

ROBERT JOHN MICHAEL: A TE AROHA LABOURER

Philip Hart

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Historical Research Unit
Faculty of Arts & Social Sciences
The University of Waikato
Private Bag 3105
Hamilton, New Zealand

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Contact: prhart1940@gmail.com



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Abstract: *An Irishman, Michael prospected at Waihi before settling in Te Aroha in late 1882, where he owned several worthless mines close to that settlement and also at Stoney Creek. He also acquired and developed farmland on the edge of Te Aroha, but struggled to retain it, and fought (sometimes literally) with some of his neighbours. His main occupation became repairing the township's roads, and was recalled as being the borough's sole employee, working for years on its roads. His private life was complicated by his partner already being married, meaning they could not marry. Ill health led to the early death of a hard working labourer whose personal life was the most unusual feature of his years at Te Aroha.*

BEFORE TE AROHA

Robert John Michael was born either in Kilrea or the nearby, smaller, settlement of Bovedy, in County Derry, in the north of Ireland, in 1848, to John, a farmer, and Mary Clements. He arrived in New Zealand 20 years later.¹ Michael was a cousin of Thomas Gilmour, also born in County Derry, in 1841, and from 1891 onwards in charge of the Waihi Company's mine.² In 1881, they prospected Martha hill at Waihi but 'came to the conclusion the ore was unpayable'.³ Although not a shareholder in any of the first claims there, for a time Michael mined for others, in January 1882 successfully suing a fellow Waihi miner for £13 4s, being unpaid wages.⁴

MINING IN THE TE AROHA DISTRICT

Reputedly, Michael was involved in the Waiorongomai rush, and also reputedly his wife started dairy farming with him in 1881,⁵ but there is no

¹ Birth Certificates of Isabel Margaret Clements, 13 August 1883, 1883/10459; Kathleen Frances Clements, 9 July 1885, 1885/10212; Death Certificate of Robert John Michael, 13 May 1902, 1902/2812, BDM.

² *Te Aroha News*, 3 October 1927, Special Supplement, p. 3; *Cyclopedia of New Zealand*, vol. 2, p. 505; J.B. McAra, *Gold Mining at Waihi 1878-1952*, 2 ed. (Waihi, 1988), pp. 64-72, 88, 146.

³ *Te Aroha News*, 3 October 1927, Special Supplement, p. 3; McAra, p. 65.

⁴ Paeroa Magistrate's Court, Plaintiff Book 1881-1896, 5/1882, BACL 13745/1a, ANZ-A.

⁵ *Te Aroha News*, 3 February 1910, p. 2, 24 June 1936, p. 6.

evidence for their being in the district then. Michael's first miner's right was granted on 4 September 1882,⁶ the same day he marked out the Tokatea claim, one and a half miles up the track from Te Aroha township to the top of the mountain. Three months later, he asked the mining inspector to 'be so kind to scratch out this claim' because 'I give up all right' to it.⁷ On 5 September, he was registered as one of four owners of the Little Johnny, which they abandoned the following year.⁸ With two other miners he marked out the Evening Star late in September.⁹ As one of four owners of the Golden Hill No. 2, when this was floated as the Golden Hill Company in 1883 he was allotted 166 scrip shares.¹⁰ The following year, he was part owner of two worthless mines near Te Aroha, the Never Despair and the Missing Link,¹¹ On 8 August 1883, he was registered as one of three owners of the Shotover, at Stoney Creek; they surrendered it on 11 September.¹² Apparently being only semi-literate (for sometimes he signed with a cross), on three occasions his interests were recorded as belonging to Robert Mitchell, not Michael.¹³

In March 1885, after his shared contract to drive a low level in the New Find was abandoned, with his partner he sued the company for £42 4s 9d from the company, being 8s a day, the going rate for wages men. As Michael explained, 'we threw the contract up because it would not pay at the price. Would have stuck to it if we could have earned even 6s a day'. The magistrate accepted they were permitted to abandon the work if it was not

⁶ Te Aroha Warden's Court, Miner's Right no. 2237, issued 4 September 1882, Miners' Rights Butt Book 1882, BBAV 11533/1j, ANZ-A.

⁷ Te Aroha Warden's Court, Notices of Marking Out Claims 1882, no. 162, BBAV 11557/2a, ANZ-A.

⁸ Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folio 270, BBAV 11567/1a, ANZ-A.

⁹ Te Aroha Warden's Court, Notices of Marking Out Claims 1882, no. 186, BBAV 11557/2a, ANZ-A.

¹⁰ Te Aroha Warden's Court, Register of Licensed Holdings 1881-1887, folio 126, BBAV 11500/9a, ANZ-A; *New Zealand Gazette*, 4 October 1883, p. 1437.

¹¹ Te Aroha Warden's Court, Notices of Marking Out Claims 1883, no. 59, BBAV 11557/2b; Register of Te Aroha Claims 1880-1888, folios 294, 305, BBAV 11567/1a, ANZ-A.

