had to make many visits to Wellington, and dispatch hundreds of letters and telegrams to the Minister. And Mr Somers did much to make

⁸⁶⁹ *Auckland Weekly News*, 14 March 1912, p. 49.

⁸⁷⁰ *Te Aroha News*, 27 March 1914, p. 2.

⁸⁷¹ *Te Aroha News*, 2 October 1923, p. 1.

⁸⁷² *Observer*, 21 November 1914, p. 5.

the name of Te Aroha known throughout the Dominion. Through his advocacy the people of Te Aroha obtained that piece of land known as the Herries Memorial Park which is situated right in the heart of the town. No better tribute could be paid to Mr Somers than appeared in the "Mail" on April 10th, 1913: "In all public functions ... Mr Somers had ungrudgingly lent his services, especially when representations had to be made Mr Somers had added an additional honour and importance thereto by the enrichment of the metrical resources of our language, which will keep his memory green throughout the ages. He arrests general and marked attention by his distinguished air, his confident voice, and his finely turned phrases. He has infused into local politics a new spirit born of his indomitable belief in reform and progress, and his own unshaken determination to carry these into practice."⁸⁷³

When he retired from his hotel the local newspaper wrote that he could 'look back with pleasure to the result of his efforts in assisting the progress of the town and district. Amongst the foremost of these has been the securing of 150 acres at Ruakaka for a scenic reserve'. In addition, 'it was through his efforts that the Borough Council obtained the present Borough Chambers' for 'a peppercorn rent; as well as securing 15 acres for a recreation reserve'.⁸⁷⁴ Somers' obituary recalled him as being 'instrumental in the installation of electric light in the Borough, the third provincial town in New Zealand to be thus served'.⁸⁷⁵

As in national politics he was a Liberal,⁸⁷⁶ he was genuinely pleased to entertain Sir Joseph Ward in 1910. According to local gossip, 'there was only one thing' that Ward enjoyed 'more than Mayor Somers' company, and that was his stock of tough yarns'.⁸⁷⁷ The *Observer*, which praised him on and off over many years, referred in 1928 to his 'everlasting youth and bloom' and being 'full of Irish wit and poetry'.⁸⁷⁸ In 1940, four years before his death,⁸⁷⁹ he was praised for his 'wide and sympathetic knowledge of human nature'; he was 'widely known for his hospitality'.⁸⁸⁰

⁸⁷³ *Te Aroha News*, 12 October 1927, Supplement, p. 1.

⁸⁷⁴ *Te Aroha News*, 2 October 1923, p. 1.

⁸⁷⁵ *Te Aroha News*, 1 December 1944, p. 5.

⁸⁷⁶ *Ohinemuri Gazette*, 23 July 1906, p. 2.

⁸⁷⁷ "They Say", *Observer*, 12 March 1910, p. 7.

⁸⁷⁸ *Observer*, 11 April 1928, p. 5.

⁸⁷⁹ Death Certificate of Ralph Lake Somers, 29 November 1944, 1944/27889, BDM.

⁸⁸⁰ *Te Aroha Jockey Club*, p. 43.

When a mariner in his youth,⁸⁸¹ **James Warren** had been impressively tattooed. ‘Crucifix tattooed on left upper arm; Highlander, sailor holding cutlass on left forearm; bracelet on each wrist; Scotchman and flag on right upper arm; SL on right forearm’. Despite these Scottish touches, he had been born in England, in 1834.⁸⁸² And despite the crucifix, when at Te Aroha he was a vestryman for the Church of England; he would die a Baptist.⁸⁸³ The military flourishes reflected his being the son of a soldier.⁸⁸⁴ He was a member of the 58th Regiment, which served in the colony from 1845 to 1858.⁸⁸⁵ In 1898, when he sought money from the government for his service, his claim of service in the regiment was dismissed: ‘No evidence whatever submitted’.⁸⁸⁶ His widow’s death notice described him as a sergeant major in it.⁸⁸⁷ Seemingly he left it before moving to New Zealand.⁸⁸⁸

In March 1865, at the age of 28 he married Annie Coleman, John Coleman’s sister.⁸⁸⁹ Nine months later, their first child, Florence Maud, was born.⁸⁹⁰ In 1867, their son William James was born, but he died aged two years and three months of what was described variously as ‘concussion of brain’ and ‘cerebral congestion’.⁸⁹¹ A week later, Annie’s mother Alice died; four days later, a daughter was born and named Alice.⁸⁹²

⁸⁸¹ Birth Certificate of Florence Maud Warren, 23 December 1865, 1865/10041, BDM.

