

# BERNARD MONTAGUE: A CONTRACTOR AND FARMER IN THE TE AROHA DISTRICT

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THE UNIVERSITY OF  
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## BERNARD MONTAGUE: A CONTRACTOR AND FARMER IN THE TE AROHA DISTRICT

**Abstract:** *Born in Ireland, Bernard Montague arrived in New Zealand in 1874 and for some years worked as a contractor, especially on drainage projects. After being a publican and storekeeper for a year, he settled in Waiorongomai in 1882 and invested in the local mines. This involvement led to his supporting criticisms of inadequate council assistance for mining, how the tramway operated, and the Battery Company's charges. He also speculated in sections in Waiorongomai village, and briefly attempted to be a publican there.*

*For some years he was a contractor in the district, mostly on road construction and repairs, and sometimes was criticized for the quality of his work. Acquiring a farm at nearby Gordon, he gradually developed it, like other new farmers being rather too slow to do so and also rather slow to pay the rent. In time he acquired more farmland, and by the early twentieth century was dairying on what had become a valuable estate. After struggling for years, even becoming bankrupt, by the new century he was financially secure.*

*Montague was a prominent leader of the Gordon settlement, prominent not only for promoting its needs but also for his many conflicts with other residents. In a notably abrasive fashion he criticized absentee owners and those who did not develop their land. Deposed as chairman of the association, he later held other leadership roles, but never ceased to fight with others.*

*At Te Aroha he joined a variety of committees to assist the progress of the community, and expressed himself forcefully (how else?) during the controversy over forming a borough. Residents became used to his quarrelsome nature and some were even amused by it, as in the case of 'Barney's Cow', for he was one of the local 'personalities'.*

### BEFORE WAIORONGOMAI

Bernard Montague,<sup>1</sup> commonly known as Barney,<sup>2</sup> was born in Belfast in 1852.<sup>3</sup> His father was John, whose occupation was unknown to his

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<sup>1</sup> For his photograph, see *Cyclopedia of New Zealand*, vol. 2, p. 839.

<sup>2</sup> *Waikato Times*, 16 July 1889, p. 3; *Te Aroha News*, 29 August 1888, p. 2, 6 February 1889, p. 2, 14 September 1895, p. 2.

children, as was his mother's name.<sup>4</sup> Trained as a flax dresser, Montague arrived in Auckland in 1874, and according to the *Cyclopedia of New Zealand* joined the militia engaged in constructing the railway from Mercer towards Hamilton.<sup>5</sup> According to the December 1878 notice of his intention to marry, for the past four years he had been living in Cambridge.<sup>6</sup> In the later 1870s he was 'a contractor for various works' for the Auckland Agricultural Company, and became foreman for its 'training operations' at Fencourt, near Cambridge.<sup>7</sup>

In 1880, when still living at Cambridge, he worked as a contractor.<sup>8</sup> An obituary described him as being 'very early found working on his own account, becoming a large employer of labour on many an extensive contract for swamp draining in the Waikato'.<sup>9</sup> In March 1880, he advertised for 'a few able-bodied Swampers', and in the following January for ten good 'Swamp Hands'.<sup>10</sup> After his tender of £986 15s for the main outlet drain at Waitoa was accepted in April 1881, he immediately employed 'a large staff'.<sup>11</sup> The *Waikato Times* reported that having 'successfully carried on drainage operations in various parts of the district during the past three or four years', he was 'maintaining his reputation from the mode of procedure on the drainage works at Waitoa. The nature of the work is very difficult, but Mr Montague appears to be making good progress'.<sup>12</sup> In August, when he had 20 men working on this contract, a correspondent described the hard work involved:

It is a large drain, and the quantity of water going down is something surprising. On proceeding some distance along it, what may be called a natural phenomenon in the character of the country is met with, that is, a subsidence of a large area of

<sup>3</sup> *Cyclopedia of New Zealand*, vol. 2, p. 838.

<sup>4</sup> Death Certificate of Bernard Montague, 18 August 1912, 1912/5823, BDM.

<sup>5</sup> *Cyclopedia of New Zealand*, vol. 2, p. 838.

<sup>6</sup> Notices of Intentions to Marry 1878, pp. 189, 276, Births Deaths and Marriages, BDM 20/23, ANZ-W; Marriage Certificate of Bernard Montague, 26 December 1878, 1878/2423, BDM; see also *Te Aroha Mail*, 20 August 1912, p. 2, in possession of Montague family.

<sup>7</sup> *Cyclopedia of New Zealand*, vol. 2, p. 838.

<sup>8</sup> *Waikato Electoral Roll, 1880*, p. 9.

<sup>9</sup> *Te Aroha Mail*, 20 August 1912, in possession of Montague family.

<sup>10</sup> Advertisements, *Waikato Times*, 9 March 1880, p. 3, 27 January 1881, p. 3.

<sup>11</sup> *Waikato Times*, 21 April 1881, p. 2; *Auckland Weekly News*, 13 August 1881, p. 11.

<sup>12</sup> *Waikato Times*, 7 May 1881, p. 2.

swamp, not in a curved depression, but sunk in a body, and across this tract, which is full of underground timber, the drain runs. The timber, when the drain is opened out, is found to be a forest of the stumps of large trees, standing in *situ*, just as if the trunks had been felled about four feet from the ground, some of them so large that in one case a single stump filled up a drain 18 feet wide and ten feet deep. The astonishing character of the work can be imagined when such a drain is cut through wet country thus filled with underground timber. The dynamite blasts were going every five minutes, and water and timber being hurled into the air together.... It seems really wonderful how the men can stand the exposure, having to be wet up to the knees all day, and in all weathers, and often to the hips; some were even cutting timber under water with axes, and wet all over. These drains average ten feet in depth, and some of them are eighteen feet wide at the top, small canals, in fact.<sup>13</sup>

It is not known how much time Montague spent working in such conditions, but he must be assumed to have participated in the digging as well as supervising. In August 1882 he unsuccessfully tendered to construct the railway line from Hamilton to Cambridge.<sup>14</sup> Two months later, with his then-partner, carter James Orr,<sup>15</sup> he unsuccessfully tendered to make the road between Cambridge and Rotorua.<sup>16</sup>

In February 1881, Montague applied for a license for the hotel he was constructing at 'Oxford (Okoroire)', otherwise 'the new township of Windsor, at Okoroire, midway between Cambridge and the Lakes'.<sup>17</sup> This township, correctly Oxford, was later renamed Tirau. When his Royal Hotel opened in mid-April, he was described as its 'spirited proprietor'.<sup>18</sup> Later that year he opened a post office in it, and announced he would run 'an express between his hotel and Cambridge twice a-week, for the conveyance of passengers and

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<sup>13</sup> Own Correspondent, 'The Piako Railway and Swamp Works at Waitoa', *Auckland Weekly News*, 13 August 1881, p. 11.

<sup>14</sup> *Waikato Times*, 5 August 1882, p. 2.

<sup>15</sup> See *Waikato Times*, 1 May 1886, p. 2, 7 September 1886, p. 2, 30 September 1886, p. 2, 9 October 1886, p. 2, 26 February 1889, p. 3, Piako County Council, 8 March 1894, p. 2, Piako County Council, 3 December 1895, p. 2.

<sup>16</sup> *Waikato Times*, 19 October 1882, p. 2, 24 October 1882, p. 2.

<sup>17</sup> *Waikato Times*, 19 February 1881, p. 2, 22 February 1881, p. 2.

<sup>18</sup> *Waikato Times*, 21 April 1881, p. 2.

mails'.<sup>19</sup> In November, his advertisement promoting his services in the usual glowing terms underestimated the distance from the hot springs:

OXFORD ROYAL HOTEL, MID WAY BETWEEN CAMBRIDGE  
AND THE HOT LAKES, AND WITHIN A FEW MINUTES  
DRIVE OF THE OKOROIRE HOT SPRINGS

As these Hot Springs through their remarkable sanitary qualities and easy accessible position from Cambridge, have become a favourite resort of the Waikato public, the proprietor of the above well-known hostelry has commenced running a Coach every Wednesday and Saturday between Cambridge and Oxford, so as to enable travellers from Auckland to visit the Springs and return the following evening to town. Visitors desirous of camping at the Springs can be provided with camping material and all necessary accommodation.

The hotel is fitted up with every convenience for families and travellers. Good stabling. Buggy use and saddle horses on hire, and guides to the Hot Lakes.

The Oxford Store, adjoining the Hotel, is stocked with a choice variety of merchandise. Bernard Montague, proprietor.<sup>20</sup>

He was considering taking charge of the hot springs at Okoroire 'for some time',<sup>21</sup> but did not. To safeguard his trade, and possibly also for moral reasons, he twice charged a storekeeper for selling small quantities of liquor to Maori.<sup>22</sup>

In March 1882, Montague sold the hotel to Archibald Clements,<sup>23</sup> a leading Cambridge merchant.<sup>24</sup> In the following month he applied for a temporary transfer of his license to Cornelius McManus, and in June it was renewed and transferred to McManus.<sup>25</sup> McManus, who was travelling with him on the road to Rotorua in April when his horse fell and rolled on him, breaking his leg in two places, was able to get him back to the hotel for

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<sup>19</sup> *Waikato Times*, 1 October 1881, p. 2; *New Zealand Gazette*, 16 February 1882, p. 268.

<sup>20</sup> Advertisement, *Waikato Times*, 17 November 1881, p. 2.

<sup>21</sup> *Waikato Times*, 24 November 1881, p. 3.

<sup>22</sup> *Waikato Times*, 18 October 1881, p. 2, 22 October 1881, p. 2, 27 October 1881, p. 2.

<sup>23</sup> *Waikato Times*, 11 March 1882, p. 2.

<sup>24</sup> See *Cyclopedia of New Zealand*, vol. 2, pp. 427-428.

<sup>25</sup> *Waikato Times*, 4 April 1882, p. 2, 4 August 1882, p. 2, advertisement, 23 December 1882, p. 3, 5 June 1883, p. 2; *Te Aroha Mail*, 10 June 1882, p. 2.

treatment.<sup>26</sup> (McManus would be a publican for the rest of his life.)<sup>27</sup> In June, Montague abandoned the mail contract between Cambridge and Oxford.<sup>28</sup> In the following month he acquired a grocery and drapery store in Cambridge West, announcing that he had bought the entire stock of a general storekeeper and that goods would be ‘offered at Extremely Low Prices for Cash’.<sup>29</sup> This was not his sole source of income, for he was soon seeking contracts.<sup>30</sup> He had to sue Maori for debts, notably over a tangi at Oxford for which he had supplied a coffin and five gallons of rum.<sup>31</sup>

In April 1883, his attempt to purchase the Royal Hotel in Hamilton East for £200 fell through after he thought the deal had been arranged, apparently because the proprietor refused to accept him as a sub-lessee.<sup>32</sup>

### WAIORONGOMAI MINING

In 1882 he ‘removed to Waiorongomai, where he engaged in goldmining’.<sup>33</sup> His only previous involvement in mining had been to purchase a half share in a Te Aroha claim in December 1880.<sup>34</sup> His involvement at Waiorongomai was similar: investing, not mining. For a nearly a year after first acquiring property at Waiorongomai in October 1882 he still recorded his address as being at Cambridge.<sup>35</sup> His first miner’s right was taken out in mid-July 1883.<sup>36</sup> Four days previously he had

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<sup>26</sup> *Waikato Times*, 11 April 1882, p. 2; *Auckland Weekly News*, 8 April 1882, p. 20.

<sup>27</sup> See *Thames Advertiser*, 6 June 1896, p. 1; *Thames Star*, 19 May 1900, p. 2; *Auckland Star*, 22 December 1913, p. 6; *New Zealand Herald*, 9 June 1914, p. 9.

<sup>28</sup> *Waikato Times*, 22 June 1882, p. 2.

<sup>29</sup> H.W. Northcroft to Registrar, Supreme Court, 9 July 1883, Letterbook, pp. 210-209, H.W. Northcroft Papers, ARC 2159, Te Awamutu Museum; advertisement, *Waikato Times*, 25 July 1882, p. 3.

<sup>30</sup> *Waikato Times*, 19 October 1882, p. 2.

<sup>31</sup> Cambridge Magistrate’s Court, *Waikato Times*, 22 May 1883, p. 2.

<sup>32</sup> *New Zealand Herald*, 26 April 1883, p. 6.

<sup>33</sup> *Cyclopedia of New Zealand*, vol. 2, p. 838.

<sup>34</sup> Te Aroha Warden’s Court, Register of Te Aroha Claims 1880-1888, folio 164, BBAV 11567/1a, ANZ-A.

<sup>35</sup> Te Aroha Warden’s Court, Register of Applications 1880-1882, folio 217, BBAV 11505/3a; Plaintiff Book 1880-1898, 20/1883, BBAV 11547/1a, ANZ-A.

<sup>36</sup> Te Aroha Warden’s Court, Miner’s Right no. 1983, issued 18 July 1883, Miners’ Rights Butt Book 1883, BBAV 11533/1k, ANZ-A.

purchased a half share in the Wellington for £15; two months later, when it was transferred to the Wellington Company, he was allotted 325 scrip shares.<sup>37</sup> In 1884, he purchased 1,000 May Queen shares at threepence each.<sup>38</sup> The following year, his 175 shares in the Lucky Hit Company were liable to forfeiture unless a call was paid.<sup>39</sup>

In May 1885, he was sued by Thomas Frederick Fenton, a Te Aroha sharebroker,<sup>40</sup> for £1 5s, being 'Dividend on 50 Colonist Shares'.<sup>41</sup> Fenton had purchased these in late February 1884, but had 'held over' the transfer 'for about a month, after which it could not be registered'. When he got a new transfer, he found that he had missed out on the dividend issued on 3 April. In his evidence, Fenton said that he 'did not see the transfer for some time after I bought them', and it was 'nearly a month afterwards' when he received it, sending it 'to town at once to be registered. I received it back again, as it required renewing'. After asking Montague for a fresh transfer, which was provided, he asked him for the dividend.