¹² Te Aroha Warden's Court, Register of Licensed Holdings 1881-1887, folio 292, BBAV 11400/9a, ANZ-A.

¹³ Te Aroha Warden's Court, Notices of Marking Out Claims 1882, nos. 162, 186, BBAV 11557/2a; Notices of Marking Out Claims 1883, no. 59, BBAV 11557/2b, ANZ-A.

remunerative, and ordered the full amount paid.¹⁴ Four years later, he tendered, unsuccessfully, to drive in the Golden Crown.¹⁵ In 1892 he was a member of the committee appointed to establish a prospecting association.¹⁶ Along with William Roycroft,¹⁷ in 1895 he received a subsidy to prospect at Stoney Creek, again unsuccessfully.¹⁸

OWNING AND FARMING LAND

In October 1882, Michael was granted a residence site, section 5 in block 36, on the Waiorongomai side of Te Aroha and next to James Clarke's section,¹⁹ and opposite the slaughter yard.²⁰ In the following January, his wife acquired allotment 12 in the same block.²¹ In 1885, he bought allotment 6, including buildings, for £16.²² They erected a house on section 5, at first a three-roomed one with a verandah and one-acre orchard with a rateable value in 1888 of £12.²³ In December 1888, he advertised the sale of

his snug *three-roomed cottage*, with verandah; acre of first-class land attached, well fenced, and cultivated; cropped with clover hay, oats, potatoes, and orchard in full bearing, and a never-failing well of spring water, shelter trees, cow shed, fowl house, etc etc.

¹⁴ Magistrate's Court, *Te Aroha News*, 21 March 1885, pp. 2, 7.

¹⁵ *Te Aroha News*, 9 March 1889, p. 2.

¹⁶ *Auckland Weekly News*, 5 November 1892, p. 23.

¹⁷ See paper on the Roycroft brothers.

¹⁸ R.J. Michael and W.F. Roycroft to Thomas Gavin, 4 February 1895, 4 March 1895; memorandum of March 1895, Mines Department, MD 1, 97/1072, ANZ-W; *Te Aroha News*, 3 April 1895, p. 2.

¹⁹ See paper on Robert and Elizabeth Mackie.

²⁰ Te Aroha Warden's Court, Register of Applications 1880-1882, folio 218, no. 325, BBAV 11494/1a; Rent Ledger 1881-1900, folio 279, BBAV 11501/1a, ANZ-A.

²¹ Te Aroha Warden's Court, Rent Ledger 1881-1900, folio 360, BBAV 11501/1a, ANZ-A.

²² Te Aroha Warden's Court, Transfer from Thomas Cleary to Robert Michael, 10 November 1885, Certified Instruments 1885, BBAV 11581/6a; Rent Ledger 1881-1900, folio 237, BBAV 11501/1a, ANZ-A.

²³ Te Aroha Town Board, Rate Book 1888 [no pagination], Matamata-Piako District Council Archives, Te Aroha; *Te Aroha News*, 4 August 1888, p. 7.

Splendid view situate on Western side of Te Aroha-Waiorongomai main road, forming one of the best and most convenient properties

in the area.²⁴ Despite this fulsome description, it did not sell. In the early twentieth century, when it had five rooms, its rateable value was £14.²⁵ Improvements made on section 6 were valued at £50 in 1914.²⁶ At some stage they acquired section 11 as well.²⁷

Michael leased 40 acres of Section 14H, Block 36, part of the Hori More Block, on the Waiorongomai side of Te Aroha, in the late 1880s.²⁸ In August 1889, he offered to sell his unexpired lease of 14 years to the council for £20; despite containing stone useful for roads, it declined the offer.²⁹ In 1897 he leased just over 36 acres, part of Section 14H of Block 9, also part of the Hori More Block.³⁰ He immediately made improvements, spending £25 on fencing and £18 on grassing it.³¹ In 1900, their 41 acres leased within the borough had a rateable value of £20.³²

At the end of the previous year, with Emma Blencowe,³³ he explained to John McKenzie, the Minister of Lands, that as sub-lessees of Thomas Gavin³⁴ for the past 13 years they had been paying 10s per acre and that

²⁴ Advertisement, *Te Aroha News*, 15 December 1888, p. 2.

²⁵ Te Aroha Te Aroha Borough Council, Rate Books 1900, 1906 [no pagination], Matamata-Piako District Council Archives, Te Aroha.

²⁶ Correspondence on Royal Commission into Hauraki Mining District; Te Aroha Township, Particulars of Valuations made during the last few Years' [1914], Lands and Survey Department, LS 77/2, ANZ-W.

²⁷ 'Schedule of Some of the Sections held under Residence and Business Site Licenses in Te Aroha', Lands and Survey Department, LS 77/2, ANZ-W.

²⁸ R.J. Michael to R.J. Seddon, 1 October 1900, Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

²⁹ Piako County Council, *Te Aroha News*, 13 August 1889, p. 3.

