DENIS MURPHY: A MINER AND FARMER IN THE TE AROHA DISTRICT

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Abstract: *Denis Murphy settled in Thames once the goldfield opened, mining there for several years. He was a director of one mining company and became acquainted with James Brown, who would assist him with a mining enterprise at Te Aroha 40 years later. After prospecting in the Ohinemuri district during the early 1870s, he participated in the opening rush there in 1875 and became a director of another company, but concentrated on being a storekeeper and publican. He also acquired a small farm, and was a prominent member of the community, but as the Ohinemuri goldfield declined so did his income, and he was forced into bankruptcy.*

Before Te Aroha was opened to mining, he had another farm at Te Aroha West on the banks of the Waihou River, which he slowly developed whilst earning an income as both a carter and a contractor making drains and roads. One of his enterprises, operating a punt at the Waiorongomai landing, led to his being accused of over-charging and exploiting his position on the county council for personal gain. Prominent in the local community, he assisted its progress, especially after becoming a member of the county council. As a councillor he supported the needs of the mining industry, and, courting much controversy, campaigned to include Waiorongomai in a proposed Te Aroha borough.

Murphy claimed to have prospected the district before it was opened to mining, and after its proclamation as a goldfield in 1880 helped to develop the Prospectors' Claim. Apart from some minimal involvement with Waiorongomai mining, which he strongly supported on the council (including trying to reduce the tramway charges), he was not actively involved in mining again until 1908, when, with James Brown, he worked 'Murphy's Find', close to the original discovery of 1880. Like all other mines in that portion of the field, it was unsuccessful.

His private life became a matter of public interest in the 'Rotorua scandal', involving a suicide and his apparent seduction of another man's wife. Although he strongly denied the allegations made against him, his subsequent behaviour refuted his denials. During the last years of his life he suffered from miners' complaint, a consequence of his years of mining.

PARENTS AND SIBLINGS

Denis Murphy was born in County Cork, Ireland, in 1841, to Cornelius, whom Denis recorded as being a farmer but was really a farm labourer, and Honora, otherwise Hannah, Lenihan.[1] It is not known when he moved to New Zealand; possibly he hunted for gold in Australia or in Otago before settling in Auckland. In May 1865, he recorded that had been living there for one year.[2] On 14 May that year, his widowed mother and her children arrived in Auckland on the 'Empress' as assisted immigrants. His mother, Hannah, was recorded as being aged 45 and his brothers, John and Cornelius, as aged 21 and 19 respectively [these ages were incorrect]. Two young women named Murphy, Catherine and Jane, accompanied them.[3] Catherine was his 27-year-old sister, but Jane was not another sister; born in County Louth, 'she may have been a distant cousin or just a single woman on the ship who, given the same surname, was embraced by the Murphy family for a time'. She would marry a man who travelled on the same ship and they then settled on a farm near Kaikoura.[4]

Murphy had to guarantee to meet the costs of his family's travel to New Zealand by providing a bond of £48. Because he could not provide this amount himself, being a labourer, he obtained two other 'Obligants on Bond', Patrick Healy and John Beaton.[5] Healy has not been traced, but Beaton was an Auckland bricklayer.[6] It seems likely that Murphy worked for Beaton and sought his boss's assistance. In 1878, Murphy, arguing that because he had paid the 'passages of four immigrants', he should receive their land grants, a 'somewhat singular' request in the opinion of the press,[7] and it failed.

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[1] Marriage Certificate of Denis Murphy, 17 June 1901, 1901/1313, BDM; Theresa Murphy [great-great-grandaughter of Denis Murphy] to Philip Hart, 17 November 2021, email.

[2] Registrar General's Office, Births Deaths and Marriages, Notices of Intentions to Marry 1865, no. 2299, 15 May 1865, ADAQ, 8937/10, ANZ-W.