⁸⁸² *New Zealand Police Gazette*, 17 August 1887, p. 167.

⁸⁸³ *Te Aroha News*, 24 April 1886, p. 2; Death Certificate of James Warren, 31 May 1901, 1901/2325, BDM.

⁸⁸⁴ Death Certificate of James Warren, 31 May 1901, 1901/2325, BDM.

⁸⁸⁵ Ian Wards, ‘British Army in New Zealand’, *The Oxford Companion to New Zealand Military History*, ed. Ian McGibbon (Auckland, 2000), p. 70.

⁸⁸⁶ ‘Naval and Military Claims’, *AJHR*, 1898, H-13, p. 33.

⁸⁸⁷ Death Notice, *New Zealand Herald*, 5 February 1916, p. 1.

⁸⁸⁸ Lucy Alabaster (Librarian, Kippenberger Military Archive and Research Library, Army Museum, Waiohuru) to Philip Hart, 15 August 1907, email.

⁸⁸⁹ Marriage Certificate of James Warren, 4 March 1865, 1865/5265; Death Certificate of Annie Warren, 4 February 1916, 1916/274, BDM; *Auckland Weekly News*, 6 November 1869, p. 8.

⁸⁹⁰ Birth Certificate of Florence Maud Warren, 23 December 1865, 1865/10041, BDM.

⁸⁹¹ Birth Certificate of William James Warren, 1867/16132, BDM; Death Certificate of William James Warren, 3 October 1869, 1869/2407, BDM.

⁸⁹² Death Certificate of Alice Coleman, 11 October 1869, 1869/477; Birth Certificate of Alice Warren, 15 October 1869, 1869/16778, BDM.

When he married, Warren was a sergeant major in the Waikato Militia.⁸⁹³ When in Dunedin, and aged 29, at the beginning of October 1863 he had enrolled in No. 3 Company of the First Regiment.⁸⁹⁴ Almost immediately, he transferred to No. 1 Company of the Fourth Regiment and became a sergeant major.⁸⁹⁵ When he enlisted, he described himself variously as a mariner, a soldier, and a labourer.⁸⁹⁶ For his services, he received land grants.⁸⁹⁷ In March 1869, he enrolled in the Hauraki Rifle Volunteers as a private.⁸⁹⁸ The following year, he transferred to another company as colour sergeant.⁸⁹⁹ In 1874, he transferred to the Thames Scottish Rifles, with the rank of sergeant.⁹⁰⁰ Five years later, he assisted to form the Hamilton Rifle Volunteers and was elected at what was variously described as Colour Sergeant and Sergeant Major and was the Drill Master for the corps and its band.⁹⁰¹

In June 1868, Warren became a miner in Thames,⁹⁰² and continued to mine there during the early 1870s.⁹⁰³ In 1877 he was working for others on

⁸⁹³ Church of England, District of Waikato, Marriage Register 1857-1878, no. 5, Anglican Diocesan Archives, Hamilton.

⁸⁹⁴ Waikato Militia, Third Regiment, Nominal and Descriptive Roll, no. 233, microfilm.

⁸⁹⁵ Waikato Militia, Fourth Regiment, Nominal and Descriptive Roll, no. 454, microfilm.

⁸⁹⁶ Waikato Militia, Third Regiment, Nominal and Descriptive Roll, no. 233; Fourth Regiment, Nominal and Descriptive Roll, no. 454, microfilm.

⁸⁹⁷ First Waikato Regiment, Land Register 1863; Fourth Waikato Regiment, Land Register 1864, Army Department, microfilm; 'Papers Relative to Claims of Certain Waikato Militiamen for Additional Pay', *AJHR*, 1866, D-4, p. 11; *Auckland Provincial Government Gazette*, 22 August 1867, p. 352, 26 June 1869, p. 529, 28 November 1870, p. 433.

⁸⁹⁸ Hauraki Rifle Volunteers, No. 2 Company, Nominal Roll as at 1 April 1869, Army Department, ARM 41, 1883/1ah, ANZ-W.