He told me he had given an order to a merchant in town to draw the dividend, having other shares in the Colonist, but said he would give me the amount another time, as he had no silver about him. I asked him for it a few months later, when he again said he had no change. The last time I asked him for it he told me to go to a warm place,

meaning Hell. In response to Montague's question, Fenton denied that Montague had told him 'when he promised to renew the transfer that he should fine him the amount of the dividend, because it was his own neglect that necessitated a fresh transfer being given'. In his evidence, Montague stated he had sold the last of his Colonist shares to another broker in October 1883, and when another broker asked him for a fresh transfer of the 50 shares 'about Christmas' he gave him one.

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<sup>37</sup> Te Aroha Warden's Court, Register of Licensed Holdings 1881-1887, folio 65, BBAV 11500/9a; Certified Instruments 1883, no. 287, BBAV 11581/4a, ANZ-A; *New Zealand Gazette*, 27 September 1883, p. 1369.

<sup>38</sup> *Te Aroha News*, 6 September 1884, p. 2.

<sup>39</sup> *Te Aroha News*, 15 August 1885, p. 7.

<sup>40</sup> See *Te Aroha News*, 17 November 1883, p. 2; *Thames Advertiser*, 3 March 1886, p. 2; *The Handbook of New Zealand Mines* (Wellington, 1887), Appendix, p. 4.

<sup>41</sup> Te Aroha Magistrate's Court, Complaint Book 1881-1892, 40/1885, BCDG 11224/1a, ANZ-A.

In February plaintiff came and appealed to my honour to give him another transfer, he having bought the shares. I said, No, that I would not give any further fresh transfers. He appealed to me again and again to do so, and at last I said I would for this once, but should forfeit him the dividend for his carelessness.

He had ‘distinctly refused’ when Fenton first asked for a fresh transfer, which was before he had drawn the dividend himself. When giving the transfer, ‘the understanding was that I should retain the dividend. I would not have given him the transfer otherwise’, as by Fenton’s ‘neglect to register I was liable for calls as well as dividends’. The magistrate, Harry Kenrick,<sup>42</sup> non-suited Fenton because of the delay; only the second transfer was legal because it recorded the purchaser’s name. He ‘severely censured the practice so prevalent amongst shareholders and others of giving and accepting transfers, which were illegal, through not having the purchaser’s name duly entered’.<sup>43</sup> ‘The parties to the transaction in the first instance had laid themselves open to prosecution for evasion of the Stamp Duties Act, under which they were liable to a heavy penalty’ of from £20 to £100.<sup>44</sup>

Like all others involved with the mines, Montague had strong opinions about what had gone wrong and offered solutions. At a Waiorongomai meeting in February 1885 he seconded a motion that the council should construct a tramway to the New Era battery,<sup>45</sup> being erected by Peter Ferguson.<sup>46</sup> He also wanted it to make more goldfield roads, and claimed that Firth and Clark’s battery<sup>47</sup> ‘meant starvation to the district’.<sup>48</sup> At a Te Aroha meeting later that month, he was elected to a committee charged with preparing a list of questions on the finances of the tramway and other concerns which miners wanted the government investigate. He moved that a deputation of three, of which he was one, should ask the warden not to grant protection to the Colonist. He blamed the Battery Company for trying to keep it idle, instead of letting it on tribute, and for encouraging shareholders to forfeit their shares by making a call of 6d.<sup>49</sup> At Te Aroha in

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<sup>42</sup> See paper on his life.

<sup>43</sup> Magistrate’s Court, *Te Aroha News*, 16 May 1885, p. 2.

<sup>44</sup> Te Aroha Correspondent, *Waikato Times*, 14 May 1885, p. 2.

<sup>45</sup> *Waikato Times*, 3 February 1885, p. 2.

<sup>46</sup> See paper on Peter Ferguson and his New Era.

<sup>47</sup> See paper on the Battery Company.

<sup>48</sup> *Te Aroha News*, 7 February 1885, p. 2.

<sup>49</sup> *Waikato Times*, 24 February 1885, p. 2; *Te Aroha News*, 28 February 1885, pp. 2, 7.



June, he seconded a motion to send a petition to parliament asking the government to assist the construction of the New Era tramway.<sup>50</sup> The following month, he provided details ‘at considerable length’ to a Te Aroha meeting of the committee’s finding that public money granted to construct the county tramway had been misappropriated, and called for a royal commission.<sup>51</sup> ‘It was a matter which ought not to be shelved, and he came down on purpose that night to say so, and to move that the evidence be forwarded and an investigation demanded’. His motion that the government investigate the cost of the tramway was carried.<sup>52</sup> Later in July, after the council agreed to make a tramway to Ferguson’s battery, Montague and a prominent miner, Michael Dineen O’Keeffe,<sup>53</sup> organized an entertainment in Ferguson’s honour.<sup>54</sup>

### SPECULATING IN WAIORONGOMAI SECTIONS

In October 1882, Montague was granted a business site in Wilson Street, Waiorongomai, which was forfeited the following August, but just over a month later was granted to him again.<sup>55</sup> Then, because rent was paid only once, it was again forfeited.<sup>56</sup> In September 1883, he was granted 19 other business sites, all of which were protected before being forfeited through failure to occupy.<sup>57</sup> In February 1884, he purchased a residence site for £20; in December 1887, he was being pressed to pay arrears of rent on it.<sup>58</sup> Another purchased from the same man in June 1885 had its rent paid;

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<sup>50</sup> *Waikato Times*, 20 June 1885, p. 3.

<sup>51</sup> Te Aroha Correspondent, *Thames Advertiser*, 14 July 1885, p. 3.

<sup>52</sup> *Te Aroha News*, 18 July 1885, p. 2.

<sup>53</sup> See paper on his life.

<sup>54</sup> *Thames Advertiser*, 25 July 1885, p. 3.

<sup>55</sup> Te Aroha Warden’s Court, Register of Applications 1880-1882, folio 217, BBAV 11505/3a; Complaint Book 1880-1898, 20/1883, BBAV 11547/1a; Register of Residence Site and Other Licenses 1880, folio 50, BBAV 11537/2a, ANZ-A; Warden’s Court, *Te Aroha News*, 11 August 1883, p. 3.

<sup>56</sup> Te Aroha Warden’s Court, Rent Ledger 1881-1900, folio 235, BBAV 11492/1a, ANZ-A.

<sup>57</sup> Te Aroha Warden’s Court, Register of Applications, nos. 87, 112, 113, BBAV 11505/1a; Notices of Forfeiture 1884, 8 July 1884, BBAV 11583/1a, ANZ-A.

<sup>58</sup> Assignment from John Matthews to Bernard Montague, 9 February 1884, Assignments and Transfers 1884, Te Aroha Warden’s Court, BBAV 11581/5a; Complaint Book 1880-1898, 15/1887, BBAV 11547/1a, ANZ-A.

it was transferred into his wife's name in December 1888 and forfeited 16 months later.<sup>59</sup>

Early in August 1883, it was reported that he was to sue a mine manager, Hugh McLiver,<sup>60</sup> for £100, the amount he had paid to secure the purchase of the Premier Hotel, and for the same amount from Alfred Tunstall Ashley, a publican,<sup>61</sup> for refusing to complete the sale.<sup>62</sup> Montague's evidence showed that in June he had paid £100 to McLiver as a deposit only to discover that the transfer could not happen because the sections upon which the hotel had been erected belonged to Ashley.<sup>63</sup> On 13 June he had agreed to purchase this hotel from Ashley for £1,350,<sup>64</sup> plus £150 for good will, and paid a deposit of £5.<sup>65</sup> He was to obtain possession on 1 July. After discovering Ashley was not just McLiver's manager but held the sections, he had agreed to pay £150 'to stand in his ... shoes', leaving the hotel mortgaged to a brewer for £800 and McLiver for £400. 'On the 6th of July the argument' with Ashley and McLiver 'about the business occupied from 8 o'clock in the evening till 5 in the morning (laughter)'. McLiver told the magistrate that he would only agree to the sale if his £400 mortgage was paid off, and that Ashley would not sell because Montague would not pay this. The magistrate ordered McLiver to pay the £100.<sup>66</sup> Montague then withdrew his plaint against Ashley and settled out of court.<sup>67</sup> He made no further attempt to be a publican.

#### A CONTRACTOR IN THE TE AROHA DISTRICT

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<sup>59</sup> Te Aroha Warden's Court, Rent Ledger 1881-1900, folio 256, BBAV 11492/1a, ANZ-A.

<sup>60</sup> See paper on the New Find mine at Waiorongomai

<sup>61</sup> See section on Louisa Forsman in paper on private lives in the Te Aroha district.

<sup>62</sup> *Te Aroha News*, 4 August 1883, p. 2.

<sup>63</sup> Magistrate's Court, *Te Aroha News*, 11 August 1883, p. 2.

<sup>64</sup> Montague's evidence in court gave the figure of £1,200: Magistrate's Court, *Te Aroha News*, 11 August 1883, p. 2.

<sup>65</sup> Agreement between A.T. Ashley and Bernard Montague, 13 June 1883, Te Aroha Warden's Court, Certified Instruments 1883, BBAV 11581/3a, ANZ-A.

<sup>66</sup> Magistrate's Court, *Te Aroha News*, 11 August 1883, p. 2.

<sup>67</sup> Te Aroha Warden's Court, Plaint Book 1880-1898, 20/1883, BBAV 11547/1a, ANZ-A; Warden's Court, *Te Aroha News*, 11 August 1883, p. 3.

Between 1884 and 1891, Montague gave his occupation as ‘contractor’.<sup>68</sup> He also worked as a carter until June 1884, when it was announced that his partnership with James Orr, who had also moved to the district, had been ‘dissolved by mutual consent’, and Orr would carry on the business.<sup>69</sup> After that date, he continued to have some joint contracts with Orr,<sup>70</sup> as well as with Timothy Donovan,<sup>71</sup> a labourer.<sup>72</sup> During the 1880s he was also in partnership for some contracts with Michael Dineen O’Keeffe.<sup>73</sup>

Most of his contracts were for roads.<sup>74</sup> Even when farming at Gordon from the 1890s onwards, he continued to seek contracts for making and repairing roads, repairing drains, and diverting creeks.<sup>75</sup> He also sought contracts for mining tracks and Ferguson’s tramway, and carted gravel and sand.<sup>76</sup> He even constructed bridges.<sup>77</sup> In 1887, he successfully tendered for

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<sup>68</sup> *Waikato Electoral Roll, 1884*, p. 15; *Tauranga Electoral Roll, 1887*, p. 17; *Te Aroha Electoral Roll, 1891*, p. 24.

<sup>69</sup> *Thames Advertiser*, 14 June 1884, p. 2; *Te Aroha News*, 14 June 1884, p. 7.

<sup>70</sup> For example, Te Aroha Magistrate’s Court, *Plaint Book 1881-1884*, 43/1885, BCDG 11224/1a, ANZ-A; Magistrate’s Court, Te Aroha, *Thames Advertiser*, 28 May 1885, p. 3.

<sup>71</sup> For example, Te Aroha Magistrate’s Court, *Thames Advertiser*, 28 May 1885, p. 3; Piako County Council, *Waikato Times*, 2 April 1885, p. 2; Waitoa Road Board, *Te Aroha News*, 1 August 1885, p. 2.

<sup>72</sup> See *Te Aroha News*, 5 March 1887, p. 3, Magistrate’s Court, 8 August 1888, p. 2, Magistrate’s Court, 4 May 1895, p. 2, 19 June 1895, p. 2, 31 August 1914, p. 3, 21 September 1917, p. 2, 11 September 1925, p. 4, 25 September 1925, p. 5, 16 November 1938, p. 5.

<sup>73</sup> For example, Piako County Council, *Waikato Times*, 13 February 1886, p. 2.

<sup>74</sup> For example, Piako County Council, *Minutes of Meetings of 15 June 1888, 13 September 1888, 6 July 1889*, Matamata-Piako District Council Archives, Te Aroha; *Te Aroha News*, Ohinemuri County Council, 20 March 1886, p. 7, 24 April 1889, p. 2, 26 June 1889, p. 2.

<sup>75</sup> For example, Piako County Council, *Waikato Times*, 3 November 1892, p. 2, 5 October 1893, p. 6, 4 November 1893, p. 7; Piako County Council, *Waikato Argus*, 24 October 1896, p. 3, 16 January 1897, p. 2, 20 February 1897, p. 2, 24 August 1897, p. 3, 19 February 1900, p. 4, 26 September 1900, p. 4, 24 December 1900, p. 2.

<sup>76</sup> For example, *Te Aroha News*, 8 August 1885, p. 7, Piako County Council, 12 May 1888, p. 2; Piako County Council, *Waikato Times*, 13 February 1886, p. 2; Piako County Council, *Waikato Argus*, 19 February 1898, p. 4.