[3] Auckland Province, Register of Nominated Immigrants 1859-1872, folios 79-80, AREPRO 4711/448; Immigration Department, Register of Applications for Passages 1859-1872, ACFM 8187, ANZ-A; *Daily Southern Cross*, 31 May 1864, p. 8.

[4] Theresa Murphy to Philip Hart, 30 October 2021, email.

[5] Nominated Immigrants Auckland, 5 October 1864, no. 133, AREPRO 1615, ANZ-A.

[6] See *New Zealander*, 14 June 1862, p. 4, advertisement, 17 October 1863, p. 4, 5 March 1864, p. 5, 21 September 1865, p. 2; *Daily Southern Cross,* advertisement, 26 October 1863, p. 1, 19 December 1865, p. 5, 20 June 1866, p. 4, 13 August 1866, p. 5.

[7] *New Zealand Herald*, 16 May 1878, p. 2; *Daily Southern Cross*, 31 May 1865, p. 8.

Seven days after his family's arrival, Murphy married Isabella Devine in a Catholic ceremony, with Jane Murphy as a witness.[8] Isabella, who was also aged 24, had been living in Auckland for seven months.[9] For a while, Murphy and his new wife lived in Queensland, where their son Cornelius was born in early 1867,[10] after which they returned to New Zealand and settled in Thames.

His youngest brother, Cornelius, died of tuberculosis at Murphy's hotel at Mackaytown, near Karangahake, in May 1875, 'after a long and painful illness', aged only 22.[11] He had worked for a while with Murphy in the Bird-in-Hand mine at Thames, living with his brother-in-law James Stewart, another miner, before moving to live with Murphy towards the end of his life. Being 'well known and much respected' and of 'an amiable and kindly disposition', his funeral was largely attended.[12]

In contrast, his other brother, John, was certainly not 'highly respected'. The middle brother, he had been born in 1846, and was the second witness at Murphy's wedding.[13] John operated livery and bait stables at Paeroa before returning to Thames in 1880.[14] Between 1872 and 1880, his drunkenness came to police attention.[15] According to his mother, a fall that injured his head had 'rendered him "mad-like," and incapable of

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[8] Marriage Certificate of Denis Murphy, 21 May 1865, 1865/5384, BDM.

[9] Registrar General's Office, Births Deaths and Marriages, Notices of Intentions to Marry 1865, no. 2299, 15 May 1865, ADAQ, 8937/10, ANZ-W.

[10] Marriage Certificate of Cornelius Murphy, 24 May 1893, 1893/466, BDM; Theresa Murphy to Philip Hart, 11 November 2021, email.

[11] Death Certificate of Cornelius Murphy, 3 May 1875, 1875/3343, BDM; Death Notice, *Thames Star*, 3 May 1875, p. 2.

[12] *Thames Advertiser*, 4 May 1875, pp. 2, 3.

[13] Notices of Intentions to Marry 1876, folio 212, Births Deaths and Marriages, BDM 20/21, ANZ-W; Marriage Certificate of Denis Murphy, 21 May 1865, 1865/5384, BDM.

[14] Memorials, November and December 1875, Auckland Provincial Government Papers, ACFL 8170, 501/76, 1016/76, ANZ-A; *Thames Advertiser*, 28 November 1877, p. 2, 12 August 1878, p. 3; Birth Certificate of Cornelius Edward Murphy, 20 May 1879, 1879/4338, BDM; Police Court, *Thames Advertiser*, 16 November 1880, p. 3.