⁸⁹⁹ Hauraki Rifle Volunteers, No. 3 Company, Nominal Roll as at 31 March 1872, Army Department, ARM 41, 1878/1m, ANZ-W.

⁹⁰⁰ Thames Scottish Rifles, Nominal Roll as at May 1874, Army Department, ARM 41, 1882/1v, ANZ-W.

⁹⁰¹ Hamilton Rifle Volunteers, Capitation Roll, March 1880, Army Department, ARM 41, 1880/1q, ANZ-W; *Waikato Times*, 10 May 1879, p. 2, 1 July 1879, p. 2, 11 October 1879, p. 2, 30 December 1879, p. 2, 11 March 1880, p. 2.

⁹⁰² Thames Warden's Court, Register of Miners' Rights 1868, no. 6355, BACL 14358/2a, ANZ-A; Church of England, Thames Register of Baptisms 1868-1874, no. 186, Anglican Archives, Auckland.

two farms in Piako.⁹⁰⁴ Although he settled in Hamilton East in 1878,⁹⁰⁵ he continued his links with farming, advertised at the beginning of 1880 that, 'having leased Mr Coates' Threshing Machine, with four Horses', he 'respectfully' solicited 'a share of patronage'.⁹⁰⁶ In June 1878, after having collected tolls for the council for a few weeks, he obtained the lease of the Hamilton ferry for 12 months.⁹⁰⁷

At the end of 1879 he advertised himself as the proprietor of 'River View Cottage, Hamilton East. Private residence and comfortable house for single gentlemen or families'; it provided 'Boating Accommodation'.⁹⁰⁸ Then in June 1880 he sold all the furniture and effects of his Hamilton East house.⁹⁰⁹ Nevertheless, his family remained in Hamilton while he took Coates' steam threshing machine around the farming districts of Tuhikaramea and Whatawhata (and no doubt elsewhere) and also during 1882 worked on the formation of Sydney Square (now Steele Park) in Hamilton East.⁹¹⁰ As an indication of his standing in the community, he held a minor office in the Freemasons.⁹¹¹

The first time it was recorded that Warren was involved with Te Aroha hotels was in November 1882, when applicants for positions as a cook and a housemaid at the Hot Springs Hotel were told to apply either to John Coleman at Te Aroha or Warren's wife in Hamilton'.⁹¹² In August 1883, Warren took over Walker's Hotel, as a tenant of its owner, Louis

⁹⁰³ Thames Warden's Court, Shortland Claims Register 1871-1872, nos. 2581, 3600, BACL 14397/6a, ANZ-A; *Thames Advertiser*, 9 March 1874, p. 2, 17 March 1875, p. 4, 23 May 1876, p. 6.

⁹⁰⁴ *Waikato Times*, 4 January 1877, p. 3, 17 February 1877, p. 3, 22 May 1877, p. 2, advertisement, 12 June 1877, p. 3, 16 June 1877, p. 2.

⁹⁰⁵ Hamilton Rifle Volunteers, No. 3 Company, Capitation Roll, March 1880, Army Department, ARM 41, 1880/1q, ANZ-W.

⁹⁰⁶ Advertisement, *Waikato Times*, 1 January 1880, p. 3.

⁹⁰⁷ *Waikato Times*, 24 June 1878, p. 2; see also 19 October 1878, p. 2.

⁹⁰⁸ Advertisements, *Waikato Times*, 30 December 1879, p. 2, 1 January 1880, p. 3.

⁹⁰⁹ *Waikato Times*, 8 June 1880, p. 2, advertisement, 10 June 1880, p. 3.

⁹¹⁰ *Waikato Times*, 1 April 1882, p. 2, letter from James Warren and Alfred Bennett, 30 May 1882, p. 3, letter from T.G. Sandes, 1 June 1882, p. 2, advertisement, 4 November 1882, p. 3.

⁹¹¹ *Waikato Times*, 25 June 1881, p. 2, 24 Jun 1882, p. 2.

⁹¹² Advertisement, *Waikato Times*, 4 November 1882, p. 3.