<sup>77</sup> Piako County Council, *Waikato Argus*, 22 October 1898, p. 3; Piako County Council, *Auckland Weekly News*, 26 January 1905, p. 32.

the earthwork for a water race.<sup>78</sup> In August 1888, he obtained a contract for a section of the new water race from the Wairakau Stream, but as he received only 8d per yard and part it was through bush, one newspaper could not see how he could ‘make this sort of thing pay’.<sup>79</sup> He employed 12 men on this contract.<sup>80</sup> One water race was known as ‘Barney’s’.<sup>81</sup> The following year, he successfully tendered to fill in a gully on the main road to Shaftesbury.<sup>82</sup> During the winter of 1889, under the heading ‘Mud Pie’, a Waiorongomai correspondent reported on one of his contracts:

Our footpaths and roads, during the last ten days have been undergoing projected improvements, but at the present stage of the contract there are accumulated heaps of soft slushy mud banks on the footpaths, which are fifty per cent worse than they were before Mr Barney Montague entered upon his contract of improvement. This stage of affairs is not altogether the contractor’s fault, as the traffic is heavy, and the weather has been bad since he commenced work. Tenders are called for 100 cubic yards of road metal, which will no doubt soon put us on a better foundation.<sup>83</sup>

One week later, a resident mentioned going to the public hall despite ‘the danger of being lost to sight in “Barney’s sludge” on the new promenade’.<sup>84</sup>

In February 1886, the tenders of Montague and O’Keeffe for two sledge tracks on the goldfield, forming and metalling part of a Waiorongomai street, and making a bridge and approaches over a gorge on the road to Shaftesbury were declined. ‘It was stated Montague, the lowest tenderer, had still a good deal of uncompleted road contracts on hand’.<sup>85</sup> Only one councillor voted for his obtaining the last contract.<sup>86</sup> In April, he complained that the council had not accepted ‘his tender for certain road works, his

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<sup>78</sup> *Te Aroha News*, 2 April 1887, p. 2.

<sup>79</sup> *Te Aroha News*, 15 August 1888, p. 2; *Waikato Times*, 18 August 1888, p. 2, 25 August 1888, p. 3.

<sup>80</sup> *Te Aroha News*, 25 August 1888, p. 2.

<sup>81</sup> Waiorongomai Correspondent, *Te Aroha News*, 6 February 1889, p. 2.

<sup>82</sup> Piako County Council, *Waikato Times*, 9 July 1889, p. 3.

<sup>83</sup> Waiorongomai Correspondent, *Waikato Times*, 16 July 1889, p. 3.

<sup>84</sup> Letter from ‘Joe Softly’, *Te Aroha News*, 24 July 1889, p. 2.

<sup>85</sup> Piako County Council, *Te Aroha News*, 13 February 1886, p. 7.

<sup>86</sup> Piako County Council, *Te Aroha News*, 17 April 1886, p. 2.

being the lowest. He particularly objected to the action taken by one member in objecting to his tender'. Denis Murphy, a councillor,<sup>87</sup> responded that he wanted the lowest tender to be accepted, and 'wished to know if the Council had any complaint against' Montague. 'The Chairman said he was not aware that they had' and that tenders were decided by majority vote. 'The matter was then allowed to drop'.<sup>88</sup>

In August 1885, the Waitoa Road Board discussed three contracts taken up by Montague and Donovan on the road from Maungakawa, at Scotchman's Valley, to the Waiorongomai Landing.<sup>89</sup> They had employed 'about twenty Good Pick and Shovel Men'.<sup>90</sup> It was told that the work done was 'very indifferent', and 'the amount of labour expended on these contracts would have made a good job if properly gone about'. By employing two men for three weeks, it 'considerably improved at least part of these sections'.<sup>91</sup> This report prompted a letter from Montague stating that the board's engineer had passed his work

as finished according to specifications. If these were faulty the blame lies not at my door. The real facts are, that a member of the Board urged me to do work outside the specifications to drain his land adjoining, and failed in his attempt. Had I the road-making genius of Generals Wade and McAdam combined, it would not suit or please a man who failed to get his land drained at my expense or that of the ratepayers. The Board's engineer is considered a competent officer, but does not ... try to force contractors to do work they have not bargained for.<sup>92</sup>

An 1894 comment in a gossip column seemed to refer to one of Montague's contracts: 'S. says B. fell over eight sacks of gravel recently which resulted in gravel rash. C. will have it that he tripped over the engineer's figures, and simply landed in the mud. B. has regained his footing, however, though he has had to pay for it'.<sup>93</sup> In March 1897, he attended a council meeting to explain problems with a contract about which two complaints had been received and which the council decided another

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<sup>87</sup> See paper on his life.

<sup>88</sup> Piako County Council, *Waikato Times*, 10 April 1886, p. 2.

<sup>89</sup> Waitoa Road Board, *Te Aroha News*, 1 August 1885, p. 2.

<sup>90</sup> Advertisement, *Te Aroha News*, 12 September 1885, p. 7.

<sup>91</sup> Morrinsville Correspondent, *Waikato Times*, 1 May 1886, p. 2.

<sup>92</sup> Letter from Bernard Montague, *Waikato Times*, 6 May 1886, p. 2.

<sup>93</sup> 'Te Aroha', *Observer*, 4 August 1894, p. 21.

contractor should complete, and two months later asked it to pay his expenses for attending. Although it refused, after he explained why the work had been delayed it paid him for the work done to date.<sup>94</sup> The following month, he was granted £4 to recompense him for 'loss of time, etc, re his contract, which was terminated before the completion of the work'.<sup>95</sup> The following year, he surrendered one contract because he could not finish it within the specified time, forfeiting his deposit.<sup>96</sup> In 1899, after unsuccessfully tendering to repair Thompson's track and to provide timber for culverts, he won a contract to widen it, at £1 3s per chain, but promptly threw up this contract, 'as he had made a mistake in tendering at 23s per chain, instead of 43s. He agreed to forfeit his interest'.<sup>97</sup>

Montague sometimes worked for wages. For instance, in 1887 he helped harvest seed at Waitoa for Thomas Luck Green, a fruiterer, florist, and nurseryman,<sup>98</sup> who had a contract with the Auckland Agricultural Company. Although he won his case seeking the balance of wages due, £6 0s 6d, and asked for 'immediate execution', at Green's request there was a two week stay to enable him to treat equally all those workers owed wages.<sup>99</sup> As Green then went bankrupt, he was unable to pay anyone.<sup>100</sup> The following year, the council was told that he had worked for 17 days on the road to Waiorongomai at 8s a day. 'One of the Councillors asked why this man was paid 8s per day, when no other man employed by the Council received such high wages? Was it that he was an exceptionally good workman?' Denis Murphy and James Mills,<sup>101</sup> who had told the engineer to raise the wage, considered 7s too low, but their fellow councillors fixed the rate at 6s.<sup>102</sup> The

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<sup>94</sup> Piako County Council, *Waikato Argus*, 20 March 1897, p. 3, 22 May 1897, p. 2.

<sup>95</sup> Piako County Council, *Waikato Argus*, 19 June 1897, p. 3.

<sup>96</sup> Piako County Council, *Waikato Argus*, 26 March 1898, p. 4.

<sup>97</sup> *Waikato Argus*, Piako County Council, 29 April 1899, p. 3, 22 June 1899, p. 4, Piako County Council, 25 July 1899, p. 4.

<sup>98</sup> See *Te Aroha News*, 12 July 1884, p. 2, 4 December 1886, p. 2, 5 March 1887, p. 2; *Waikato Times*, 6 May 1886, p. 2, 10 June 1886, p. 2, 10 February 1887, p. 2; *Ohinemuri Gazette*, 24 March 1905, p. 2.

<sup>99</sup> Te Aroha Magistrate's Court, *Waikato Times*, 10 February 1887, p. 2; Magistrate's Court, *Te Aroha News*, 12 February 1887, p. 2.

<sup>100</sup> *Waikato Times*, Te Aroha Correspondent, 10 February 1887, p. 2, 12 February 1887, p. 2, 19 February 1887, p. 2.

<sup>101</sup> See paper on his life.

<sup>102</sup> Piako County Council, *Te Aroha News*, 16 May 1888, p. 2.

local newspaper later reported that Montague was a friend of Murphy, who with Mills had arranged for him to receive the higher rate.<sup>103</sup>

In October 1888, when sued by a labourer for £2 9s, balance of wages, Montague stated that he had agreed to pay this man what he was worth, 'and considered 6s a day the full value of his work'. He was ordered to pay 18s 3d because of not telling him that as his work was not of full value he would not receive the 7s the others received.<sup>104</sup>

### HIS GORDON FARM

With Waiorongomai mining being in serious decline by 1885, some of its residents sought land nearby for settlement. In April, Montague was elected chairman of the Gordon Special Settlement Association.<sup>105</sup> The following month, he was the spokesman for a deputation to William Larnach, Minister of Mines. 'War being imminent between Russia and England', they 'offered their services as a semi-military settlement'. He

referred at some length to the unaccountable practice of successive Governments bringing people out to the colony to settle on the land, giving them exceptionally easy terms, whereas there were lots of people who were only too anxious to settle its waste lands, but who were not afforded the same easy terms. Again, land grabbers who picked the very eyes out of the country were encouraged to come out and were treated with exceptional liberality.

Existing colonists made better settlers, but needed government aid. Whilst it was 'no use' putting 'poor men on bad land', if placed on good land 'he had no doubt they would pull through and succeed'.<sup>106</sup> In October, he chaired a meeting about establishing a settlement at Waiharakeke, up-river from the Aroha Block; at its conclusion he received a vote of thanks, which the *Te Aroha News* thought was 'well deserved' because he had been 'most energetic and persevering in his efforts from the first'.<sup>107</sup> The following month, he was on a delegation of 'Gordon Settlers' seeking the support of

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<sup>103</sup> *Te Aroha News*, 15 September 1888, p. 2.

<sup>104</sup> Magistrate's Court, Te Aroha, *Waikato Times*, 25 October 1888, p. 2.

<sup>105</sup> *Te Aroha News*, 18 April 1885, p. 2.

<sup>106</sup> *Waikato Times*, 30 May 1885, p. 3.

<sup>107</sup> *Te Aroha News*, 10 October 1885, p. 7.

the Minister of Lands.<sup>108</sup> Later that month, on behalf of these potential settlers he attended a council meeting to request a road to enable them to get to their planned settlement.<sup>109</sup>

Early in September the following year, Montague chaired the meeting of the Gordon Special Settlement Association at which 3,031 acres of the Waiharakeke Block sections, divided into 27 sections, were balloted for under the deferred payment scheme.<sup>110</sup> He received Section 1 Block 10 Wairere, comprising 101 acres 3 rods and 26 perches, with a capital value of £102, and an annual rent of £10 4s.<sup>111</sup> In December 'County Ratepayer' pointed out that he had not moved there yet, and in the following March all of his land was recorded as being unimproved.<sup>112</sup> At the end of 1887, his request that the council assist to drain the swamp on part of his land was declined.<sup>113</sup> In March 1889, when still living at Waiorongomai, he was warned by the Crown Lands Board that, having failed to be 'continuously in residential occupation', he was liable to forfeit both land and improvements.<sup>114</sup> He responded that he had made improvements, timber was being sent, and he would be living there within the next month, concluding by 'Praying that you will give a little grace considering the hard times this last Two Years'.<sup>115</sup> He did indeed erect a house and move his family to their farm.<sup>116</sup> In 1889 his improvements comprised sowing 14 acres in grass, an area that was not increased in the following two years

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<sup>108</sup> *Te Aroha News*, 14 November 1885, p. 7.

<sup>109</sup> Piako County Council, *Waikato Times*, 26 November 1885, p. 2.

<sup>110</sup> *Waikato Times*, 7 September 1886, p. 2; *New Zealand Gazette*, 16 September 1886, p. 1117; Terese McLoughlin and Gladys Davison, *Gordon Centenary 1884-1984* (Gordon, 1984), pp. 2, 4, and map on p. 3.

<sup>111</sup> Memoranda of 16 March 1887, 25 November 1889, Lands and Survey Department, BAAZ 1108/102a, ANZ-A; McLoughlin and Davison, map on p. 3.

<sup>112</sup> *Te Aroha News*, letter from 'County Ratepayer', 25 December 1886, p. 3, 5 March 1887, p. 3.

<sup>113</sup> Piako County Council, *Te Aroha News*, 31 December 1887, p. 2.

<sup>114</sup> A.P. Etheridge (Secretary, Crown Lands Board) to Bernard Montague, 4 March 1889, Lands and Survey Department, BAAZ 1109/102a, ANZ-A.

<sup>115</sup> Bernard Montague to Crown Lands Board, 19 March 1889, Lands and Survey Department, BAAZ 1109/102a, ANZ-A.

<sup>116</sup> Gerhard Mueller (Commissioner of Crown Lands), 'Notes Re Rangers Report upon the Gordon Settlement Sections after Inspection in July 1894', 24 July 1894, Lands and Survey Department, BAAZ 1109/103a, ANZ-A.



despite regulations requiring 20 acres to be cultivated by 1891.<sup>117</sup> For the first few years of the settlement, his rent payments were in arrears, and he was threatened with forfeiting his section.<sup>118</sup>

In June 1892 he acquired the adjoining land, Section 2, and from 1893 onwards gave his occupation as farmer.<sup>119</sup> In June 1894, the Crown Lands Board approved his application to have the time to pay for his sections extended to 14 years.<sup>120</sup> The ranger reported in the following month that while Montague had completed cultivations on Section 2, the residential requirements had not been met, for having his family living on an adjacent section did not comply with the regulations. As his rent was in arrears, it had to be paid by the end of the year to avoid forfeiture. On Section 1, the required cultivations had been completed, 'substantial improvements effected', the residence requirements complied with, and rent paid; once the balance of the purchase money was paid, a Crown Grant would be issued.<sup>121</sup> When warned that he might lose Section 2,<sup>122</sup> Montague was belligerent:

I Claim the right to hold 300 acers and I also Claim the right to reside on any part of that 300 acers that I Chose I also Claim the right to effect my improvements Cultivations and substantial on any Part of my 300 acers. I deny if the 300 acers was Cut up into 6 Parts Providing the all adjoined each other that it effected the award [?] [of] 300 acres in any way I hold a letter from the Commissioner of Crown Lands Auckland to that affect and I know that the tane [tenure?] has not ben Changed since. I Bernard Montague deny that your Bord by reslution or otherwise can

<sup>117</sup> Memorandum by Thomas Humphries (Ranger), 21 March 1889; Thomas Humphries to Bernard Montague, 18 March 1891, Lands and Survey Department, BAAZ 1108/102b, ANZ-A.