³⁰ Aroha Survey District, Block IX Section 15, including map of his lease dated 20 May 1903, Block Files, H979, Maori Land Court, Hamilton.

³¹ Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

³² Te Aroha Borough Council, Rate Book 1900 [no pagination], Matamata-Piako District Council Archives, Te Aroha.

³³ See paper on women's lives in the Te Aroha district.

³⁴ See paper on his life.

Gavin now wanted to purchase the land. 'We having cleared, fenced, drained, & cultivated it', they asked McKenzie to purchase it so that they would become tenants of the Crown. For Gavin to buy it 'would be a very great hardship for us, as we have our homes on it, and it is our means of livelihood'; Gavin would 'either turn us out or he will raise the rent to such a price that he will starve us out'.³⁵ Four months later, a land purchase officer, Gilbert Mair,³⁶ informed the head of his department that the Premier, Richard John Seddon, when last in Te Aroha had asked him to purchase the Hori More Block, but he was having difficulty in obtaining the approval of many of the owners. Charles Stanislaus Stafford and Henry Ernest Whitaker,³⁷ the original lessees, had transferred their lease to Gavin, still at the original 2s per acre; it would expire in 1902. Emma Blencowe had informed him that she and Michael had 'fenced and done all the improvements'. As the land they leased was between the road and the river it was 'the best land'.³⁸

In October 1900, 'Robert Michael a Labourer' wrote to Seddon. 'When you were in Te Aroha last Mrs Blencowe and myself waited on you with the view to obtaining the freehold of portions of Maori land near the town, occupied by us and leased from' Gavin. They were concerned that, should Gavin buy it, they would not be able to obtain it. 'You said if we wrote you the particulars you would look into the Matter, and if possible give us an opportunity of acquiring the land ourselves'. He explained that both applicants had held 'about 40 acres each under lease for some 12 years', and had been paying Gavin 10s per acre in rent.

We have fenced the land and improved it and if the Govt bought it we should have a show of buying and making a decent living from it for our families – Now will you try and do something for

³⁵ M.I. Michael pro Robert Michael and Emma Blencowe to John McKenzie (Minister of Lands), n.d. [received c. 29 December 1899], Maori Affairs Department, MA-MLP 1, 1899/234, ANZ-W.

³⁶ See Ron Crosby, *Gilbert Mair: Te Kooti's nemesis* (Auckland, 2004).

³⁷ See paper on Harry and Charles: Henry Ernest Whitaker and Charles Stanislaus Stafford.

³⁸ Gilbert Mair to Patrick Sheridan (Under-Secretary, Land Purchase Department), 14 April 1900, Maori Affairs Department, MA-MLP 1, 1899/234, ANZ-W.

us in the matter, and forgive us for giving you trouble – We wrote as you desired but have not heard from you.³⁹

On the same day, he also wrote to his local member of parliament explaining that if Gavin obtained the freehold ‘we shall have to pay an exorbitant rent for it, as we are going now viz. 10/- per acre’, preventing their making a decent living.⁴⁰ They were told to apply to the land court for a partition order as a prelude to purchase.⁴¹ In September 1901, the Native Minister was informed that Michael wanted to buy the land from its owners, ‘who had agreed to sell it to him’.⁴² He said he was ‘willing to pay the same price as Mr Gavin did for the piece of land he bought’ and would ‘try and ascertain what price he did pay’.⁴³ In February 1902, Michael wanted the removal of the restriction on selling to enable him to buy it, but as nothing could be done until the lease expired he appealed to the Minister of Justice

in the interests of justice and fair play. About 14 years ago I was the first to lease the Block, in its native state from Messrs Whitaker & Stafford. Since I have expended a great deal of hard labour and hard cash in clearing, fencing & seeding the land (40 acres). I think it will be neither equity nor justice if another party who has spent neither labour nor cash on it shall be permitted to buy it over my head, when I am in a position to buy & further improve it myself.⁴⁴

His appeal was unsuccessful, and Gavin acquired it.⁴⁵

³⁹ R.J. Michael to R.J. Seddon, 1 October 1900, Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

⁴⁰ R.J. Michael to Jackson Palmer, 1 October 1900, Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

⁴¹ R.J. Michael to Jackson Palmer, 28 August 1901, Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

⁴² Jackson Palmer to Native Minister, 4 September 1901, Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

⁴³ R.J. Michael to Jackson Palmer, 14 October 1901, Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

⁴⁴ R.J. Michael to Minister of Mines and Justice, 25 February 1902, Maori Land Blocks, Aroha Block 36 Section 14H, Justice Department, J 1, 1901/1128, ANZ-W.

⁴⁵ See paper on Thomas Gavin.