[15] Police Court, *Thames Guardian and Mining Record*, 27 May 1872, p. 3; *Thames Advertiser*, Police Court, 23 August 1875, p. 3, Police Court, 14 August 1878, p. 3, Ohinemuri Magistrate's Court, 20 October 1880, p. 3, Police Court, 16 November 1880, p. 3; Magistrate's Court, Criminal Record Book 1879-1881, entries for 15 November 1880, 24 November 1880, BACL 13736/15b, ANZ-A.

knowing what he was doing' when he drank alcohol, and in 1880 he was charged on suspicion of lunacy before the charge was reduced to one of drunkenness.[16] He had been charged in 1876 with an attempted sexual assault on Mary Nolan on the banks of the river at Paeroa. Although Mary's clothes were in some disarray, her denial of any assault indicated she was a willing party,[17] and a week later they announced they would be married, and were, immediately. John was then aged 30 and Mary, a hotel servant, was 18.[18] The case against him went to court but was quickly dismissed.[19] A son, Cornelius Edward, was born in 1879.[20] Denis was close to his brother when they lived in Thames and Ohinemuri; in 1908, he owed Denis just over £140 for money lent, money paid, and goods supplied, a debt Denis may have waived.[21] John would die in May 1914.[22]

His sister Catherine married another miner, James Stewart, in 1871.[23] Stewart was prominent in early Thames as a miner, mining company director, and briefly, publican.[24] They had three children, but one died when only seven months old.[25] As Catherine died suddenly in June 1877, aged only 35,[26] an inquest was held. Her widower explained that she had 'enjoyed good health, but frequently complained of a pain in her chest'. A

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[16] Police Court, *Thames Guardian and Mining Record*, 27 May 1872, p. 3; Police Court, *Thames Advertiser*, 16 November 1880, p. 3.

[17] Ohinemuri Correspondent, *Thames Advertiser*, 30 October 1876, p. 3.

[18] *Thames Advertiser*, 7 November 1876, p. 2; Notices of Intention to Marry 1876, folio 212, Births Deaths and Marriages, BDM 20/21, ANZ-W; Marriage Certificate of John Murphy and Mary Nolan, 8 November 1876, 1876/2356, BDM.

[19] *Thames Advertiser*, 3 January 1877, p. 3, 4 January 1877, p. 3.

[20] Birth Certificate of Cornelius Edward Murphy, 20 May 1879, 1879/4338, BDM.

[21] Te Aroha Magistrate's Court, Plaint Book 1893-1918, 10/1908, BCDG 11224/1b; Civil Record Book 1907-1911, 10/1908, BCDG 11221/2b, ANZ-A.

[22] Death Certificate of John Murphy, 15 May 1914, 1914/2580, BDM.

[23] Marriage Certificate of Catherine Murphy, 1871, 1871/7116, BDM.

[24] See *Thames Guardian and Mining Record*, 21 June 1872, p. 3, 31 August 1872, p. 2; *Thames Advertiser*, 9 June 1874, p. 2, 20 June 1874, p. 3, 12 January 1875, p. 3, 27 Msrch 1876, p. 3, 3 May 1876, p. 3, 13 June 1876, p. 3, 7 April 1882, p. 3; *Thames Star*, 15 June 1874, p. 2, 28 September 1874, p. 2, 2 October 1874, p. 2, 6 April 1877, p. 2.

[25] Birth Certificates of James Stewart, 1872/18701; Catherine Jane Stewart, 1874/33151; William Stewart, 1875/10142; Death Certificate of Catherine Jane Stewart, 1875/45, BDM.

[26] Death Certificate of Catherine Stewart, 9 June 1877, 1877/734, BDM.

heavy sleeper, she 'had had fainting fits once or twice', but had given no indication of ill-health before dying in the night while the rest of the family and a lodger were asleep. As was common with sudden deaths and possible speculation about marital disharmony, he added that 'We have always lived on good terms together'. Death by unspecified 'Natural Causes' was the verdict.[27] Stewart would die in July 1883, in the Thames hospital, aged only 37;[28] the local newspaper described him as 'an old and respected Thames resident'.[29]