<sup>118</sup> Memoranda of 25 November 1889, 17 November 1891, July 1894; Gerhard Mueller (Commissioner of Crown Lands) to Bernard Montague, 4 August 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>119</sup> Bernard Montague to Gerhard Mueller, 31 May 1892; Gerhard Mueller to Bernard Montague, 2 June 1892; memorandum of 9 June 1892, Lands and Survey Department, BAAZ 1108/102b, ANZ-A; *Waikato Electoral Roll, 1893*, p. 26.

<sup>120</sup> Crown Lands Board, *Auckland Weekly News*, 9 June 1894, p. 29.

<sup>121</sup> Gerhard Mueller, 'Notes Re Rangers Report upon the Gordon Settlement Sections after Inspection in July 1894', 24 July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>122</sup> Gerhard Mueller to Bernard Montague, 4 August 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

deprive me of thos rights and privellages that are due to all good sitzens of the Collene of Newzeland.

He signed as ‘Your obedent servent’.<sup>123</sup> Gerhard Mueller, the Commissioner of Crown Lands, mildly responded that he must have a registered substitute living on the second block, and gave him until the end of the year to pay the arrears, for which he was thanked for ‘the little breathing time’.<sup>124</sup> Not till five months later did he nominate his wife as his substitute, which was accepted,<sup>125</sup> even though she would not be living on this section away from her family.

In 1898, Montague described himself as ‘just plodding along in the same way working hard trying for to make a place I will be able to rest in bye and by’.<sup>126</sup> Two years later, he leased 153 acres of Waiharakeke West for 21 years. The rent was £5 a year for the first five years, the fifth year being rent free, and of the last 16 years, 15 would be £12 and the last one rent free. The three Maori lessors agreed ‘to protect the Lessee from disturbance arrising from other aboriginal natives’,<sup>127</sup> suggesting opposition within the hapu to the lease.

By 1902, he was calling his dairy farm ‘Springfield’.<sup>128</sup> In May that year, he complained to the council about ragwort on the adjoining property of John Brady,<sup>129</sup> where about 20 acres had become covered with this noxious weed in the past five years. ‘The writer and his sons had frequently cleared their place, but so long as Mr Brady is allowed to keep a nursery for growing the weed all their labours were of no avail’. When he attended a council meeting, he was told to complain to the Agriculture Department.

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<sup>123</sup> Bernard Montague to Gerhard Mueller, 14 August 1894 [second letter of that date], Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>124</sup> Gerhard Mueller to Bernard Montague, 23 August 1894; Bernard Montague to Gerhard Mueller, 30 August 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>125</sup> Bernard Montague to Gerhard Mueller, 29 January 1895; Gerhard Mueller to Bernard Montague, 19 March 1895, Lands and Survey Department, BAAZ 1108/103a, ANZ-A; Crown Lands Board, *Auckland Weekly News*, 2 March 1895, p. 35.

<sup>126</sup> Bernard Montague to F.W. Wild, 24 August 1898, Bernard Montague Papers, in possession of Montague family.

<sup>127</sup> Deed between Matenga Rawiri, Nape Pateha, and Hori Parangaranga and Bernard Montague, 15 March 1900, in possession of Montague family.

<sup>128</sup> *Cyclopedia of New Zealand*, vol. 2, p. 838.

<sup>129</sup> See advertisements, *Waikato Times*, 23 April 1892, p. 3, 8 September 1892, p. 3.

That meeting also received his letter complaining about the council 'erecting a dam on the road where the creek discharges from his property. He considered himself a persecuted man. He said the Council had been muddling and messing for the last 10 or 12 years trying to turn water from its natural course, and they were no nearer solving the problem'. The council responded that this 'grievance' did not 'concern' it.<sup>130</sup>

In December 1902 he was farming 943 acres, which, his bank manager recorded, he valued at £4 an acre 'though he bought it at 15/- & his improvements do not make up the difference. He says he got it a bargain' from the Assets Realisation Board,<sup>131</sup> which was selling land previously owned by the Bank of New Zealand.<sup>132</sup> He later clarified that 529 of these acres were worth £7 10s an acre '& encumbered only to the extent of £450 owing to the Advances to Settlers Dept'.<sup>133</sup> The manager did not visit it until August 1903, when he

rode all over the 943 acres. Montague's ideas of the value of his land are absurd. The 943 ac. was probably a good purchase at 15/- but the greater part of it is poor land just similar to the adjoining (Matamata) land for which the Assets Board has unsuccessfully been asking 15/-, though I believe they now want 20/- per acre. 150/200 acres of the block is good river flats and worth more. This is mostly in small pieces, but there is one flat of 80 acres or so – at present covered with high ti-tree and swampy. He has paid 15% on £450 and has now to pay 15% on the balance of purchase money - £250. In Decr. a further 10% (£70) is payable. Has put say £100 into the place in improvements.

His other property consists of

- 1) Homestead on Eastern side of river (Gordon) – 100 ac. or 200 of good land
- 2) 160 ac. or so across the river – poor land
- 3) 266 ac. bought from Farmer @ 10/- & unimproved....

The £450 for which it is mortgaged is a light encumbrance, but the property is not worth anything like the figures mentioned by Montague to me.

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<sup>130</sup> Piako County Council, *Auckland Weekly News*, 22 May 1902, p. 22.

<sup>131</sup> Bank of New Zealand, Paeroa Branch, Manager's Memoranda Book 1902-1914, p. 35, entry for 2 December 1902, Bank of New Zealand Archives, Wellington.

<sup>132</sup> See P. Colgate, *A History of the Bank of New Zealand 1862-1982: Part 1: 1862-1934* (Victoria University of Wellington Money and Finance Association, Discussion Paper no. 7, June 1990), pp. 17, 19, 21, 24-27.

<sup>133</sup> Bank of New Zealand, Paeroa Branch, Manager's Memoranda Book 1902-1914, p. 35, entry for 9 December 1902, Bank of New Zealand Archives, Wellington.

He has about 45 milking cows & other stock & has no debts.<sup>134</sup>

In March 1904 he was granted an overdraft of £100 to enable him to pay instalments owed to the Assets Realisation Board and 'to buy additional stock without going into debt to auctioneers'.<sup>135</sup> When seeking an advance of from £180 to £200 in 1906, he told the bank he would receive £40 from chaff and £60 'milk bonus'.<sup>136</sup> Two years later, he was shearing sheep, expecting to obtain eight bales.<sup>137</sup> Late in 1909, when dogs were worrying sheep, he lost 17 breeding ewes in one night.<sup>138</sup>

In 1905, the council's rate book recorded that in the Matamata Riding Montague owned and occupied 62 acres at Turanga-o-Moana, Arateatea, with a rateable value of £100, and 800 acres in Matamata South with a rateable value of £882.<sup>139</sup> The land he had first acquired, Sections 1 and 2 of Block X of the Wairere Block, was now valued at £1,012.<sup>140</sup> In 1911, this original farm, 184 acres 2 rods 1 perches, was valued at £1,600, which included improvements amounting to £720: one house, two sheds, fencing, draining, clearing, and grassing.<sup>141</sup> By the time of his death, he had built up a 'valuable estate'.<sup>142</sup> But he remained unhappy about the access road, as indicated by his 1907 complaint:

When the rates were struck they were so small in those days – my own rates on 100 acres amounted to only 8s.... I do not think

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<sup>134</sup> Bank of New Zealand, Paeroa Branch, Manager's Memoranda Book 1902-1914, pp. 35-36, entry for 26 August 1903, Bank of New Zealand Archives, Wellington.

<sup>135</sup> Bank of New Zealand, Paeroa Branch, Manager's Memoranda Book 1902-1914, p. 36, entry for 31 March 1904, Bank of New Zealand Archives, Wellington.

<sup>136</sup> Bank of New Zealand, Te Aroha Branch, Manager's Diary 1905-1919, entry for 17 July 1906, Bank of New Zealand Archives, Wellington.

<sup>137</sup> Bank of New Zealand, Te Aroha Branch, Manager's Diary 1905-1919, entry for 18 November 1908, Bank of New Zealand Archives, Wellington.

<sup>138</sup> *Auckland Weekly News*, 28 October 1909, p. 49.

<sup>139</sup> Piako County Council, Rate Book 1905-1906, Matamata Riding [no pagination], Matamata-Piako District Council Archives, Te Aroha.

<sup>140</sup> Piako County Council, Rate Book 1905-1906, Te Aroha Riding [no pagination], Matamata-Piako District Council Archives, Te Aroha.

<sup>141</sup> Piako County Council, District Valuation Roll, Te Aroha Riding, p. 189, 31 March 1911, BBBC A150/903, bundle 218, ANZ-A.

<sup>142</sup> *Te Aroha Mail*, 20 August 1912, p. 2, in possession of Montague family.

that there are ten chains from the Wairere Falls to Stoney Creek that there is not either a culvert or a bridge ... and I question very much whether in the present decayed state of these bridges and culverts that have been twenty years down a double rate would replace them as quickly as they fall to pieces. If that is so, how is the remainder of the road going to be kept in repair? The road on the east side of the river must be kept gravelled if it is to be kept open for traffic because if it was not it would puddle up into a quagmire. I have seen it when it was the danger of a person's life to ride on it and I would be very sorry indeed to see it going back to the old state again.<sup>143</sup>

### MONTAGUE AND THE OTHER GORDON SETTLERS

In the *Cyclopedia's* summary of his life, he was recorded as 'one of the promoters of the Gordon settlement, of the association of which he was chairman for the first seven years. He was also for the first three years chairman of the local school committee, in the formation of which he took an active part'.<sup>144</sup> He was certainly a prominent member of the settlement, tendering for roads, drains, and other necessary developments.<sup>145</sup> In 1891, for instance, he successfully tendered to construct a road at 'Munro's Hill' at Gordon for £19 10s and a dam for £46 10s.<sup>146</sup> This dam became known as 'Montague's'.<sup>147</sup> In 1897 his tender of 12s 6d a chain for fascining 'the native swamp' at Gordon was accepted.<sup>148</sup> He continually requested better roads, as in March 1906, when he wrote that he and Orr, still a road contractor but also farming at Gordon,<sup>149</sup> had obtained a promise from the Premier to recommend a subsidy for metalling part of the road from Gordon to Waharoa.<sup>150</sup> In 1907, five years before his death, in asking the council to

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<sup>143</sup> Letter from Bernard Montague, 1907, printed in McLoughlin and Davison, p. 5.

<sup>144</sup> *Cyclopedia of New Zealand*, vol. 2, p. 838.

<sup>145</sup> For instance, Piako County Council, *Waikato Argus*, 19 February 1900, p. 4, 26 September 1900, p. 4.

<sup>146</sup> Piako County Council, Minutes of Meeting of 6 October 1891, Matamata-Piako District Council Archives, Te Aroha; Piako County Council, *Waikato Times*, 8 October 1891, p. 2.

<sup>147</sup> *Waikato Argus*, 19 June 1897, p. 3.

<sup>148</sup> Piako County Council, *Waikato Argus*, 17 July 1897, p. 3.

<sup>149</sup> *Gordon Centenary*, pp. 4-5.

<sup>150</sup> Piako County Council, *Auckland Weekly News*, 29 March 1906, p. 37.

speedily repair damaged roads so that farmers could get to the creamery<sup>151</sup> he explained the need for good roads:

When the rates were struck they were so small in those days – my own rates on 100 acres amounted to only 8s.... I do not think that there are ten chains from the Wairere Falls to Stoney Creek that there is not either a culvert or a bridge ... and I question very much whether in the present decayed state of these bridges and culverts that have been twenty years down a double rate would replace them as quickly as they fall to pieces. If that is so, how is the remainder of the road going to be kept in repair? The road on the east side of the river must be kept gravelled if it is to be kept open for traffic because if it was not it would puddle up into a quagmire. I have seen it when it was the danger of a person's life to ride on it and I would be very sorry indeed to see it going back to the old state again.<sup>152</sup>

Whilst these activities were uncontroversial, others were not. Chairman of the association from its formation in 1885 until 1894, his abrasive personality made him enemies both within and outside the settlement. According to the secretary of the association, Malcolm Robertson,<sup>153</sup> at the association's annual general meeting in 1892 Montague resigned as chairman and was replaced by Orr.<sup>154</sup> But on 10 February, five days previously Montague, writing as chairman, had informed Mueller that he intended to protest to the Minister of Lands about how the settlement was being mismanaged. 'There are a number of us who have families, and are living on the Land; and our children are being reared in ignorance in consequence of the non enforcement of the Residence Conditions'. If all those owning land settled on it, they would be entitled to a school, but as only about ten of the 30 members lived there the 27 children were 12 miles from the nearest one. He cited two men, one of them David Foughey, son-in-

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<sup>151</sup> Piako County Council, *Auckland Weekly News*, 24 January 1907, p. 37.

<sup>152</sup> Letter from Bernard Montague, 1907, printed in *Gordon Centenary*, p. 5.