On 3 September 1902, the land court approved his wife Mary's lease from the trustees of Eruini Taipari of 80 acres of Section 14E of Block IX for 20 years at 5s per acre, arranged, she informed it, by Gilbert Mair.⁴⁶ One week later, Mair told the court that amount was too low, for it should have fetched 8s or 10s; in the past some had been leased for the latter amount and even for double it. 'Only the best part of the land has been included in this lease'. Although he 'did make a sort of promise to Mrs Michael ... it was not an absolute promise'; he was considering whether to appeal the low rental, especially because she had refused to meet the cost of fencing, £50.⁴⁷ On 26 September, the court was informed that the trustee who had signed the lease had subsequently discovered that adjacent land received a higher rental.⁴⁸ Adam Fawcett, formerly a farm manager at Tapu,⁴⁹ who had paid 14s an acre, stated that he had occupied 36 acres of this land for ten years 'under sub-lease from Mrs Michael, who had sub-leased' from Gavin; she had occupied a small portion for five years and another for longer, but 'has not put any improvements on it', although 60 chains of fencing were required. Thinking it included the hillside, he had offered to lease the section for 5s or 6s an acre, but on discovering it did not had offered first 8s and then 9s. 'It is fairly good land. It can be drained. Part is river flats – rich land'. As part of it was 'overgrown with scrub', in its present state he could run 20 cows on these 80 acres; if the land was improved and the scrub cleared, he could run double that number.⁵⁰

Mair then stated that Gavin, who held the adjoining land, wanted a 200-chain fence erected. 'Mrs Michael told me she had been hardly treated by Gavin. I had sympathy with her. I afterwards found that she had nothing to complain of; and that she owed Gavin back rent'. Before the township existed, 2s an acre might have been 'a reasonable rent', but this land was now close to the centre of Te Aroha.⁵¹ She only wanted the flat land.⁵² The upshot was that the court confirmed the lease, particularly

⁴⁶ Maori Land Court, Hauraki Minute Book no. 53, p. 134; Aroha Block IX Section 14E, Maori Affairs Department, Hamilton, BCAC A213/14709, ANZ-A.

⁴⁷ Maori Land Court, Hauraki Minute Book no. 53, p. 200.

⁴⁸ Maori Land Court, Hauraki Minute Book no. 53, p. 251.

⁴⁹ *Thames Star*, 27 April 1887, p. 4, Magistrate's Court, 27 July 1888, p. 2, 16 November 1889, p. 2.

⁵⁰ Maori Land Court, Hauraki Minute Book no. 53, pp. 257-258.

⁵¹ Maori Land Court, Hauraki Minute Book no. 53, pp. 258-259.

⁵² Maori Land Court, Hauraki Minute Book no. 53, p. 261.

because she had offered ‘to make reasonable arrangements as regards the fencing’.⁵³

In 1906 this area was recorded as being suburban land,⁵⁴ meaning land set aside for housing but not yet used for such. After her parent’s death, their daughter Kathleen, who had inherited the lease, in 1915 told William Herries, the local parliamentarian,⁵⁵ whom she described as being an old friend of her parents, that before her mother died she had intended to ask him to obtain the freehold of ‘the 80 acres at Te Aroha on which we have all worked so hard and from which we have received no title’.⁵⁶

While Michael worked as a labourer, Mary milked cows.⁵⁷ Their attempts at farming caused some conflicts with neighbours. In 1886, Michael complained to the council ‘that owing to fences erected by Jas. Clarke on one side, and now by R[ichard] Blencowe⁵⁸ on the other, he was debarred from making use of his back entrance, and if he wished to get in a horse or a pig, he would have to do so through his garden’. In response, Clarke complained that Michael was causing trouble over his (Clarke’s) drain.⁵⁹ The council, when asked to have the obstacles removed, decided to take no action.⁶⁰ In January 1890, Frank McDevitt, a labourer who had earlier been a miner,⁶¹ claimed that Michael did ‘unlawfully assault and beat him’, while his wife Hannah was accused by Michael of having thrown stones ‘to the damage of plaintiff’; both pleaded guilty.

From the evidence adduced in these cases it appears McDevitt and Michael, although neighbours, have not been on friendly terms for some time past. Briefly stated the evidence went to show that on the date named McDevitt required the services of a

⁵³ Maori Land Court, Hauraki Minute Book no. 53, p. 264.

⁵⁴ Te Aroha Borough Council, Rate Book 1906 [no pagination], Matamata-Piako District Council Archives, Te Aroha.

⁵⁵ See R.S. Herries, *Sir William Herries*, KCMG (London, 1925).

⁵⁶ Kathleen Michael to William Herries, 13 February 1915, Maori Land Blocks, Part Section 14E Block IX Aroha, Maori Affairs Department, MA 1, 1915/1913, ANZ-W.

⁵⁷ *Te Aroha News*, 1 May 1914, p. 3.

⁵⁸ See *Waikato Times*, 14 September 1880, p. 2, 20 January 1890, p. 2; *Te Aroha News*, 1 September 1883, p. 2, 13 June 1886, p. 2, 21 August 1886, p. 2, 21 January 1888, p. 2.

⁵⁹ For the saga of Clarke’s drain, see paper on Robert and Elizabeth Mackie.

⁶⁰ Piako County Council, *Te Aroha News*, 4 September 1886, p. 2.