THAMES MINING

Shortly after their marriage, Murphy took his new wife to Queensland, presumably because of the lure of gold, returning in New Zealand in early 1867.[30] He later claimed to have attended the opening days of the Thames, Ohinemuri, and Te Aroha goldfields.[31] Whilst true for the latter two, he was the 1,618th person to take out a miner's right at Thames, at the end of October 1867.[32] According to his recollections, in that month he pegged out the Star of the South and the Black Angel claims, at Punga Flat.[33] Registers do not record his being an owner of the former until June 1868, when he was one of 13 owners (as was John) and held one of the eight shares. It was sold ten days after registration.[34] Also in June 1868, both he and John were granted half of a sleeping share in the General Washington, and two months later bought another half. This ground was transferred to the Great Extended Company in February 1869, in which they both held scrip shares.[35] In July 1868, he and his brothers held half the interests in the Disputed, and he was an owner of Erin's Isle, which had been bought off

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[27] *Thames Star*, 9 June 1877, p. 2.

[28] Death Certificate of James Stewart, 1 July 1883, 1883/3679, BDM.

[29] *Thames Advertiser*, 23 November 1883, p. 2.

[30] Theresa Murphy to Philip Hart, 11 November 2021, email.

[31] *Te Aroha News*, 28 July 1908, p. 2.

[32] Thames Warden's Court, Register of Miners' Rights 1867-1868, no. 1618, issued 29 October 1867, BACL 14358/1a, ANZ-A.

[33] *Te Aroha News*, 11 August 1908, p. 3.

[34] Thames Warden's Court, Claims Register 1868, folio 197, BACL 14397/1a, ANZ-A.

[35] Thames Warden's Court, Claims Register 1868, folio 134, BACL 14397/1a, ANZ-A; *Auckland Provincial Government Gazette*, 30 December 1868, p. 600; *New Zealand Gazette*, 24 December 1868, p. 620.

John.[36] In early November he helped to peg out a claim adjoining the Mariner reef and worked this disputed ground.[37] In May 1870, he was one of three owners of the Reform, on Murphy's Hill.[38] In December, he bought a quarter share in the Ruby.[39]

In April 1871, he was one of six owners of Justicia.[40] The following month, he was a defendant when rival claimants sought the Justicia and Hand and Band, which was the same ground. Murphy explained that he had taken up the former at 8.30 in the evening of 31 March, with assistance, and had given shares to others. He did not know its shape because he did not have a plan. 'I cannot say how many men's ground I think about 8 or perhaps 9 men's ground'.[41] Two years later, he was warned that he would forfeit his 14 shares in the Hand and Band Company if a call was unpaid.[42]

At the beginning of January 1872, he was 'severely hurt by a fall of rock from the roof of the drive' in the Bird-in-Hand mine.[43] At the end of that year, he had shares in the Young Queen Company in 1872.[44] An original shareholder in the City of York in 1873, in the following year his 200 shares were liable to forfeiture for unpaid calls. [45] Elected a director of the Bird-in-Hand Company in 1873, he was re-elected in the following year.[46] In October 1874, at a directors' meeting he assisted in the dismissal

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[36] Thames Warden's Court, Claims Register 1868-1869, folios 474, 661, BACL 14397/2a, ANZ-A.

[37] Thames Warden's Court, Warden's Notebook 1868-1869, entry for 4 December 1868, BACL 14457/1a, ANZ-A.

[38] Thames Warden's Court, Shortland Claims Register 1870, no. 2181, BACL 14397/5a, ANZ-A.

[39] Thames Warden's Court, Claims Register 1868, folio 141, BACL 14397/1a, ANZ-A.

[40] Thames Warden's Court, Shortland Claims Register 1871-1872, no. 2507, BACL 14397/6a, ANZ-A.

[41] Thames Warden's Court, Warden's Notebook 1871, entry for 18 May 1871, BACL 14457/2c, ANZ-A.

[42] *Thames Advertiser*, 11 January 1873, p. 2.

[43] *Daily Southern Cross*, 4 January 1872, p. 3.

[44] *Auckland Provincial Government Gazette*, 21 December 1872, p. 348.

[45] *New Zealand Gazette*, 31 July 1873, p. 454; *Thames Advertiser*, 14 March 1874, p. 2.