<sup>153</sup> See *Te Aroha News*, 18 April 1885, p. 2, 15 May 1886, p. 7, 5 March 1887, p. 3, letter from Bernard Montague, 6 August 1887, p. 2; Piako County Council, *Waikato Times*, 3 August 1893, p. 2; *Thames Advertiser*, 23 September 1896, p. 2.

<sup>154</sup> Malcolm Robertson (Secretary of the Gordon Special Settlement Association) to Gerhard Mueller, 15 February 1892, Lands and Survey Department, BAAZ 1108/102b, ANZ-A.

law of another settler, John Squirrell,<sup>155</sup> who owned several sections but were doing 'little or nothing to cultivate them'. He was determined to 'no longer keep silence and allow my children to be brought up without education, in order that these men may get the unearned increment'.<sup>156</sup> Asked to provide a list of members of the association before his letter could be considered, Montague responded that he could not give the names because he had not been informed of the transfers of sections; instead he sent details of the sections where the owners had not complied with the conditions.<sup>157</sup> After the ranger reported that there were seven absentees but that five of these were exempt from the regulations, Mueller told Montague that these sections could not be thrown open for settlement. Mueller met Montague at Gordon, where other settlers asked for a school.<sup>158</sup>

In May, Montague squabbled with another settler, John Brady, which resulted in an indignant letter from the latter:

I wonder what you mean about me interfering with your cattle I never interfere with you Cattle until they come on my place You Cattle are a very great annoyance to me for the last 5 Years both in my Garden and in my paddocks but take warning from this the next beast belonging to you that Comes on my place I will make it a caution for you You also told Al lie of Terrell about your Cattle So I hope I will not have any more trouble with you or your Cattle.<sup>159</sup>

In December 1893, Squirrell complained to Mueller that 'a conspiracy was on foot to get my section forfeited' by misleading the ranger about his improvements. One neighbour had offered him cash to sell his land, and when he refused told Squirrell that he would be turned off within six

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<sup>155</sup> See paper on his life.

<sup>156</sup> Bernard Montague to Gerhard Mueller, 10 February 1892, Lands and Survey Department, BAAZ 1108/102b, ANZ-A.

<sup>157</sup> Gerhard Mueller to Bernard Montague, 26 February 1892; Bernard Montague to Gerhard Mueller, n.d. [received 2 March 1892], Lands and Survey Department, BAAZ 1108/102b, ANZ-W.

<sup>158</sup> C.H. Hill (Ranger) to Gerhard Mueller, 7 March 1892; Gerhard Mueller to Udy, 23 March 1892; Gerhard Mueller to C.H. Hill, 23 March 1892; Gerhard Mueller to Bernard Montague, 23 March 1892, Lands and Survey Department, BAAZ 1108/102b, ANZ-W.

<sup>159</sup> John Brady to Bernard Montague, 12 May 1892, Bernard Montague Papers, in possession of Montague family.

months. 'There are 3 of these men hanging together, and they have angered other settlers by threatening to get their sections forfeited unless they would sell to them'. From the 'tone of hostility' with which the ranger spoke to him before even inspecting his land,

I concluded that the Chairman of the settlement had prejudiced him as he was working on the road at the time, and he is very mad with me for being opposed to him in politics just now, when he was using every effort to make every Gordon Settler vote one way, which they did with the exception of myself, my informant who told me about this conspiracy to get me turned off the section dare not mention any names, but I mentioned them and there was no denial, of course the bulk of the settlers protest against these mean proceedings and it is only 3 men who are addicted to these crooked ways, there is not a settler who could not have been forfeited at some time or other on some point, but forbearance was shown and now most of them are well established, one whom I was told was the writer of the letters on behalf of the chairman against settlers whom he did not like has been allowed to retain his section without doing more than a years improvements in the 6 years, and has not built a house of any sort, but he says he is a personal friend of Mr Seddon.

After giving details of his improvements, Squirrell sought to be

reassured that we are not at the mercy of the 3 or 4 conspirators who have been making a sort of reign of terror in the settlement for the last 2 years by threatening anyone not in their particular swim with forfeiture, the chief of the 3 is the Chairman of the settlement who was formerly a member of the fenian organization in Ireland and seems to have a special talent for intrigue & intimidation.<sup>160</sup>

While Montague's Fenian affiliations cannot be proved, he certainly supported Home Rule for Ireland.<sup>161</sup> In New Zealand politics, he was a supporter of Sir George Grey and the Liberal Party.<sup>162</sup>

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<sup>160</sup> John Squirrell to Gerhard Mueller, 1 December 1893, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>161</sup> *Te Aroha News*, 19 August 1911, p. 2.

<sup>162</sup> Addresses Presented to Sir George Grey on his 74th Birthday, 14 April 1886, by European and Maori Residents of Auckland Province, p. 191, Grey New Zealand Papers, GNZ MS 275, Auckland Public Library; *Te Aroha News*, 10 September 1887, p. 2.



In May 1894, Montague told Mueller that he wanted to send a deputation to meet him.<sup>163</sup> On 5 June, he appeared before the Crown Lands Board in Auckland to complain that only ten of the 24 settlers 'were in residence. The settlement suffered from the evils of absenteeism, and the resident settlers feeling aggrieved desired the Board to take some steps with regard to the unoccupied sections'. As the sizes of their farms 'were too limited to enable the settlers to make a living by raising cattle', they had 'to have recourse to dairying'. A creamery would be erected 'if they could guarantee 400 cows, but owing to the number of absentees the resident settlers were unable to do more than furnish half that number'. These absentees

prevented the progress of the settlement, as they had not, he alleged, complied with the provisions of the Act, with respect to improvements and residence on the sections. The settlers on the land had to barter their butter to the storekeepers for groceries, as money was not obtainable. There would be no progress till absenteeism was stopped, and the improvement and occupation clauses enforced. For some unexplained reason the report of the ranger on the settlement had not been acted upon, and Mr Montague expressed his belief that political influences were probably at the bottom of the business.

His last statement was denied, but members agreed to forfeit all sections on which conditions were not fulfilled.<sup>164</sup> The report of this meeting, reprinted in the *Te Aroha News*, caused the settlers to be 'very much astonished and intensely disgusted', according to Squirrell, the association's secretary:

The Gordon Special Settlement Association has a committee of 7 persons, and six of them knew nothing of this unauthorized proceeding. I have not been able to find a single settler up to the present who will own to having had anything to do with sending a deputation, and it is quite clear that one member of the committee, unknown to the rest, and without the knowledge of the settlers generally, has slipped away to Auckland and hoaxed the Land Board into believing him to be deputed by the settlers, his object being to injure his neighbours by turning them off their

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<sup>163</sup> Bernard Montague to Gerhard Mueller, 22 May 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>164</sup> *New Zealand Herald*, 6 June 1894, p. 6.

land, in order that he and his few friends may apply for the forfeited sections to add to their cattle runs.

He suspected that ‘the bogus deputationist’ had placed the names of ‘some of the best settlers of the place’ on the list of absentees, and had ‘no doubt but what my name has a place of honour on the list, the “evictor” of the settlement having a special animosity to me’. After detailing the work he and his family were doing, he wrote that ‘while we are all hard at work ... an enemy is conspiring to turn us off as absentees’. He noted the work of other alleged absentees, explained that the creamery could not be erected because of lack of grass, not lack of settlers, and denied the settlement was languishing.

The fact is, the Settlement for the last 2 years has been quite a success, and the only trouble it now suffers from is that one man whose heart seems full of hatred to his fellows, is simply going mad with his insane desire to get certain settlers “evicted” whom he happens to dislike, and he seems to stick at nothing to effect his purpose. I fancy that when the Board find out how they have been hoaxed they will hardly like it.<sup>165</sup>

Squirrell told Mueller that settlers were signing a document opposing Montague’s ‘unauthorized action’ and that a second ‘paper’ was ‘being signed calling upon him to resign the Chairmanship to which he was never properly elected’.<sup>166</sup> Five days later, Squirrell sent Mueller a copy of an ‘address’ sent to Montague asking him to resign the chairmanship and a protest against ‘his action in connection with the Land Board’.<sup>167</sup> The address stated that he had ‘never been elected by a majority’ and that his appearance at the board had ‘brought discredit to the association, and may cause much annoyance, and possible injury, to many of the settlers’. The protest expressed ‘our disgust and indignation’ at his claiming to represent the association and trying ‘to injure his brother settlers by getting them off

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<sup>165</sup> Letter from John Squirrell, *Te Aroha News*, 9 June 1894, press cutting drawn to attention of Gerhard Mueller, 11 June 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>166</sup> John Squirrell to Gerhard Mueller, 14 June 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>167</sup> John Squirrell to Gerhard Mueller, 19 June 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

their land'. Both documents were signed by 15 people, including Orr, the treasurer, Squirrell, his daughter and son-in-law; two other signatures were still to be obtained. Five men did not sign, making 17 against him and five for him. Squirrell described the latter as 'party of B. Montague', and noted that Brady, William Newsome, a contractor,<sup>168</sup> and Albert Thackray, another contractor who also owned a slaughterhouse,<sup>169</sup> had met with Montague 'a few hours before his departure for Auckland, & were all who sent him off, unknown to the body of the settlers'.<sup>170</sup>

On 5 July, Montague wrote claiming that when Benjamin P. Bayly, the ranger, visited, 'the absentees also Come into the settlement although the have not being in the settlement for months or years and when the Ranger presents then with the residential declaration they sign it and Clear out again'. He called for 'an inquirey and all the Bonafid settlers will give evidence if wanted'.<sup>171</sup> Bayly described Montague's letter as 'a wild assertion that will not bear analysing nor is it borne out by facts'. He accepted that 'several' absentees arrived at the settlement when he did, but none signed a declaration apart from Squirrell, but as 'very strong ill feeling' existed between him and Montague the reason for the latter's letter was 'very apparent'.<sup>172</sup> Officials decided that Montague should be informed that the board would 'take no notice of general charges against Settlers as a body. Charges which the Board will take cognisance of must be definite and comprises full particulars and names of witnesses'.<sup>173</sup>

Malcolm Robertson, who was not an absentee, and who had been secretary of the association for six years before resigning because of 'the

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<sup>168</sup> See Piako County Council, *Waikato Times*, 2 June 1892, p. 3, 8 March 1894, p. 2, 13 November 1894, p. 3, 13 July 1895, p. 2.

<sup>169</sup> See Piako County Council, *Waikato Times*, 11 June 1889, p. 3, 28 November 1891, p. 2, 13 November 1894, p. 3, 26 May 1894, p. 2; *Waikato Electoral Roll, 1894*, p. 37; Probates, BCDG 4420/9438, ANZ-A.

<sup>170</sup> Copies of Addresses to Bernard Montague, 9 June 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>171</sup> Bernard Montague to Gerhard Mueller, 5 July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>172</sup> B.P. Bayly to Gerhard Mueller, 10 July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>173</sup> Memoranda, 10 July 1894, 12 July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

annoying tactics of a prominent member', explained his difficulties.<sup>174</sup> An absentee, Sinclair Bain Rosie,<sup>175</sup> 'whom Mr Montague and his confederates have put down as being the means of keeping them back from having good banking accounts', explained his circumstances and hoped for 'equal justice to all'.

I think that Mr Montague has but little need to grumble about absentees as when I put up the dividing fence between me and him he did but little towards it, but of course that was spoiling his cattle run. Anyone who knows Mr Montague's deep cunning ways also know quite well that he does not wish to see any of the absentees to settle down in the Gordon – all he wants is to get their land at little or nothing.<sup>176</sup>

After Montague's letter calling for an enquiry and the board's decision were made public,<sup>177</sup> a local correspondent noted that investigations proved that 'matters were by no means as bad as had been represented', for in all but one case the cultivation and improvement conditions had been fulfilled. The main trouble was the requirement for six years of continuous residence:

Curious to say, one of the settlers who made this his chief complaint is one of the defaulters. It is true he always resided in the settlement, but as he holds two sections and the residential condition is imperative he should have provided a registered substitute for one of the sections of which he is the licensee.

This correspondent reported that there being 'two contending parties in the settlement' was 'the principal cause of the friction'.<sup>178</sup> Squirrell responded to Montague's complaints about these statements (which were not published in surviving newspapers) by describing the correspondent's paragraph as 'a remarkably good one, and I read it to several other

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<sup>174</sup> Malcolm Robertson to Crown Lands Board, 10 July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>175</sup> See *New Zealand Herald*, 12 June 1889, p. 6; *Auckland Star*, 28 May 1891, p. 5, 23 July 1894, p. 4, 1 November 1932, p. 5.

<sup>176</sup> S.B. Rosie to Gerhard Mueller, 10 July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>177</sup> Crown Lands Board, *New Zealand Herald*, 24 July 1894, p. 3.

<sup>178</sup> Te Aroha Correspondent, *New Zealand Herald*, 27 July 1894, p. 4.

Gordonites, and they also thought it very good indeed'. As the facts had 'gone against' Montague, he was

cross with the newspapers for recording the facts. He began by cursing the local papers [in letters lost to history through the destruction of these newspapers], and now he abuses yours. He doesn't say what is wrong in the article referred to, but adopts the old legal maxim, "having no case, abuse the other side." Since he wrote that letter he has ceased to be chairman, the settlers having met and turned him out. His constituting himself into a deputation to the Land Board without the knowledge of the settlers was too much for the community, and they have expelled him from the chairmanship and the committee, so the "engineer is hoist with his own petard."<sup>179</sup>

Montague, still writing to the press as the chairman, repeated that absentees had signed the residential declaration when the ranger visited.