⁶¹ *Te Aroha News*, 18 October 1884, p. 7; Te Aroha Correspondent, *Waikato Times*, 26 August 1886, p. 3.

bull, drove one the property of Mr [Robert Job] Maisey⁶² (which had been at large along with some cows the property of Mr Jas Clarke), towards his own place. It would appear Maisey's bull had just previously broken through Michael's fence and an encounter took place between it and a bull the property of Michael. Soon afterwards Michael found his fence had been broken down, and meeting McDevitt charged him with driving Maisey's bull through the fence and breaking it, stating a man named Hawkins told him (Michael) he did so. To this McDevitt replied if Hawkins said that he was a liar. Strong language was followed by blows, Michael hitting McDevitt in the face and giving him a black eye. Mrs McDevitt coming on the scene took up stones and threw at Michael, etc, etc, neighbours at length arriving to put an end to the quarrel.

One witness, Robert Mackie,⁶³ stated 'that before the blows were struck, he saw McDevitt "shaping" up to Michael and shaking his fist at him'. Both men were found guilty, Michael being fined 10s and bound over to keep the peace for six months and his assailant being fined 1s.⁶⁴ The following month, when Mackie charged McDevitt with abusive language, a witness recalled saying 'with respect to one of the stones thrown "If Bob Michael had caught that it would have settled him." Both McDevitt and his wife threw stones'. In her evidence, Mary Michael said 'she saw the row from beginning to end. Did not hear any bad language used by any one but Mrs McDevitt'. She said Mackie 'did not interfere in the fight as long as the two men had it to themselves, or until Mrs McDevitt commenced to throw stones at Michael'.⁶⁵

Through the loss of the local newspaper, it is not known why Mary assaulted Fanny Fawcett, wife of Adam, a neighbouring farmer in 1896. When convicted she was only required to pay costs.⁶⁶ Conflict with Robert Mackie was very understandable, given the latter's pugnacious manner. In August 1898, Mary successfully accused him of rescuing 'one horse seized for the purpose of being impounded', and Michael was ordered to keep the

⁶² See *Te Aroha News*, 27 August 1930, p. 5.

⁶³ See paper on Robert and Elizabeth Mackie.

⁶⁴ Police Court, *Te Aroha News*, 15 January 1890, p. 2.

⁶⁵ Magistrate's Court, *Te Aroha News*, 22 February 1890, p. 2.

⁶⁶ Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 5/1896, BCDG 11220/1a, ANZ-A.

peace after Mackie accused him of assault.⁶⁷ Shortly before his death, Michael was convicted of using abusive words against Mackie.⁶⁸

His widow continued to have conflicts with Mackie. In September 1903 she sued him for £10, 'value of bull alleged to have been destroyed as result of treatment inflicted by defendant'. Mackie's counter-claim alleged 'damage resulting from association of the bull with his cows'. Finding the bull with them, 'not within a legally fenced enclosure, Mackie tied the bull up. Later the animal was found dead through suffocation. It was urged that Mackie had made reasonable efforts to have the beast impounded in the usual way and failed', and that it had died not because he tied it up 'but of its happening to fall with its head under its shoulder'. As he had not adopted any of the 'courses of action' set down under the Impounding Act, causing Mary 'serious loss' whereas he 'had suffered no damage', he was ordered to pay the £10.⁶⁹ As he failed to pay, she took out a distress warrant, but this was withdrawn 'as satisfied between parties'.⁷⁰ Early the following year, a charge that she had assaulted Mackie's daughter was dismissed, but her accusation that he had thrown a stone at her with the intention of causing grievous bodily harm caused his imprisonment.⁷¹

In 1886 Michael was granted Section 9 of Block XI, of 46 acres, at the Gordon settlement.⁷² Finding it too stony, he refused to meet the cost of surveying and did not make any improvements.⁷³ In 1889, because he had

⁶⁷ Te Aroha Magistrate's Court, Criminal Record Book 1896-1907, 16, 19/1898, BCDG 11220/1b, ANZ-A.

⁶⁸ Te Aroha Magistrate's Court, Criminal Record Book 1896-1907, 58/1901, BCDG 11220/1b, ANZ-A.

⁶⁹ Te Aroha Magistrate's Court, Civil Record Book 1896-1907, 19/1903, BCDG 11221/2a, ANZ-A; Te Aroha Magistrate's Court, *Auckland Weekly News*, 8 October 1903, p. 40.

⁷⁰ Te Aroha Magistrate's Court, Home Warrant Book 1883-1928, 19/1903, BBAV 11498/1a, ANZ-A.

⁷¹ Te Aroha Magistrate's Court, Criminal Record Book 1896-1907, 7, 11/1904, BCDG 11220/1b, ANZ-A; Te Aroha Magistrate's Court, *Auckland Weekly News*, 3 March 1904, p. 43.

⁷² *Waikato Times*, 7 September 1886, p. 2.