Ehrenfried,⁹¹³ a Thames brewer.⁹¹⁴ According to the local newspaper, he was ‘well and most favourably known’.⁹¹⁵ Late in the previous year he had invested in the Vermont and Diamond Gully claims; when the latter became a company in December, he was allotted 250 scrip shares,⁹¹⁶ and when the former became a company in August 1883 he held 833 shares.⁹¹⁷ His only other known investment in Waiorongomai mining was in 1886, when, ‘in consideration of a half share in the claim’, he ‘agreed to cry quits’, presumably of board owed by the bachelor miner, and allowed the latter ‘25s per week towards the cost of working the claim’.⁹¹⁸

Warren was licensee of this hotel, which became the Palace in June 1885,⁹¹⁹ for three years.⁹²⁰ In February 1885, he planned to extend ‘his already well-appointed Hotel’.⁹²¹ The Hamilton newspaper sang its praises in mid-1886:

The Palace Hotel of Mr James Warren is the nearest to the railway station, and is a most comfortable hostelry. The parlours are well furnished and the bedrooms are lofty and healthy. The dining room is very spacious, and we have always found here an excellent table. Waikato visitors generally make for the Palace.⁹²²

In 1885, Warren was charged with having sold drinks at one o’clock in the morning.⁹²³ The Hamilton newspaper commented that, as was ‘usual in such cases, the evidence adduced was of a most conflicting nature’.⁹²⁴ The

⁹¹³ *Waikato Times*, 7 August 1883, p. 2.

⁹¹⁴ See paper on Harry Kenrick.

⁹¹⁵ *Te Aroha News*, 11 August 1883, p. 2.

⁹¹⁶ Te Aroha Warden’s Court, Register of Licensed Holdings 1881-1887, folios 4, 97, BBAV 11500/9a, ANZ-A; *New Zealand Gazette*, 14 December 1882, p. 1885.

⁹¹⁷ *New Zealand Gazette*, 6 September 1883, p. 1265.

⁹¹⁸ Magistrate’s Court, *Te Aroha News*, 26 November 1887, p. 3.

⁹¹⁹ *Te Aroha News*, 27 June 1885, p. 2.

⁹²⁰ Te Aroha Magistrate’s Court, Register of Publicans’ Licenses 1882-1892, nos. 7, 17, 24, BBAV 11493/1a, ANZ-A; *Waikato Times*, 2 September 1886, p. 2.

⁹²¹ *Thames Advertiser*, 28 February 1885, p. 3.

⁹²² *Waikato Times*, 8 June 1886, p. 2.

⁹²³ Te Aroha Magistrate’s Court, Criminal Record Book 1881-1896, 25/1885, BCDG 11220/1a, ANZ-A.

⁹²⁴ Magistrate’s Court, Te Aroha, *Waikato Times*, 6 August 1885, p. 2.

local newspaper provided considerable detail of what went on and how witnesses attempted to deny culpability:

The first witness called by the Police was Jas. Gerrish,⁹²⁵ who, on being sworn, stated in reply to Sergeant Emerson, that: He was a bellman residing at Te Aroha. Recalled the morning of the 18th of July. Was in Warren's Hotel on that date after the house had been closed. Saw you there. There were several others with me at the time. [The Sergeant here stated witness had a pint pot of beer half full before him when he saw him.]

Went after ten o'clock to the hotel to light my lantern which had gone out. Wanted to try and find a hat a man had lost, and also to find out the number of a gentleman's room who wanted to be called early, to leave by the steamer in the morning. Whilst there a man named O'Brien came in and commenced to curse and swear. The man whose hat I was looking for "shouted" for us. Left the hotel immediately after you. Do not remember you saying "There's the clock striking one." Don't know what time it was. Could not say whether the bar was lit up or not; was in the room adjoining it. It might have been lit up.

In the reply to His Worship: It might have been an hour after I went there that the Sergeant came in.

Charles Gordon,⁹²⁶ sworn, in reply to Sergeant Emerson: Am a miner residing at Quartzville. Recollect the morning of the 18th July. Saw you in Warren's Hotel. I was there also, and a man named Smith was with me. Intended stopping there that night, but did not do so, and went away with Smith. The men who were in the room at the same time all appeared sober with the exception of Smith. Don't know what hour I left the house. Did not engage any bed up to 1 o'clock in the morning. Recollect both you and myself assisting my friend Smith, who had too much liquor, and fell into the creek. Whilst I was at Warren's I had several drinks. Recollect that a disturbance took place there, and Warren put a man named O'Brien out of the house. O'Brien was quiet enough as far as I know. A party of four men were playing dominoes. I stayed that night afterwards at [Charles] Gallagher's hotel.⁹²⁷

In reply to His Worship: My friend was not drunk when he went in, but was when he came out; he got drunk whilst there. Saw the witness Gerrish there. As far as I know my friend had two or three drinks whilst we were at Warren's. I had previously left Gallagher's hotel, which was not closed at the time I left.