We challenge the Land Board for an inquiry, and we will be able to prove it. We are thinking about publishing the names of those who have been doing this for years. We think that it is a pity that we should have to make enemies of our neighbours by moving in this matter. If the Lands Board and its officers would do their duty, we would be good friends with our neighbours, and the settlement would go on all right; but we think, after waiting eight years, it is time that some one should move in this matter, or the few settlers that are here would have to clear out.<sup>180</sup>

This letter was his response to the board's refusal to 'take cognizance of general and indefinite charges'.<sup>181</sup> His letter to the board was much more blunt: 'In answer to yours of 31st allow me to thank you for your Complements but I could not expect anything better from such a lot of Messers and Muddlers & so you go on & so you will be on as long as you think that your Ranger is infallible but if we can get a inquiry we will show you different'.<sup>182</sup> Another letter to the *New Zealand Herald* was too long to be printed 'in full, and already both sides of the question have been

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<sup>179</sup> Letter from John Squirrell, *New Zealand Herald*, 30 July 1894, p. 3.

<sup>180</sup> Letter from Bernard Montague, *New Zealand Herald*, 3 August 1894, p. 3.

<sup>181</sup> Gerhard Mueller to Bernard Montague, 31 July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-W.

<sup>182</sup> Bernard Montague to Gerhard Mueller, 14 August 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

fully presented. He states that he and one or two others of the bona-fide settlers have been anxious to have a creamery established. If all the settlers lived on their sections and cultivated them with a view of earning a living in the place a sufficient number of cows could be guaranteed'.<sup>183</sup>

The result of this squabble was that Montague lost the position of chairman to James Orr.<sup>184</sup> In the following April there was a large attendance at the annual meeting, 'as it was anticipated that things would be lively over the election of the Committee and Chairman'. At this meeting Orr and Squirrell were re-elected chairman and secretary respectively, and Montague was not elected to the committee.<sup>185</sup> Nor was he elected to the committee at the annual meeting in April 1897.<sup>186</sup>

Serious conflict was also caused by his being appointed postmaster after the post office opened on 1 March 1894.<sup>187</sup> The annual meeting of the association in 1895 had resulted in a threatened action for £500 damages, but by mid-May this had 'dwindled down to a summons to the person complained of to appear and be bound over to keep the peace'.<sup>188</sup> The case was heard in early June, when Montague sued John Carroll, who had signed the 1894 declarations opposing him,<sup>189</sup> for 'using provoking and insulting language' and seeking sureties that he would keep the peace.<sup>190</sup> Montague 'stated that at a public meeting held at the Gordon Settlement he was asking the Chairman questions when the defendant used the language complained of, and a number of the audience supported him by applause', prompting Montague to 'put out his tongue' at him. Under cross-examination by Carroll's lawyer, Montague said he had been chairman and 'had a hostile committee'. He admitted being charged with opening a letter to Carroll, but said another man had opened it before he received it. His sole witness, Brady, 'remembered the language used'. Carroll's lawyer claimed that Montague had no cause to fear his client, and that the action

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<sup>183</sup> 'Condensed Correspondence', *New Zealand Herald*, 16 August 1894, p. 3.

<sup>184</sup> *Te Aroha News*, 16 February 1895, p. 2, 7 April 1898, p. 2.

<sup>185</sup> *Te Aroha News*, 10 April 1895, p. 2.

<sup>186</sup> *New Zealand Herald*, 9 April 1897, p. 3.

<sup>187</sup> *New Zealand Gazette*, 12 April 1894, p. 571.

<sup>188</sup> *Te Aroha News*, 15 May 1895, p. 2.

<sup>189</sup> Addresses to Bernard Montague, 9 June 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>190</sup> Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 11/1895, BCDG 11220/1a, ANZ-A; Magistrate's Court, *Te Aroha News*, 5 June 1895, p. 2.

‘was only brought against Carroll for the purpose of annoying him and causing him expense’. Squirrell, who had chaired the meeting, stated that the disturbance arose because Montague was charged with opening three letters, one being Carroll’s. He considered Montague ‘was very provoking in his behaviour to Carroll, and annoyed him by laughing in his face and also putting out his tongue’. He added that a letter from the land board had been ‘kept back’ by Montague for six weeks and ‘opened by him at the time he was not chairman and had no right to open letters’. After further evidence and cross-examination, the magistrate determined that Montague had no reason to fear Carroll, whose conduct was not ‘warrantable’. The case was dismissed, ‘each party to pay their own costs. But if the accused had expressed his regret he would have ordered the complainant to pay all costs’.<sup>191</sup>

As some neighbours learnt to tolerate his behaviour, he again held positions of trust. In 1897 he was appointed a trustee of the local cemetery.<sup>192</sup> The following year he was elected chairman of the settlement once more.<sup>193</sup> In 1911, he was elected to the school committee and became president of the Gordon Social Club.<sup>194</sup> But that he had not changed his trenchant manner was indicated by a squabble in 1898. On 24 August, he wrote to Frederick William Wild, the policeman at Te Aroha, about their conversation about Brady, one of his ‘party’ in the conflicts of four years previously.<sup>195</sup> As Wild had told him that he could not recall their conversation, Montague reminded him of their ‘sitting at the fire of the old reading room’ in the presence of an unnamed third party.

You said that that man up in the Settlement called Brady thought I had no right to be working on the [Thompson’s] Track. You said to me I ought to be careful of that man as he says some very nasty things about me good advice I have often thought about since and that has done me a lot of good since.... If you remember the answer I made you was this I am at a loss to know why this man should interfere with where or how I should get work unless it is I have been working for him making drains and I left him to go to Thompson’s Track.

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<sup>191</sup> Magistrate’s Court, *Te Aroha News*, 5 June 1895, p. 2.

<sup>192</sup> *Ohinemuri Gazette*, 27 November 1897, p. 2.

<sup>193</sup> *Te Aroha News*, 7 April 1898, p. 2.

<sup>194</sup> *Auckland Weekly News*, 4 May 1911, p. 33, 28 September 1911, p. 49.

<sup>195</sup> Addresses to Bernard Montague, 9 June 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

Brady had been 'doing some very unneighbourly things to my cattle when I charged him with it he denied it'. After Montague asked if he could confirm his recollection,<sup>196</sup> Wild responded that he had 'not got the very best memory in the world' and could not remember the conversation. 'I seem to have a faint recollection of Brady telling me how well you were doing with milk & butter'.<sup>197</sup> Despite this lack of confirmation, Montague wrote to Brady (the letter has not survived). On 4 September, Brady replied:

In answer to your note. With regards to McLeod & Allen I meet them coming from Te Aroha and the enquired what I had done to you then the told me you have been tolleng them that I sold you some Heffire last Spring and that I robbed you & sucked your blood & Also that you paid me a Cheque for 29 pounds so I merely told him that I bough your Calves off you And did not get the ballance untill the end of the season I saw McLeod last night & he says these are the exact words which were told.

Sir you are telling wilfull lies & damageing me character & I have toking a steps to prevent it. So therefore, I wish to have nothing more to do with you.<sup>198</sup>

Four days later, Montague wrote to the Gordon schoolmaster:

I write you these few lines after due consideration, not with any bad feeling towards you, I rather pity the possition you have placed yourself in. You pause & think of the schoolmaster, the man we all look to for good & fine morals placing himself in the position of tale carrier. A possition which is only fit for the lower order of women. Now Sir, you just picture yourself joining a conspricy to do me a great wrong. I a man that never did you an injury eather directly or indirectly to allow yourself to be made a tole of by a man that will stop at nothing to revenge his dirty spite. No doubt this great Octopus has got his feelers around you, but my advice to you as one that knows is to stear clear of them because when he is done with you he will drop you (and it is to be hoped he will leave you as clean as when he picked you up). In taking into consideration and surrounding and for fear I would be

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<sup>196</sup> Bernard Montague to F.W. Wild, 24 August 1898, Bernard Montague Papers, in possession of Montague family.

<sup>197</sup> F.W. Wild to Bernard Montague, 25 August 1898, Bernard Montague Papers, in possession of Montague family.

<sup>198</sup> John Brady to 'Sir' [Bernard Montague], 4 September 1898, Bernard Montague Papers, in possession of Montague family.



the cause of blighting your future prospects I have made up my mind to put my feet on this little trouble between you and me. If I liked to make myself a tale carrier which I would scorn to do, I could make you very bad friends with some of the people you think are your best friends, but I never play I go on this world's stage.<sup>199</sup>

A Te Aroha lawyer, contacted by Brady, informed Montague that he was charged with calling Brady a cattle thief who should be in gaol, and asked whether he had an explanation or would make an apology.<sup>200</sup> Montague was not the apologizing kind:

I never made use of the statements that is in your letter, nor did I ever know Mr John Brady to steal cattle or anything else. You ask me if I have an apology to make my answer is No I am not in the habit using such filthy language about any person. I think that the boot is on the other foot I think you or him owes me an apology for writing me such a letter and I question very much if any person ever told Mr Brady that I made use of such language about him.

He charged Brady with trying to blackmail him, and warned that any further correspondence would be given to the police.<sup>201</sup> Despite these conflicts, they later made their peace, for in 1909 Montague nominated Brady for the council.<sup>202</sup> In February 1899, Montague accused John McLeod,<sup>203</sup> who had also voted against him in 1894,<sup>204</sup> of threatening behaviour, and won his case, McLeod being fined 10s.<sup>205</sup>

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<sup>199</sup> Bernard Montague to F.C.J. Crookes, 8 September 1898, Bernard Montague Papers, in possession of Montague family.

<sup>200</sup> Peter Gilchrist to Bernard Montague, 12 September 1898, Bernard Montague Papers, in possession of Montague family.

<sup>201</sup> Bernard Montague to Peter Gilchrist, 16 September [1898], Bernard Montague Papers, in possession of Montague family.

<sup>202</sup> *Te Aroha News*, 21 January 1909, p. 3.

<sup>203</sup> See Piako County Council, *Waikato Times*, 4 August 1892, p.2, 8 March 1894, p. 2, 24 December 1895, p. 6.

<sup>204</sup> Addresses to Bernard Montague, 9 June 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

<sup>205</sup> Te Aroha Magistrate's Court, Criminal Record Book 1896-1907, 12/1899, BCDG 11220/1b, ANZ-A.

## FINANCIAL STRUGGLES

Until becoming a farmer at Gordon, Montague's financial position was never strong. By 1880, he had purchased two acres in Cambridge East, valued at £50.<sup>206</sup> In mid-1878 a lawyer warned him that unless he paid £39 18s 1d for goods received a merchant would sue him.<sup>207</sup> As he did not pay, after being ordered to pay £43 15s 1d and costs he was warned him that if this was 'not paid immediately a writ of execution will be issued which will be a means more effectual than pleasant to yourself of enforcing payment'.<sup>208</sup>

In October 1881, he was sued for £20 14s 9d; as the case was adjourned and then discontinued, it must have been settled out of court.<sup>209</sup> He was not in financial trouble again until March 1882, when he sold his hotel for £950.<sup>210</sup> A Cambridge brewer, George Jacques Hally,<sup>211</sup> informed the magistrate, Henry William Northcroft, that Montague owed him just over £368 and had told Robert Kirkwood, a Cambridge publican,<sup>212</sup> 'that he would be off and would see us damned before we would get a penny'. A witness reported him saying that he would go to San Francisco, 'from whence I could not bring him back'.<sup>213</sup> He was, in fact, threatening to be a 'Pacific sloper', meaning someone who evaded his debts by fleeing to

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<sup>206</sup> *Waikato Electoral Roll, 1880*, p. 9; *A Return of the Freeholders of New Zealand...* (Wellington, 1884), p. M 53.

<sup>207</sup> Jackson and Russell to Bernard Montague, 27 June 1878, Letterbook no. 17, p. 460, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

<sup>208</sup> Jackson and Russell to Bernard Montague, 22 August 1878, Letterbook no. 17, p. 693, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

<sup>209</sup> Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 39/1881, BCDG 11221/1a, ANZ-A.

<sup>210</sup> *Auckland Weekly News*, 18 March 1882, p. 21.

<sup>211</sup> See *Cyclopedia of New Zealand*, vol. 2, p. 773.

<sup>212</sup> See *Waikato Times*, 31 May 1883, p. 3.

<sup>213</sup> Letterbook of H.W. Northcroft, entry for 9 March 1882, p. 89, H.W. Northcroft Papers, ARC 2159, Te Awamutu Museum.

California, from whence he could not be extradited.<sup>214</sup> Kirkwood declared that, on 6 March, Montague said ‘he had one thousand pounds in his pocket, there it was, and who was the man to take it out of it and then and there produced a roll of notes’. He had offered his creditors 15 shillings in the pound, ‘and now they would not get a penny in the pound, and that he was going to travel and see a bit of the country’.<sup>215</sup>

After Northcroft ordered his detention ‘pending a civil action in the Supreme Court’, Montague threatened to sue him for false imprisonment.<sup>216</sup> The *Observer* commented that there were ‘some very stirring chapters in the Oxford district hotel business which it would take a Dickens or a Lever to do justice to’, but expected the suit against Northcroft to be settled. Hally had given ‘a bond indemnifying Mr Northcroft when he issued the warrant against Mr Montague who was about leaving the Colony’.<sup>217</sup> After Northcroft encouraged the lawyers to settle the case ‘quietly if possible’,<sup>218</sup> it was. Montague was unable to travel far because of breaking his leg in April.<sup>219</sup>

In April, a distress warrant was issued against him for £18 15s 6d, but the plaintiff asked that it not ‘be executed for the present’,<sup>220</sup> presumably because Montague had offered to settle. The following month, he was ordered to pay £20 and costs to a legal firm unless he could show that he had a good defence, in which case a rehearing would be granted.<sup>221</sup> As there was no rehearing, he cannot have had a good defence. In August, McManus obtained a distress warrant against him to enforce payment of £20 2s, but

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<sup>214</sup> See cartoon, *Observer*, 12 September 1885, p. 8; for an example of Michael Hennelly, one broker who fled, see ‘Thames Talk’, *Observer*, 8 August 1885, p. 16; *Thames Advertiser*, 16 December 1885, p. 2.