[46] *Thames Advertiser*, 28 August 1873, p. 2, 17 April 1874, p. 2, 27 August 1874, p. 3.

of Thomas Aitken Dunlop, a leading mine manager,[47] from the management of this mine, arguing that he was not developing it fast enough and was being paid too much (£5 a week).[48] This prompted the accusation that he was bigoted against Dunlop;[49] could this have been a reference to religious differences, Dunlop being a Presbyterian?[50] The directors were almost evenly divided, an attempt to reinstate Dunlop being lost on the chairman's casting vote. Murphy was on the winning side, which also managed to replace the legal manager with their own choice.[51] A *Thames Star* editorial described the directors' actions as 'an instance of what men will do when "dressed in a little brief authority." Three directors exercise the power which their position gives them of carrying out their own wishes and negativing everything emanating from their co-directors. Can any one imagine a greater farce than a combination of three directors to carry whatever suits them at a board consisting of five?' It claimed to have never heard of 'such arbitrary proceedings'.[52] 'A Shareholder' responded that the directors were doing their best for the mine, and that the majority of the directors who had appointed Dunlop as manager were 'the very individuals who have now displaced him' for not working the mine 'in that energetic and especially economical manner which would be to the interest of all the shareholders'.[53] 'Snooks' responded by supporting the views expressed in the editorial, noting that they had been 'slightly unpalatable to the small ring of Murphy's and their relations', accused 'A Shareholder' of rushing 'ungrammatically into print, and without having achieved any good by the sacrifice, has made himself as ridiculous as he is ignorant; as bigotted and oppressive as he would wish to appear unprejudiced and just'. He believed that 'A Shareholder' was, 'if not the veritable Murphy himself, at least one of the aforementioned circle of relations'.[54] Murphy did not respond.

JAMES BROWN

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[47] See *Cyclopedia of New Zealand*, vol. 2, pp. 479, 866; *Observer*, 11 November 1905, p. 4, 16 May 1908, p. 5.

[48] *Thames Advertiser*, 7 October 1874, p. 3.

[49] *Thames Advertiser*, 13 October 1874, p. 3.

[50] Death Certificate of Thomas Aitken Dunlop, 11 May 1908, 1908/9080, BDM.

[51] *Thames Advertiser*, 10 October 1874, p. 3.

[52] Editorial, *Thames Star*, 10 October 1874, p. 2.

[53] Letter from 'A Shareholder', *Thames Advertiser*, 12 October 1874, p. 3.

[54] Letter from 'Snooks', *Thames Star*, 12 October 1874, p. 2.

Whilst at Thames, Murphy became friends with some miners who later moved to the Te Aroha district, including Hugh McLiver,[55] who would become a leading mine manager there.[56] In 1909, Murphy said that he first met James Brown, who was his partner in a Te Aroha mine, in Thames 40 years previously.[57] Brown had arrived in Thames nearly two months before him.[58] Brown's life is difficult to trace because his brother John was another leading figure at Thames, and it is not always possible to know which J. Brown was which.

Brown's parents, Thomas and Janet, had come to New Zealand with their sons John and James in 1862. They first farmed in the Kaipara district but moved to Thames when the goldfield opened. The family 'made themselves very comfortable through successfully investing' in some of the 'best mines'.[59] Brown was a shareholder in many Hauraki claims and companies, excepting Te Aroha.[60] His last investments at Thames were in 1895, during the mining boom.[61] He was legal manager of three companies,[62] and director of at least seven,[63] In 1871, he was briefly a

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[55] *Waikato Times*, 1 June 1886, p. 2.

[56] See paper on the New Find mine at Waiorongomai.

[57] *Te Aroha News*, 18 February 1909, p. 2.

[58] Thames Warden's Court, Register of Miners' Rights 1867-1868, no. 211, issued 12 September 1967; no. 1618, issued 29 October 1867, BACL 14358/1a, ANZ-A.

[59] *Thames Advertiser*, 28 March 1884, p. 2, 4 August 1886, p. 3, 5 August 1886, p. 2.