⁷³ Malcolm Robertson to Commissioner of Crown Lands, 16 March 1887, Lands and Survey Department, BAAZ 1108/102a, ANZ-A; *Te Aroha News*, 5 March 1887, p. 3.

failed to be ‘continuously in residential occupation’ he forfeited land he had never taken up.⁷⁴

WORKING ON THE ROADS

Although in 1887 he gave his occupation as miner,⁷⁵ in the following year it was noted at a council meeting that he had been ‘working as a surface man’ on its roads ‘for a long time’, being paid 7s a day.⁷⁶ His work was confined to the Te Aroha Riding.⁷⁷ When required, he repaired the upper road to the Waiorongomai mines and the streets in that settlement.⁷⁸ Sometimes he tendered for this work; in 1886, for instance, he tendered unsuccessfully for two sections of the track to be constructed between the Waiorongomai and Tui mines.⁷⁹ Two years later, when the lowest tenderer refused to take up his contract to lay 50 chains in a Waiorongomai street, Michael took over the work.⁸⁰ He also supplied the council with road metal.⁸¹

During the 1890s, he was the Te Aroha town board’s only employee; from being a surfaceman he would become its foreman.⁸² A former resident recalled that at the end of the century ‘the outside borough staff consisted of Bob Michael and his well-known wheelbarrow’.⁸³ On his death in 1902, a meeting of the borough council resolved to send a letter of condolence to his widow, for he had been in their employ ‘for many years, and the Mayor and several of the councillors bore testimony to his faithful and efficient services’.⁸⁴

⁷⁴ A.P. Etheridge to R.J. Michael, 4 March 1889; Memorandum of 11 May 1889, Lands and Survey Department, BAAZ 1108/102a, ANZ-A.

⁷⁵ *Te Aroha News*, 5 March 1887, p. 3.

⁷⁶ Piako County Council, *Te Aroha News*, 16 May 1888, p. 2.

⁷⁷ *Te Aroha News*, 15 September 1888, p. 2, 30 November 1889, p. 7.

⁷⁸ Piako County Council, Minutes of Meetings of 13 September 1888, 21 December 1889, 8 March 1891, Matamata-Piako District Council Archives, Te Aroha.

⁷⁹ Piako County Council, *Te Aroha News*, 4 December 1886, p. 2.

⁸⁰ *Te Aroha News*, 18 July 1888, p. 2.

⁸¹ *Te Aroha News*, 8 September 1888, p. 2, 20 July 1889, p. 2.

⁸² *Te Aroha News*, 26 October 1927, p. 5, 24 June 1936, p. 6, 1 May 1973, 75th Anniversary Supplement, p. 5.

⁸³ Recollections of A.F. Burton, *Te Aroha News*, 26 June 1936, p. 5.

⁸⁴ *Auckland Weekly News*, 22 May 1902, p. 32.

PRIVATE LIFE

When the birth of Isabel (later Isabella and Bella) Margaret Clements⁸⁵ was registered in August 1883, although Michael was noted as being her father she was recorded (as the law required) as being illegitimate. Her mother was Mary Frances Clements, aged 38.⁸⁶ Almost two years later their last child, Kathleen Frances Clements, was also recorded as being illegitimate, with a note: 'Robert Michael, Agent duly authorized in writing by Mother ... Desiring to be registered as Father'.⁸⁷ These were the only children they registered, but when their children were baptized as Catholics in 1894 (with the surname 'Michael'), a third daughter, Mary Isabel (also known as Isabella, whose date of birth was variously recorded as 13 June 1880, August 1881, and 13 November 1881),⁸⁸ was included.⁸⁹ Mary Frances Clements was always known as 'Mrs Michael',⁹⁰ and all her daughters bore this surname until married.⁹¹

Because Michael's mother was Mary Clements, were he and Mary Frances Clements related? She had been born to John Clements, an estate agent, and Catherine O'Dwyer,⁹² at Cappoquin, in County Waterford, southern Ireland, almost as far away from Michael's birthplace as was possible, suggesting they were probably not closely related. Michael's death certificate stated he had married at Te Aroha when aged 32,⁹³ meaning 1880 or 1881, before the birth of his first daughter, and Mary's certificate

⁸⁵ Marriage Certificate of Isabella Margaret Michael, 28 January 1914, 1914/2545, BDM; St Joseph's Church Te Aroha, Register of Baptisms 1884-1949, no. 149, Catholic Archives, Auckland; Te Aroha School Roll, 1890, YCAF 4135/27a, ANZ-A.

⁸⁶ Birth Certificate of Isabel Margaret Clements, 13 August 1883, 1883/10459, BDM.

⁸⁷ Birth Certificate of Kathleen Frances Clements, 9 July 1885, 1885/10212, BDM.

⁸⁸ Te Aroha School, Admissions Register no. 2, no. 1089, Te Aroha; Te Aroha School Roll, November 1890, YCAF 4135/27a, ANZ-A; Register of Te Aroha Baptisms 1884-1949, no. 150, Catholic Archives, Auckland.