<sup>215</sup> Letterbook of H.W. Northcroft, entry for 9 March 1882, p. 90, H.W. Northcroft Papers, ARC 2159, Te Awamutu Museum.

<sup>216</sup> *Observer*, 18 March 1882, p. 14.

<sup>217</sup> *Observer*, 15 April 1882, p. 68.

<sup>218</sup> H.W. Northcroft to Edwin Hesketh, 25 March 1882, Letterbook, p. 99, H.W. Northcroft Papers, ARC 2159, Te Awamutu Museum.

<sup>219</sup> *Auckland Weekly News*, 8 April 1882, p. 20; *Waikato Times*, 11 April 1882, p. 2.

<sup>220</sup> Cambridge Magistrate’s Court, Home Warrant Book 1881-1962, entry for 17 April 1882, BCDG 11234/1a, ANZ-A.

<sup>221</sup> Hamilton District Court, Complaint Book 1874-1888, entry for 8 May 1882, BCDG 11245/1a, ANZ-A; Magistrate’s Court, Cambridge, *Waikato Times*, 20 May 1882, p. 3.

this was not executed as he paid the amount into court.<sup>222</sup> A suit by Clements against Montague was withdrawn in January 1884 'by mutual consent with the intention of settling it by arbitration';<sup>223</sup> the result was not reported. In September he was taken to court to enforce payment of £9 5s, but this debt was settled by the time of the hearing.<sup>224</sup> After a long legal battle with Hally and others, in mid-1883 he lost possession of a section and store in Cambridge West.<sup>225</sup>

In early 1883, he 'was compelled, owing to pressure from some creditors, to call them together, and finally a composition of fifteen shillings in the pound was accepted as a settlement in full'. In May, the *Waikato Times* reported that 'a meeting of some 20 gentlemen was held on the invitation of Mr Montague at the Masonic Hotel, Cambridge', where he paid them the balance. 'The circumstance reflects great credit on Mr Montague, as unhappily but few debtors are inclined to act in a similar manner'.<sup>226</sup> The *Te Aroha News* was 'glad to be able to record' this 'act of integrity' because it 'stands out in very pleasant relief against the swindling so commonly perpetrated under cover of the existing bankruptcy laws'. Since being forced to make this arrangement, 'fortune has been more favourable and though he had been legally relieved of his debts', Montague had 'discharged his debts to the utmost farthing'.<sup>227</sup>

Amongst the assets lost when his estate was assigned to his creditors were the shares he had acquired in 1883 in the company constructing a railway line to Rotorua and speculating in land in the upper Waihou Valley.<sup>228</sup> He continued to be sued for small amounts during the 1880s. In 1884, he was sued for £5, which he was ordered to pay, and £4, which he

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<sup>222</sup> Cambridge Magistrate's Court, Home Warrant Book 1881-1962, entry for 26 August 1882, BCDG 11234/1a, ANZ-A.

<sup>223</sup> Supreme Court, *Waikato Times*, 17 January 1884, p. 2.

<sup>224</sup> Hamilton Magistrate's Court, Civil Cases 1881-1884, folio 55, BCDG 11256/1a, ANZ-A.

<sup>225</sup> H.W. Northcroft to Registrar, Supreme Court, 9 July 1883, Letterbook, pp. 201-209, H.W. Northcroft Papers, ARC 2159, Te Awamutu Museum; *Waikato Times*, 5 June 1883, p. 2, 9 August 1883, p. 2, 11 August 1883, pp. 2-3.

<sup>226</sup> *Waikato Times*, 17 May 1883, p. 2.

<sup>227</sup> *Te Aroha News*, 23 June 1883, p. 2.

<sup>228</sup> Company Files, BADZ 5181, box 37 no. 235, ANZ-A; Jackson and Russell to Bernard Montague, 10 March 1884, Letterbook no. 27, p. 962, Jackson and Russell Papers, MS 360, Library of the Auckland Institute and War Memorial Museum.

paid into court.<sup>229</sup> A demand in December 1885 by a storekeeper for £5 14s 5d was withdrawn.<sup>230</sup>

Once they settled at Waiorongomai, Montague and James Orr were in partnership as contractors.<sup>231</sup> In September 1886 they were warned that, if they did not pay a debt, their two draught horses, harness, and dray would be sold under a writ of sale.<sup>232</sup> They were indebted to an Auckland solicitor for £72 10s, secured by a mortgage on two Cambridge allotments worth £80.<sup>233</sup> Their response was to file as bankrupt.<sup>234</sup> The unsecured debts amounting to £31 10s 11d, mostly owed to one storekeeper; the only assets were book debts of £5, furniture worth £10, and a surplus from property held by the secured creditor amounting to £7 10s, totalling £22 10s, leaving an estimated deficiency of £9 0s 11d.<sup>235</sup> Although the bankruptcy was declared closed in November, he was not discharged until August 1900; a surplus of £8 4s 9d remained unclaimed.<sup>236</sup>

After his bankruptcy, his finances improved. In late 1889, he was sued for the last time, when a bankrupt storekeeper's estate sought £10 9s 10d but settled out of court.<sup>237</sup> At that time, he had an overdraft of £1.<sup>238</sup> Two years later, it was £16, and by September 1902, when it was £66, his bank

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<sup>229</sup> Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 75, 139/1884, BCDG 11221/1a, ANZ-A.

<sup>230</sup> Te Aroha Magistrate's Court, Civil Record Book 1884-1889, 29/1885, BCDG 11221/1b, ANZ-A.

<sup>231</sup> For example, Te Aroha Magistrate's Court, Plaintiff Book 1881-1893, 43/1885, BCDG 11224/1a, ANZ-A.

<sup>232</sup> *Te Aroha News*, 25 September 1886, p. 3.

<sup>233</sup> *Te Aroha News*, 9 October 1886, p. 2.

<sup>234</sup> *Te Aroha News*, 2 October 1886, p. 2.

<sup>235</sup> *Te Aroha News*, 9 October 1886, p. 2; *Mercantile and Bankruptcy Gazette of New Zealand*, 16 October 1886, p. 328.

<sup>236</sup> District Court, *Te Aroha News*, 13 November 1886, p. 3; Supreme Court, Bankruptcy Minute Book 1898-1924, p. 10, BBAE 5631/2b, ANZ-A; Bankruptcy Act, Unclaimed Assets of Bankrupt Estates, 1896 onwards, information received on 14 February 1901, Public Trust, PT 1, 0/219, ANZ-W.

<sup>237</sup> Te Aroha Warden's Court, Civil Record Book 1889-1896, 114/1889, BCDG 11221/1c, ANZ-A.

<sup>238</sup> Bank of New Zealand, Ohinemuri Branch, Balance Books, Balances as at 30 September 1899, Overdrawn Accounts, Bank of New Zealand Archives, Wellington.

manager noted that he was ‘in a sound position’.<sup>239</sup> By the end of the following March, it had reduced to £1. At that time his farm was estimated to be worth between £4,000 and £6,000, and was mortgaged for £650.<sup>240</sup> Two years later when the overdraft had risen to £60, his bank manager described him as a ‘thrifty, hardworking farmer’.<sup>241</sup>

### INVOLVEMENT IN THE COMMUNITY

Montague was involved in the community in a variety of ways. In 1884, his horse competed for the Miners’ Purse at the Te Aroha race meeting,<sup>242</sup> the only time that his participation in racing has been noted. Four years later, he was a member of the committee organizing ‘athletic sports’ at Waiorongomai.<sup>243</sup> One obituary stated that he ‘always took a great interest in anything pertaining to the advancement of the Upper Thames Valley’.<sup>244</sup> Another recorded that he had been ‘to the fore in many social movements, and was particularly active in promoting the interests of his church’.<sup>245</sup> In 1878, he had been one of the leading Catholics at Cambridge,<sup>246</sup> but in later years his involvement was not recorded. In 1885, he was elected to the first Waiorongomai school committee.<sup>247</sup> In the following year, he was elected to the new Waiorongomai Progress Committee.<sup>248</sup>

Montague participated in the debates over local government. In 1885, he seconded a motion at a Te Aroha meeting to create a borough that

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<sup>239</sup> Bank of New Zealand, Ohinemuri Branch, Balance Books, Balances as at 30 September 1901, 30 September 1902, Reports on Advances, Bank of New Zealand Archives, Wellington.

<sup>240</sup> Bank of New Zealand, Ohinemuri Branch, Balance Books, Balances as at 31 March 1903, Reports on Advances, Bank of New Zealand Archives, Wellington.

<sup>241</sup> Bank of New Zealand, Ohinemuri Branch, Balance Books, Balances as at 31 March 1905, Reports on Advances, Bank of New Zealand Archives, Wellington.

<sup>242</sup> *Te Aroha News*, 27 December 1884, p. 7.

<sup>243</sup> *Te Aroha News*, 22 September 1888, p. 2.

<sup>244</sup> *Te Aroha News*, 20 August 1912, p. 2.

<sup>245</sup> *Te Aroha Mail*, 20 August 1912, p. 2, in possession of Montague family.

<sup>246</sup> *New Zealand Tablet*, 15 July 1878, p. 5.

<sup>247</sup> *Waikato Times*, 29 January 1885, p. 2.

<sup>248</sup> *Te Aroha News*, 5 June 1886, p. 2, 24 July 1886, p. 3.

included Te Aroha, Waiorongomai, and Quartzville.<sup>249</sup> Later that year, he seconded a motion at another meeting that the district be excluded from the rating scheme for the Thames Harbour Board.<sup>250</sup> The following year, he seconded a motion supporting the council raising a special rate for works in the Te Aroha Riding.<sup>251</sup> In mid-1886, he was one of the principal speakers at a Waiorongomai meeting about the best form of local self-government, again supporting a borough.<sup>252</sup> In 1888, at a Waiorongomai meeting to consider forming a borough, he seconded the motion that Te Aroha and Waiorongomai form a borough, and was elected to the committee pushing for this.<sup>253</sup> The following year, as the convenor of the 'Borough Committee', he called another meeting at Waiorongomai 'to consider the question of Local Government'.<sup>254</sup> At the last meeting it had been agreed to adjourn the issue for six months, but as that was 12 months ago 'it was thought advisable to open the question again. With these few remarks he would leave the matter in the hands of the meeting'.<sup>255</sup> Three months later, he signed the petition in favour of a borough.<sup>256</sup>

#### A QUARRELSOME PERSONALITY

Some of Montague's squabbles with Gordon settlers have been noted. That they were not unusual is indicated by other conflicts, and his photograph suggests a pugnacious, determined man.<sup>257</sup> In 1881, when Wharetaka accused him of assault, he was fined £1 10s and costs.<sup>258</sup> Wharetake described how he was assaulted at Oxford, after he had obtained liquor and strapped it onto his horse:

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<sup>249</sup> *Waikato Times*, 24 February 1885, p. 2.

<sup>250</sup> *Waikato Times*, 14 July 1885, p. 3.

<sup>251</sup> *Te Aroha News*, 24 July 1886, p. 3.

<sup>252</sup> *Te Aroha News*, 3 July 1886, p. 2, 10 July 1886, p. 2.

<sup>253</sup> *Te Aroha News*, 7 July 1888, p. 2.

<sup>254</sup> Advertisement, *Te Aroha News*, 13 July 1889, p. 7.

<sup>255</sup> *Te Aroha News*, 17 July 1889, p. 2.

<sup>256</sup> *Te Aroha News*, 23 October 1889, p. 2.

<sup>257</sup> *Cyclopedia of New Zealand*, vol. 2, p. 837.

<sup>258</sup> Cambridge Magistrate's Court, Records of Proceedings in Criminal Cases 1881-1894, Hearing of 19 December 1881, BAXI 4740/1a, ANZ-A.

On my way home I had to pass the Defendants House, immediately after starting from Oxford the Defendant came in front of my Horse. I did not know the Deft was after me, he caught my Horse by the Bridle. Deft had hold of my Horse by the Bridle and my leg with his hands, and attempted to put me off my horse he got me partly off the Horse, I was very frightened, I [tried?] to struggle, & eventually the defendant got me off the Horse, Deft still had hold of the Bridle & called me a Bloody Maori, had my Horse been vicious it might have killed me, during this a european came up, my head was on the ground and one foot in the stirrup, I was laid up for three days.

Montague 'did not ask me what I had', and Wharetaka had not attempted to defend himself. A Pakeha witness stated that Montague was the aggressor.<sup>259</sup>

As an example of his aggressive language, a 1902 letter apparently sent to an insurance agent was prompted by the latter's providing 'notes and comments' (which have not survived) to a local newspaper, which Montague described as 'a mean sneaky act' caused by the writer seeking a post with the council:

You would try to make me a stepping stone.... You may rest assured that they will never select a thick headed person as you. In summing you up I find that I have only got a thing that has not a soul worth saving. If you want any satisfaction from me I will be only too happy to oblige you at any time.

PS You send along McIndoes & Hills bill<sup>260</sup> all I owe them. A man that can be unfair in one dealing it is very unlikely that he can be fair in another one. Do not mind the Insuranc I will have nothing more to do with you.<sup>261</sup>

Montague was equally blunt with public bodies, as illustrated by an 1894 report of a council meeting:

An insulting letter. – Mr B. Montague, Gordon Settlement, wrote imputing unworthy motives to a member of the Council in having him fined at the last meeting for being over time upon his

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<sup>259</sup> Cambridge Police Court, Notebook 1880-1883, Hearing of 19 December 1881, BCDG 11231/1a, ANZ-A.