⁹²⁵ See paper on James Gerrish.

⁹²⁶ As he did not invest in any mines, his career has not been traced.

⁹²⁷ See paper on his life.

John O'Brien, sworn, in reply to Sergeant Emerson: Reside at Te Aroha. My last occupation was as cook at the British Hotel, Te Aroha. Do not recollect going to the Police Station one morning recently. Cannot say how it is I don't recollect doing so, but suppose it is because I was too intoxicated. I had previously been at Warren's Hotel, but could not say at what time. Do not recollect having had any quarrel with Warren.

Sergeant Emerson, sworn, stated: At ten minutes to one o'clock in the morning of July 18th the witness O'Brien knocked at the Police Station and said he wanted me to come up to Mr Warren's at once, that he had been assaulted, ill-used, and kicked out of the hotel. I dressed myself and went up as quickly as possible. On arriving there I heard a number of voices in the room which adjoins the bar. Went round to the door and knocked two or three times for admission. After a little Warren came and let me in. In the room next the bar I found six men, most of them the worse for drink, one man named Smith being helplessly drunk. Asked Warren if these men were lodgers. He replied they all were with the exception of the witness Gerrish. The bar was lit up at the time, and on a table round which several men were sitting were three glasses, and a pint measure was in front of Gerrish, which was about half full of drink. Spoke to Warren about keeping the men there.

In reply to Mr Hay [Warren's solicitor]: There did not appear to be anything in the glasses. There was a "head" on the beer in Gerrish's pint. There were men there whom I knew well were not lodgers.

To His Worship: I found both the man Smith and the witness Gordon later on lying drunk in the creek; they might have been drowned.

Warren's solicitor then raised 'several technical objections', which were over-ruled. Hay then called Warren to the witness box:

Remember the evening of the 17th July. Was then in my hotel. Closed the hotel at 10 o'clock. There were no persons except lodgers in my house at the time I closed it. The witness Gerrish came in soon after I had closed with two other lodgers. My lodgers come in up till 1 and 2 o'clock in the morning. I always leave the back door open for them, to avoid sitting up. On the night referred to O'Brien came in with Smith and Gordon, and wanted drinks which I refused. I understood Gordon to ask for a bed for himself and his mate who was intoxicated, and I told him to take No. 17, and booked it to them at the time. At about 10 o'clock, or it might have been a few minutes afterwards, I sold liquor to one of the lodgers who "shouted" for three or four others. I sold no liquor after that on the night referred to. O'Brien interfered with this

lodger, and used some filthy language, and repeated it to me, I put him out on his head in the passage. The reason I kept my house open was to accommodate late lodgers. Remember Sergeant Emerson coming to the hotel. I let him in. He asked what noise was going on, I said I was not aware of any noise beyond some few lodgers playing a game of dominoes. Believe two or three lodgers were still out at the time referred to.

In reply to Sergeant Emerson: Gordon and Smith came in between 10 and 11. They were there because I could not get them out.

Chas. Gordon (recalled), to His Worship: I am quite positive Warren supplied me with at least two drinks that night, I may have had more. I paid for one drink, Smith, I believe, for another. I am certain I did not ask for any room. Warren told me to take a room, No. 17, but I never asked for one, nor did I make use of one.

The magistrate, Harry Kenrick, had no difficulty reaching a verdict:

It was quite clear that the house had been kept open on the occasion referred to for the sale of liquor; of that there was not the slightest doubt whatever, even allowing a large margin for the excuse made respecting the boarders. It had been clearly shown that one or two persons who went in were the worse of liquor when they did so. I take it that any respectable hotelkeeper would be anxious to get such people out again as soon as possible.