⁸⁹ Te Aroha Baptisms 1884-1949, nos. 148-150, Catholic Archives, Auckland.

⁹⁰ For example, Maori Land Court, Hauraki Minute Book no. 53, pp. 134, 200, 251, 257-264; *Te Aroha News*, 3 February 1910, p. 2, 1 May 1914, p. 3

⁹¹ Marriage Certificates of Mary Isabella Michael, 9 January 1908, 1908/2174; Kathleen Frances Michael, 30 January 1924, 1924/8996, BDM.

⁹² Death Certificate of Mary Isabel Michael, 30 April 1914, 1914/2545, BDM.

⁹³ Death Certificate of Robert John Michael, 13 May 1902, 1902/2812, BDM.

stated she had married at Thames when aged about 35,⁹⁴ meaning around 1881. In fact they never married, and her will recorded her name as ‘Mary Michael, otherwise Mary Clements’. When probate was sought, her solicitor declared that ‘Deceased several times informed me that her lawful name was Mary Clements, although she was generally known as Mary Michael’.⁹⁵ Her estate was recorded under the name ‘Mary Clements, otherwise Mary Michael’, and her executrix, her daughter Kathleen Frances,⁹⁶ must have understood the significance of this wording. She had admitted to ‘living in sin’, but when filling in her death certificate her daughters gave her full name as Mary Isabel Michael rather than using her correct surname.⁹⁷

The reason why they did not marry was that in June 1877, at the Registrar’s Office in Thames, Mary Frances Clements, a dressmaker aged 30, married James Abbott (recorded as Abbot), aged 36, an Irish miner.⁹⁸ Their marriage notice noted that they were ‘both of Ireland’.⁹⁹ This was the only marriage recorded for a James Abbott or Abbot in New Zealand between 1840 and 1900.¹⁰⁰ When he died in September 1903 his age was recorded as being 72; clearly the age given at the times of his marriage or death was wrong. They had no children. His death certificate made no mention of a wife, and his death notice recorded him as being ‘late of the Thames’.¹⁰¹ His probate recorded his occupation as a miner and revealed that he was illiterate; he had made his will in 1883, when mining at Te Aroha, bequeathing all his land to a William Allen of Okaihau, Whangaroa, and making no mention of his wife.¹⁰²

⁹⁴ Death Certificate of Mary Isabel Michael, 30 April 1914, 1914/2545, BDM.

⁹⁵ Probates, BBAE 1569/9578, ANZ-A.

⁹⁶ Testamentary Register 1913-1914, folio 166, BBCB 4208/9, ANZ-A.

⁹⁷ Death Certificate of Mary Isabel Michael, 30 June 1914, 1914/2545, BDM.

⁹⁸ Notices of Intention to Marry 1877, folio 180, no. 701, Births Deaths and Marriages, BDM 20/22, ANZ-W; Marriage Certificate of Mary Frances Clements, 18 June 1877, 1877/882, BDM; Thames Warden’s Court, Miners’ Rights Butt Book for District of Ohinemuri 1875, no. 207, BACL 14043/7h; Index to Miners’ Rights 1876-1886, folio 1, BACL 14357/1b, ANZ-A.

⁹⁹ Marriage Notice, *Thames Star*, 25 June 1877, p. 2;

¹⁰⁰ Marriage Index 1840-1900, BDM.

¹⁰¹ Death Certificate of James Abbott, 7 September 1903, 1903/4793, BDM; Death Notice, *New Zealand Herald*, 8 September 1903, p. 1.

¹⁰² Probate of James Abbot, Probates, BBAE 1569/5187, ANZ-A.

In August 1879, when Mary Abbott gave evidence in a Thames case, she was living ‘principally’ with Elizabeth Fox, the wife of the defendant, Robert Fox, ‘as my husband is away working with’ Fox.¹⁰³ Was she the woman described as ‘a European named Abbott’ who was living with Ngati Rahiri at Omahu pa in December 1880 and was nearly drowned when crossing the river on the punt?¹⁰⁴ She had separated from her husband by then, as revealed by a public notice inserted by Abbott in a Thames newspaper at the end of that month: ‘This is to intimate that I will not be responsible for any DEBTS contracted by my wife, Mary Abbott, she having left me without sufficient cause’.¹⁰⁵ The cause was her meeting Michael. The marriage certificate of her first daughter, Mary Isabel, recorded she had been born in Waihi in 1881,¹⁰⁶ clearly while Michael and his cousin were prospecting there and Mary was living with them. Abbott had settled in Te Aroha by August 1882,¹⁰⁷ and Mary Abbott sued a publican there in the following month,¹⁰⁸ the same month that Michael took out his first miner’s right.¹⁰⁹ After that date, she ceased to use her maiden name.¹¹⁰ The reason why she did not marry Michael must have been because her husband would not agree to a divorce, and when he died, in September 1903,¹¹¹ it was too late, because Michael had died 16 months previously.¹¹²

Michael was a Presbyterian, playing an active part in a meeting of members of this church in 1889.¹¹³ In January 1894, with Gavin and his wife as sponsors, his three daughters were baptized into the Catholic

¹⁰³ Magistrate’s Court, *Thames Star*, 7 August 1879, p. 2.