[60] For examples of investment up until 1880, see Thames Warden's Court, Claims Register 1868, folios 226, 247, BACL 14387/1a; Claims Register1868-1869, nos. 447, 481, 562, 616, BACL 14397/2a; Claims Register 1868-1869, no. 1231, BACL 14397/3a; Register of Deeds 1869, folios 95, 161, 473, 610-611, BACL 14417/3a; Register of Deeds 1869, folios 674-675, 688, BACL 14417/4a, ANZ-A; *Auckland Provincial Government Gazette*, 7 July 1869, p. 550, 5 May 1871, p. 74, 13 February 1872, p. 27; *New Zealand Gazette*, 6 July 1869, p. 326, 27 January 1876, p. 73, 11 May 1876, p. 350, 14 December 1876, p. 882, 16 May 1878, p. 622, 20 June 1878, p. 906, 24 October 1878, p. 1458, 20 May 1880, p. 789.

[61] Thames Warden's Court, Register of Applications for Licensed Holdings and Special Claims 1887-1896, folios 117, 130, BACL 14376/1a, ANZ-A; Thames School of Mines, Assay Book 1895-1897, entry for 25 October 1895, School of Mines Archives, Thames.

[62] *Thames Advertiser*, 25 July 1870, p. 2, 20 October 1870, p. 2; *Auckland Provincial Government Gazette*, 13 January 1871, p. 9; Company Files, BBAE 10286/2e, ANZ-A.

[63] *New Zealand Gazette*, 25 January 1877, p. 97, 24 November 1881, p. 1590, 31 May 1883, p. 720; *Thames Guardian and Mining Record*, 17 October 1871, p. 3; *Thames Advertiser*.

sharebroker and mining agent.[64] From the early 1870s until the 1890s, he operated a tailings reduction plant with his brother and others.[65] Because of his long experience in treating ore, in 1893 he joined the committee of the Thames School of Mines.[66]

In addition to his mining investments, he held shares in the Bank of New Zealand.[67] Presumably he was the James Brown who was a timber merchant in the 1870s.[68] His land at Tararu was valued at £1,000 in 1882.[69] When his mother died in 1886, he and his brother shared equally in the estate after £400 had been gifted to various people and £100 to his wife.[70] In 1876, he applied for an agricultural lease in Ohinemuri, and was granted 50 acres near Owharoa the following year. There was no indication that he ever farmed it, and the land was transferred to another man in 1884.[71] Two years later, he invested in the Auckland Agricultural and Mercantile Company.[72] He did not show any further interest in farming until 1894, when he sold his Tararu property and purchased the Ruakaka block just

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27 February 1877, p. 3, 4 September 1878, p. 3; Company Files, BBAE 10286/10c, 10286/14f, ANZ-A.

64 *Thames Guardian and Mining Record*, 7 October 1871, p. 11.

65 *Thames Advertiser*, 19 September 1873, p. 2, 8 July 1874, p. 2, 14 July 1874, p. 2, 28 March 1884, p. 2, 14 May 1886, p. 2, 19 July 1886, p. 2; *New Zealand Gazette*, 14 December 1876, p. 882; *Te Aroha News*, 13 November 1886, p. 2; *Thames Electoral Roll, 1890*, p. 5.

66 *Thames Advertiser*, 14 October 1893, p. 2.

67 Bank of New Zealand, Shares Register 1894-1905, folio 44, Bank of New Zealand Archives, Wellington.

68 Thames Warden's Court, Business Licenses Butt Book 1867-1868, no. 159, BACL 14414/1a; Register of Deeds 1869, folio 95, BACL 14417/3a; Warden's and Magistrate's Notebook 1870, entry for 27 October 1870, BACL 14457/2b, ANZ-A; *Thames Advertiser*, 25 July 1870, p. 2; Warden's Court, *Thames Guardian and Mining Record*, 7 February 1872, p. 3.