After citing evidence to prove that after-hours drinking had taken place, Kenrick 'regretted' that this charge had been 'brought home against this house, as it was generally well kept and orderly' and fined Warren £5 with costs.⁹²⁸

Like other publicans, Warren helped to run race meetings.⁹²⁹ He was also a Mason, becoming treasurer of the Te Aroha lodge.⁹³⁰

Warren admitted, in 1886, that as he 'had no capital' when he became the landlord he had given Ehrenfried 'promissory notes amounting to about £900 for the furniture and stock in the hotel. A month or two after I took the hotel I gave Mr Ehrenfried a promissory note for £168 for the billiard table and fittings'.⁹³¹ By February 1885 his financial state forced him to give Ehrenfried a conditional bill of sale over the household furniture, billiard

⁹²⁸ Magistrate's Court, *Te Aroha News*, 8 August 1885, p. 2.

⁹²⁹ *Te Aroha News*, 16 January 1886, p. 2, 6 February 1886, p. 7.

⁹³⁰ *Te Aroha News*, 10 January 1885, p. 2; *Waikato Times*, 23 February 1886, p. 2.

⁹³¹ *Te Aroha News*, 11 September 1886, p. 3.

table, and bar fittings 'to secure the repayment of £1225'.⁹³² He later estimated that he 'put at least £600 worth of extra furniture in the house; this was included in the bill of sale, also, this was in the first six months of my occupation'. Late in August that year, Ehrenfried

distrained for rent due £120, I had no money to pay him; the following day he demanded £1225 within twenty-four hours. I was not able to pay this amount, and his bailiffs took possession of everything in and about the premises, also of two cases of bottled ale and porter which were on the wharf.... My four cows were also seized for rent.

At the beginning of September the following year, he sold his license to another publican and filed as insolvent.⁹³³ At the first meeting of his creditors he estimated his 'stock-in-trade of liquors and stores' to be worth £100 and said the furniture not included in the bill of sale was worth 'say about £250'. When he left the hotel at the end of that month, 'the bailiff allowed me to remove my wearing apparel only, my wife's, and daughter's also'. He had paid his solicitor £10 'I had on hand of my own, taken out of the business'. There was 'no other property of any description' apart from what he had listed: 'Stock-in-trade at Palace Hotel, Te Aroha, £100; book debts, £100, estimated to produce £50; cash in hand, nil; furniture, included in bill of sale; four cows, £24; eight pigs, £5; thirty fowls, £3; surplus from securities in hand of secured creditor £175. Total, £357'. Unsecured creditors were owed £296 1s 7d, including three servants' wages and £120 in rent. Ehrenfried was a secured creditor through the bill of sale, valued at £1400. At this meeting, Warren admitted to Ehrenfried that he had repaid his bank £9 'just before filing'.

Mr Ehrenfried: Are you aware that in March, April, and the beginning of May last you had goods from me amounting to about £400, for which not yet one shilling [had] been paid. The profit on those goods would be at least 75 per cent; and these goods have been sold, and should have produced £700. What have you done with the money?

Mr Warren: I had goods from you, but without my books cannot tell the amount. With the proceeds I have done the best I could in paying my creditors.

⁹³² *Mercantile and Bankruptcy Gazette of New Zealand*, 28 February 1885, p. 67.

⁹³³ *Waikato Times*, 2 September 1886, p. 2, 4 September 1886, p. 2; *Te Aroha News*, 4 September 1886, p. 2.

After it was unanimously agreed, on Ehrenfried's motion, to transfer the proceedings to Auckland, Ehrenfried criticized Warren once more:

I believe if Mr Warren had tried he could have paid 20s in the £, but apparently he made no effort to pay anybody. From Friday morning last until Wednesday £50 cash was taken in that hotel, and that in the middle of winter, and the business has gone on at a similar rate since; what must have been the takings of the bankrupt in the summer time? Surely often at least £100 per week. He is not in the position of one who had called his creditors together and asks what he had best do; but at once rushed off to Hamilton to [his solicitor] to put him through [the bankruptcy process], and pays off the Bank of New Zealand overdraft, whilst at the time owing the servant girls over three months wages.

Warren's solicitor responded that, 'as an evidence of bad times', Warren had told him 'that long ago Mr Ehrenfried promised (verbally) to reduce the rent to 5s a week. (This Mr Ehrenfried denied)'. Ehrenfried had 'seized everything, without the slightest consideration for the rest of the creditors'. In reply, Ehrenfried stated that during the time that Warren ran the hotel the rent he received 'would not average £2 10s per week'.⁹³⁴

The subsequent meeting of his creditors was held in Auckland.