¹⁰⁴ *Thames Advertiser*, 16 December 1880, p. 3.

¹⁰⁵ Public Notice, *Thames Star*, 31 December 1880, p. 3.

¹⁰⁶ Marriage Certificate of Mary Isabel Michael, 9 January 1908, 1908/2174, BDM.

¹⁰⁷ Te Aroha Warden’s Court, Miner’s Right no. 2224, issued 2 August 1882, Miners’ Rights Butt Book, BBAV 11533/1j, ANZ-A.

¹⁰⁸ Te Aroha Magistrate’s Court, Civil Record Book 1881-1884, folio 39, entry for 12 September 1882, BCDG 11221/1a, ANZ-A.

¹⁰⁹ Te Aroha Warden’s Court, Miner’s Right no. 2237, issued 4 September 1882, Miners’ Rights Butt Book 1882, BBAV 11533/1j, ANZ-A.

¹¹⁰ For example, Te Aroha Warden’s Court, Rent Register 1881-1900, folio 360, BBAV 11505/1a, ANZ-A.

¹¹¹ Death Certificate of James Abbott, 7 September 1903, 1903/4793, BDM.

¹¹² Death Certificate of Robert John Michael, 13 May 1902, 1902/2812, BDM.

¹¹³ *Te Aroha News*, 3 July 1889, p. 2.

Church, the register noting that they had converted from Protestantism.¹¹⁴ This change must have been at the instigation of their mother, who had a Catholic funeral whereas Michael had a Presbyterian one.¹¹⁵ Their daughters all had Catholic weddings.¹¹⁶

LAST YEARS AND DEATHS

In January 1902, Michael, along with two others, applied to be appointed 'Working Foreman' for the borough council; none were appointed.¹¹⁷ As Michael had been working on the roads since the early 1880s, this might seem harsh, but when he died four months later at the age of 54 it was revealed that he had suffered from rheumatism for the preceding five months, dying of inflammation of the spinal cord and heart failure.¹¹⁸ He left no will, but clearly his estate was small. A week after his death, the domain board chose his eldest daughter out of the 19 applicants to be 'lady attendant in the domain ticket office',¹¹⁹ probably out of sympathy for the family's straightened circumstances as much as for her abilities. In 1904, his widow was sued for £22 10s for rent owed, and two years later was sued for unpaid rates amounting to £9 12s 6d.¹²⁰ In 1910, she left the district, of which she was reportedly one of the oldest residents, to live in Auckland with an unmarried daughter.¹²¹ She died there in 1914,

¹¹⁴ St Joseph's Church Te Aroha, Register of Baptisms 1884-1949, nos. 148-150, Catholic Archives, Auckland.

¹¹⁵ Death Certificates of Robert John Michael, 13 May 1902, 1902/2812; Mary Isabel Michael, 30 April 1914, 1914/2545, BDM.

¹¹⁶ Marriage Certificates of Mary Isabella Michael, 9 January 1908, 1908/2174; Isabella Margaret Michael, 28 January 1914, 1914/2174; Kathleen Frances Michael, 30 January 1924, 1924/8996, BDM; Marriage Notice, *Te Aroha News*, 31 January 1924, p. 1.

¹¹⁷ Te Aroha Borough Council, Minutes of Meetings 1898-1911, Meeting of 15 January 1902, p. 128, Matamata-Piako District Council Archives, Te Aroha.

¹¹⁸ Death Certificate of Robert John Michael, 13 May 1902, 1902/2812, BDM.

¹¹⁹ *Auckland Weekly News*, 22 May 1902, p. 32.

¹²⁰ Te Aroha Magistrate's Court, Civil Record Book 1896-1907, 17/1904, 14/1906, BCDG 11221/2a, ANZ-A.

¹²¹ *Te Aroha News*, 3 February 1910, p. 2.

aged 68, and was buried with Michael in the Te Aroha cemetery.¹²² She left an estate of £310 2s 4d, too small to be liable for death duties.¹²³

CONCLUSION

Robert Michael worked hard to maintain himself, first as a miner and, after he acquired a family, as a farmer and labourer, in particular repairing the roads in the district. He stood up for his interests during disputes over the land he farmed, but was not always successful, and he always struggled financially. His private life was a love story involving a married woman, whom no doubt he would have married had this been possible, and far from denying his paternity of their daughters he insisted on having it recorded on the birth certificates of the two children whose births were registered.

¹²² Death Certificate of Mary Isabel Michael, 30 April 1914, 1914/2545, BDM; Te Aroha Cemetery, Area A, Row 21.

¹²³ Probates, BBAE 1569/9578; Testamentary Register 1913-1914, folio 166, BBCB 4208/9, ANZ-A.