<sup>260</sup> See paper on Thomas McIndoe.

<sup>261</sup> Bernard Montague to 'Sir', 31 March 1902, Bernard Montague Papers, in possession of Montague family.



contract. He thought that some people had “more starch [‘energy’?]”<sup>262</sup> about them than brains.” – The letter was ordered to be returned.<sup>263</sup>

Montague was so predictable in both language and the issues raised that some recipients ceased to be offended. The local newspaper noted in 1899 that his letters to the council were ‘becoming a feature in that body’s proceedings, and frequently provide a relief from the ordinary matter-of-fact consideration of business’. It quoted the latest ‘ingenious effusion’ complaining that Orr had seen the council about his contract to gravel Carroll’s swamp; ‘The Council smiled’, and ignored it.<sup>264</sup>

Others found his behaviour less tolerable. A Te Aroha West farmer complained to an unstated recipient (apparently a lawyer) that a case of plums, obtained and eaten by Montague, as witnesses could prove, had not been paid for two and a half years later. Montague ‘treats me as if I was a Russian serf unworthy of notice except to do his bidding’, and he asked that the account be settled.<sup>265</sup>

In 1888, the *Te Aroha News* published an article headlined ‘Barney and his Cow: A Curious Case of Mistaken Identity’:

Some little stir was occasioned in Waiorongomai on Sunday last by the report that a cow belonging to a local resident had been killed and skinned during the previous night, presumably for spite, or through ill will. The circumstances as related to us are substantially as follows: - About ten o’clock on Sunday morning Sergt. [William] Emerson received a note from Mr Bernard Montague stating his presence was required at Waiorongomai, etc. The Sergeant lost no time in obeying the summons and interviewing Mr and Mrs Montague was told that their cow had been killed and skinned during the previous night. The cow which was kept at grass in Mr [Peter Thomas] Jansen’s paddock<sup>266</sup> close to the township had last been milked on Saturday morning, Saturday evening being very wet it had not been milked, that it

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<sup>262</sup> Thesaurus.com.

<sup>263</sup> Piako County Council, *Waikato Times*, 18 September 1894, p. 7.

<sup>264</sup> Press Cutting from *Te Aroha News*, 19 September 1899, Bernard Montague Papers, in possession of Montague family.

<sup>265</sup> H.J. Hawkins to ‘Sir’, 21 July 1903, Bernard Montague Papers, in possession of Montague family.

<sup>266</sup> For his farm on the endowment, see Piako County Council, *Waikato Times*, 16 April 1889, p. 2.

could not be found on Sunday morning until it was at length discovered dead and skinned in a ditch. Sufficient persons were suspected and motives attributed for the foul deed. The cow it was stated was a roan cow. The Sergeant proceeding with the owner of the lost animal and some neighbours to inspect the scene of the outrage were the means of soon attracting a small crowd, who, not having heard all the circumstances of the case wondered what was up. On examining the dead beast the Sergeant drew attention to the fact that it appeared to have been skinned at least for some days, and also to the fact that the head which lay near by, was that of a red cow not a roan. The owner of the lost beast was not however to be thus thrown off the scent, but asserted most positively the skinned animal before them was his lost cow, he had not the shadow of a doubt on the subject, could swear to it by head, horns, and carcass. It was next decided to make enquiries at the two adjacent slaughter-houses, and whilst this was being done a loud coo'ee was repeatedly heard from the direction of the township, and presently a messenger came up and nearly knocked Mr Montague down by stating, "Barney, your cow has come home." Quickly recovering himself however, Barney scouted the idea of such a thing and asserted it was impossible, as she lay yonder in the ditch and would never more come home again. To make a long story short however, after much persuasion Mr Montague was at length induced (as a mere matter of form of course) to at any rate go and see the new comer on the scene; at the same time repeatedly asserting he would swear on all the Bibles ever printed his cow lay dead in the ditch, and had been killed by some evil disposed person. As Barney drew near to the cow referred to by the messenger, the scene was ludicrous, first of all, well she had some little resemblance to his cow, and the points of resemblance gradually more and more forcibly made impression, assisted by some of the neighbours, until at length he explained, Well by --- but I believe it's her after all, - and asserted that it was the most wonderful thing he had ever heard of in his life. Yes, there could be no doubt about it. The skin, the frame, was that of Barney's cow, although appearances were against the idea of milk being present, unless in extremely small quantities. Further investigations, and the story having by this time got pretty well known, it was found that the presumed victim of an outrage was the property of Mr P[atrick] Hogan,<sup>267</sup> which had fallen into the ditch, thereby breaking its neck, and was subsequently skinned. The circumstances in connection with the whole affair caused much amusement, but it has a moral as well, that should not be lost sight of, viz, That people cannot be too careful in suspecting, much less accusing others, on merely

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<sup>267</sup> See *Te Aroha News*, 9 October 1886, p. 2; *Tauranga Electoral Roll, 1887*, p. 12.

circumstantial evidence, and should not jump to too hasty conclusions.<sup>268</sup>

It is possible that 'Barney's Mistake', a farce performed at Waihou by its Junior Dramatic Club in 1895, referred to this occasion.<sup>269</sup>

Such behaviour made him disliked, as indicated when an explosion killed a man who, with Montague and other Gordon residents, was part of a road gang working on Thompson's Track. It was alleged that Montague 'vanished into the bush and was only discovered and recovered after a two hours hunt'. In fact, 'he was the first to help the injured man, to make arrangements for his removal. Yet the lie has been spread all round the country and meets him and his friends at every turn'.<sup>270</sup>

An obituary described his character, discreetly:

He was a man of considerable originality of character.... His caustic humour and his geniality were proverbial, and wherever he went he made his presence felt.... He took a keen interest in general and local politics, and used both his tongue and his pen in advocating what he considered to be right. His criticism was often biting, but it had no poison in it, and it is certain that nothing that he ever uttered in the way of repartee will be so long remembered as his Homeric laugh.<sup>271</sup>

Another obituary was even more discreet, simply briefly mentioning his being 'one of the pioneers' of Gordon and a supporter of the advancement of the district.<sup>272</sup>

## MARRIAGE AND FAMILY LIFE

His wife, Johanna, née Griffin, was a domestic servant aged 22 when she married Montague, three years her senior, in St Patrick's Cathedral in Auckland in December 1878.<sup>273</sup> According to her death certificate, she was

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<sup>268</sup> *Te Aroha News*, 29 August 1888, p. 2.

<sup>269</sup> Advertisement, *Te Aroha News*, 7 August 1895, p. 2.

<sup>270</sup> *Te Aroha News*, 14 September 1895, p. 2.

<sup>271</sup> *Te Aroha Mail*, 20 August 1912, p. 2, in possession of Montague family.

<sup>272</sup> *Te Aroha News*, 20 August 1912, p. 2.

<sup>273</sup> Notices of Intentions to Marry 1878, pp. 189, 276, Births Deaths and Marriages, BDM 20/23, ANZ-W; Marriage Certificate of Bernard Montague, 26 December 1878, 1878/2423, BDM.

the daughter of John Thomas Griffin, a farmer, and Kate, née Roache, and had been born in County Clare, Ireland; according to the *Cyclopedia of New Zealand*, she was born in County Kerry.<sup>274</sup> Their first child, Mary Jane, was born at Oxford in May 1881.<sup>275</sup> She was followed by John Thomas, born at Cambridge in July 1882;<sup>276</sup> Hanna, the first to be born at Waiorongomai, in May 1884;<sup>277</sup> Ellen, in August 1885;<sup>278</sup> Bernard, in February 1887.<sup>279</sup> Francis, in August 1889;<sup>280</sup> and Denis, born at Gordon in May 1892.<sup>281</sup> Ellen died in 1886, aged 57 days, of an attack of bronchitis lasting one day.<sup>282</sup>

Montague was in poor health for some years before his death, and an obituary noted that the death of his wife and son had been ‘deeply felt’.<sup>283</sup> His wife had died of a stroke at the beginning of 1904, aged 48.<sup>284</sup> Bernard, aged 21, was ‘accidentally killed by an explosion of dynamite’ at Turanga-o-Moana, in July 1908, when he had been blasting stumps out of a drain on his father’s property.<sup>285</sup> His father told the coroner that his son ‘was in first class health’ and ‘a sober young man’, and ‘worked on the farm with me and his brother Frank’, otherwise Francis. ‘He and Frank always worked mates. The two brothers live in a little house about two miles from here, on another farm which I own’. Montague had gone up ‘in the morning as I usually do to look round the place’, and went to see where his son was working in a drain three feet deep and nearly three feet wide.

I saw him stretched straight out on the bank. He had been in a drain deepening it. I jumped off my horse and ran over and felt

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<sup>274</sup> Death Certificate of Joanna Montague, 9 January 1904, 1904/627, BDM; *Cyclopedia of New Zealand*, vol. 2, p. 838.

<sup>275</sup> Birth Certificate of Mary Jane Montague, 30 May 1881, 1881/11139, BDM.

<sup>276</sup> Birth Certificate of John Thomas Montague, 12 July 1882, 1882/10206, BDM.

<sup>277</sup> Birth Certificate of Hanna Montague, 25 May 1884, 1884/9736, BDM.

<sup>278</sup> Birth Certificate of Ellen Montague, 23 August 1885, 1886/1541, BDM.

<sup>279</sup> Birth Certificate of Bernard Montague, 20 February 1887, 1887/19301, BDM.

<sup>280</sup> Birth Certificate of Francis Montague, 21 August 1889, 1889/12177, BDM.

<sup>281</sup> Birth Certificate of Denis Montague, 28 May 1892, 1892/5614, BDM.

<sup>282</sup> Death Certificate of Ellen Montague, 23 March 1886, 1886/1953, BDM; Montague Family Area, Area F, Te Aroha Cemetery.

<sup>283</sup> *Te Aroha Mail*, 20 August 1912, p. 2, in possession of Montague family.

<sup>284</sup> Death Certificate of Joanna Montague, 9 January 1904, 1904/627, BDM.

<sup>285</sup> Death Certificate of Bernard Montague Junr., 2 July 1908, 1908/5197, BDM; *Te Aroha News*, 4 July 1908, p. 2.

his heart and the body was quite warm. I thought there might be some chance of life, so I dipped my handkerchief into the water and put a little drop into his mouth. Not seeing Frank about I concluded he had gone for help and I stayed by the body until he and Mr Orr came back’.

His son had ‘been using explosives every winter for the last three years, and I thought he knew as well as I did the nature and use of explosives, I often saw him putting shots in, and I could find no fault with him’. He had ‘been in charge of the explosives for two years without any supervision from me or any one else. I would say he was usually careful, but I would say he was a little too anxious to get on with the work’. He surmised there had been a misfire and, when Bernard ‘went forward to look’, he was hit by the explosion.<sup>286</sup> At the end of that year, Montague spent £65 on a tombstone, ‘which will run him a bit short’, his bank manager noted;<sup>287</sup> clearly he did not care about the cost.

In August 1912, Montague died, aged 60, of asthma and an attack of bronchitis lasting eight days.<sup>288</sup> His will was not drawn up until the day he died, when he could only just sign his name. The real estate was divided into two equal parts, his sons John Thomas (otherwise Jack) and Dennis [as recorded in his will] each receiving 500 acres at Turangaomoana: ‘Jack and Dennis shall draw lots for their respective halves’. Frank was to receive 500 acres and the house at Gordon, and his two unmarried daughters were to receive £500 each. Any balance left after the sale of stock was to go to his three sons equally.<sup>289</sup> His estate was worth £7,059 4s 3d.<sup>290</sup>

An obituary described him as ‘one of the most familiar figures in this portion of the province’,<sup>291</sup> which could be taken in two ways, depending on the reasons for his being well known. By this time the conflicts he provoked in earlier years may have been forgiven if not forgotten. In reporting a party held at Gordon five years later to farewell his daughters, the *Te Aroha News*

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<sup>286</sup> Inquests, Justice Department, J 46 COR, 1908/631, ANZ-W.

<sup>287</sup> Bank of New Zealand, Te Aroha Branch, Manager’s Diary 1905-1919, entry for 18 November 1908, Bank of New Zealand Archives, Wellington.

<sup>288</sup> Death Certificate of Bernard Montague, 18 August 1912, 1912/5823, BDM.

<sup>289</sup> Hamilton Probates, BCDG 4420/247, ANZ-A.

<sup>290</sup> Testamentary Register 1911-1913, folio 166, BBCB 4208/8, ANZ-A.

<sup>291</sup> *Te Aroha Mail*, 20 August 1912, p. 2, in possession of Montague family.

wrote that 'the Montague family were highly respected, and there was universal regret at their departure'.<sup>292</sup>

## CONCLUSION

Like some other residents of the district, for example Robert Mackie,<sup>293</sup> Montague may have been better known for his quarrelsome personality than for his more positive features. He managed to quarrel with almost everybody, but sometimes in a good cause, as when trying to reduce costs for miners. Like so many, he took whatever work was offered before concentrating on farming, which after a difficult start would produce a good living and leave his family a sizeable landed estate. But overshadowing all his achievements was the notoriety caused by his behaviour, although in some cases people could see the funny side (even if he did not), as in the saga of 'Barney's cow'.

### *Appendix*

*Figure 1: 'Map of Gordon Special Settlement', in Terese McLoughlin and Gladys Davison, Gordon Centenary 1884-1984 (Matamata, 1984), p. 3; Montague had Sections 1 and 2 in Block X.*

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<sup>292</sup> *Te Aroha News*, 9 July 1917, p. 2.

<sup>293</sup> See paper on Robert and Elizabeth Mackie.