In answer to Mr Ehrenfried, the debtor said two of the riding horses used by his wife and his daughter belonged to his wife, and he did not now know where they were. He was overdrawn in his bank account two days before he filed; when his attention was drawn to it he paid it. The list put in showed the payments made by him since the 1st of May, amounting to £233 11s. This was mostly paid in cash. The voucher should be amongst the papers in the Assignee's possession. About £20 to £25 of this was paid within a fortnight of his filing. He had £11 odd belonging to the Masonic body, and that he paid to one of the Masters out of cash in hand four or five days before he filed. He did not remember any other payments within a fortnight of his filing. He owed three months' wages to servants. He was adjudicated a bankrupt on September 3. On the 25th of August he drew cheques for himself for £10 and £33 13s 2d, and on September 30 £6 2s. His cheque books would show what the money was paid for. He fell back in rental £130, for which he gave Mr Ehrenfried a promissory note. He afterwards paid him £50, leaving £80 owing. His rent was doubled last spring. His weekly takings were from £60 to £70 or

⁹³⁴ *Te Aroha News*, 11 September 1886, p. 3.

£80 during his tenancy, and his profits might be one-third of the takings. Mr Ehrenfried suggested to him that he should leave the premises, transfer the license, and receive £20 for the furniture he left, Mr Ehrenfried giving him a clear receipt. He agreed to do so, but on being informed that it would be an injustice to other creditors, he refused to do it and filed.

The meeting was adjourned so that Warren could 'supply a proper account of receipts and expenditure from January 1, 1886, up to date of filing'.⁹³⁵ Shortly afterwards, he 'presented the account of receipts and expenditure as instructed':

It appeared that no cash book had been kept, and the only statement which could be produced is from the bank pass-book and vouchers. The bank pass-book showed that during the eight weeks from January 1, 1886, the sum of £1992 19s was banked, of which £88 was received from creditors to assist the debtor in meeting promissory notes. That left £1905 as receipts from the business during thirty-five weeks, or an average of £54 per week, plus all accounts paid into court.

After he was questioned about Ehrenfried's statement, the meeting was adjourned, 'the debtor in the meantime to consider whether he could make an offer to the creditors'.⁹³⁶ Warren's third and public examination in the Supreme Court was not held until the following July, when the creditors applied for his committal to prison because of fraudulent bankruptcy. The solicitor representing some of the creditors noted that this application 'had been repeatedly adjourned on account of the non-appearance of the bankrupt'. Asked to account for £90, which he admitted having received, Warren explained who had been given money between 23 and 27 August, the latter date being when Ehrenfried took possession of the hotel. 'To meet these payments, he withdrew his account from the bank', to which he added 'the money taken in the bar'. He received 'had no notice of the seizure' of his hotel 'until five minutes before it took place'.

The accountant working in the assignee's office explained 'how he made up the list of book debts. He could not do so from the books, it would be impracticable from the way they were kept'. He described 'the state of

⁹³⁵ *New Zealand Herald*, 29 September 1886, p. 3.

⁹³⁶ *Te Aroha News*, 2 October 1886, p. 2.

the ledger, and the explanation made by the bankrupt as to the meaning of the entries, which was very confused’.

Ehrenfried in evidence stated he had asked Warren to take the hotel. He had been ‘aware then he had no means, but since then, during the three years before his bankruptcy, he had large transactions with him, and received regular monthly payments in full of his accounts till within the last three months’. He ‘was not entirely supporting’ the application for committal, ‘but was doing so in conjunction with other creditors’. During the last few months Warren was landlord, ‘certain alterations’ to the hotel were made, ‘but he was sure there was no falling off in the business’, and if Warren ‘said his business was stopped by the noise made by the workmen, it was incorrect’. Four months before ‘he re-entered for rent’, Warren had asked him ‘to take over the house, as he had then increased his account from £800 to £1400, having purchased a quantity of furniture and a billiard table’, which Ehrenfried had paid for. Warren had also ‘cleared a quantity of furniture out of the house into a cottage, and sent for’ Ehrenfried ‘to take possession’.⁹³⁷ According to another version of Ehrenfried’s evidence, Warren ‘cleared the most valuable furniture out of the house, and then invited witness to come up and take possession of the half empty house’.⁹³⁸ Under cross-examination, Ehrenfried admitted that ‘part of the furniture removed was brought back to the hotel’ to enable Warren to carry on.⁹³⁹

Warren’s solicitor argued his client should not be imprisoned, ‘as the books were not kept in such a way as to show any intention to deceive’ and the accounts had been paid monthly. The creditors’ counsel argued that he should be imprisoned ‘as a lesson to bankrupts that they will not be allowed to keep a set of books which are only calculated to mislead and deceive’. The judge decided that ‘the books certainly showed great carelessness’, accepted Ehrenfried’s statement that Warren had tried ‘to conceal the true state of his affairs’, and sentenced him to one month’s prison with hard labour.⁹⁴⁰ ‘Had he been charged with removing goods from the hotel his sentence would have been very severe’.⁹⁴¹

⁹³⁷ Supreme Court, *New Zealand Herald*, 26 July 1887, p. 3.

⁹³⁸ Supreme Court, Auckland, *Te Aroha News*, 30 July 1887, p. 3.

⁹³⁹ Supreme Court, *New Zealand Herald*, 26 July 1887, p. 3.

⁹⁴⁰ Supreme Court, *New Zealand Herald*, 26 July 1887, p. 3.

⁹⁴¹ *Waikato Times*, 26 July 1887, p. 2.

Warren was released almost immediately, ‘by special remission of sentence’.⁹⁴² His solicitor had informed the Minister of Justice of ‘the very serious state of Mrs Warren’s health, and the fact that Warren had himself come up to town in connection with his wife’s health’; because of her ‘precarious state’, the judge acquiesced in his discharge.⁹⁴³ When he was sent to gaol, Warren was a labourer.⁹⁴⁴ His occupations have not been traced since then until his death, in 1901, aged 68, when he was a pensioner.⁹⁴⁵ Almost 15 years later, his widow died, after a painful illness.⁹⁴⁶

CONCLUSION

There was nothing unusual or special about these examples of over-consumption of alcohol. On all goldfields, many miners went on the spree whenever in funds,⁹⁴⁷ as did many non-miners. Some of the consequences for families were illustrated in this paper; and it was examples like these that led to a vigorous temperance movement in Te Aroha and Waiorongomai.

Appendix

Figure 1: ‘Blo’ [William Blomfield], ‘Pat O’Meagher, Mine Host of the “Grand”’, sketch from ‘Faces and Forms at the Te Aroha Volunteer Banquet’, *Observer*, 24 June 1899, p. 17.

Figure 2: ‘Blo’, ‘Mr R.L. Somers, Te Aroha’, *Observer*, Christmas Annual, 1909, p. 15.

⁹⁴² *New Zealand Police Gazette*, 17 August 1887, p. 167.

⁹⁴³ *Waikato Times*, 28 July 1887, p. 2; *Te Aroha News*, 30 July 1887, p. 3.

⁹⁴⁴ *New Zealand Police Gazette*, 17 August 1887, p. 167.

⁹⁴⁵ Death Certificate of James Warren, 31 May 1901, 1901/2325, BDM.

⁹⁴⁶ Death Certificate of Annie Warren, 4 February 1916, 1916/274, BDM; Death Notice, *New Zealand Herald*, 5 February 1916, p. 1.

⁹⁴⁷ See mostly South Island examples in Stevan Eldred-Grigg, *Diggers Hatters and Whores: The story of the New Zealand gold rushes* (Auckland, 2008), pp. 284-286, 288-290, 292-293.



*Figure 1: 'Blo' [William Blomfield], 'Pat O'Meagher, Mine Host of the "Grand"', sketch from 'Faces and Forms at the Te Aroha Volunteer Banquet', *Observer*, 24 June 1899, p. 17.*

Who's this scrumtious dook ?—
 Note his sprightly look,
 And his air so debonnair and bland.
 Somers is his name,
 And he's known to fame



Mr. R. L. Somers, Te Aroha.

As Te Aroha's Mayor supreme and grand.
 And each one admits
 That while Somers sits
 In the chair there cannot be a frost.
 If they're wise they'll see
 Carefully that he
 Is kept within the chair at any cost.

Figure 2: 'Blo', 'Mr R.L. Somers, Te Aroha', Observer, Christmas Annual, 1909, p. 15.