69 *A Return of the Freeholders of New Zealand*… (Wellington, 1884), p. B 82.

70 Probate of Janet Brown, Probates, BBAE 1568/1570; Testamentary Register 1886-1892, folio 3, BBCB 4208/16, ANZ-A.

71 Applications for Agricultural Leases, Auckland Provincial Government Papers, ACFL 8170, 5/9, ANZ-A; Paeroa Warden's Court, Register of Ohinemuri Agricultural Leases 1875-1892, folio 88, ZAAP 13784/1a, ANZ-A.

72 Company Files, BADZ 5181, box 38 no. 243, ANZ-A.

outside the Te Aroha town boundary.[73] He fenced it immediately upon purchase and settled on it. A local correspondent thought it contained 'some of the best land in the neighbourhood'. Once the racecourse, it had become 'a capital free run' for cattle owners.[74] Despite the land being 'in a rough state, with an abundance of stone and mountain rubble', he successfully farmed most of it, assisted by his nephew, William Thomas Rowe,[75] who came with him in 1894 when aged 19.[76] In 1902, his bank manager recorded that this valuable freehold of about 300 acres was worth £12 an acre and was well stocked. Brown still had other property and was 'believed to be fairly well-to-do'.[77] In 1906, he cut up the portion of Ruakaka adjoining Lipseytown into sections of from four to ten acres.[78] Two years later, he owned over 232 acres at Ruakaka, which, with a house and farm buildings, was valued at £4,087.[79] Later that year, he sold more sections of 'Brown's Estate' for a good profit.[80] By 1914, having sold all this land, he was living in the township.[81]

In August 1881, a Thames gossip writer reported that 'Jim Brown', a 'wealthy resident' of Tararu, had bought 'the stately mansion of his brother, who's gone to Auckland. Bachelor at present: thinking of getting married?'[82] Indeed he was, and one month later, aged 37, he married Marion Crawford, a farmer's daughter ten years his junior.[83] They did not have any children.[84]

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[73] *Thames Advertiser*, 30 October 1894, p. 2.

[74] Te Aroha Correspondent, *Auckland Weekly News*, 8 September 1894, p. 23; *Thames Advertiser*, 27 December 1899, p. 2.

[75] See *Auckland Star*, 9 July 1892, p. 8.

[76] *Te Aroha News*, 15 November 1937, p. 4, 27 January 1950, p. 4.

[77] Bank of New Zealand, Paeroa Manager's Memorandum Book 1902-1914, p. 39, Bank of New Zealand Archives, Wellington.

[78] *Te Aroha News*, 7 August 1906, p. 2.

[79] Ohinemuri County Council, Piako Riding, 1 April 1908, folio 3, Valuation Department, BBBC 14670, A150/647, no. 647, ANZ-A.

[80] *Te Aroha News*, 28 November 1908, p. 2.

[81] *Te Aroha News*, 6 May 1914, p. 3.

[82] 'Thames Tittle Tattle', *Observer*, 6 August 1881, p. 536.

[83] Marriage Notice, *Auckland Weekly News*, 17 September 1881, p. 1; Death Certificates of James Brown, 30 October 1925, 1925/6577; Marion Brown, 12 November 1937, 1937/15641, BDM.

[84] Death Certificate of James Brown, 30 October 1925, 1925/6577, BDM.

Having been involved in local politics in Thames in a small way,[85] in 1914 and 1915 he was elected to the Te Aroha Borough Council.[86] The local newspaper described him as 'one of Te Aroha's most esteemed citizens'.[87] His public-spirited nature was reflected in his letting some of his paddocks as a golf course and in lending one of them to the Piako Mounted Rifles for a camp.[88] He died in 1925 at the age of 82, leaving an estate valued at £23,801 3s 8d.[89] Marion died in 1937.[90]

AT OHINEMURI IN THE 1870s

Murphy claimed to have prospected Ohinemuri in 1873 and 1874,[91] but there is no independent evidence to prove his claim. In 1875 he was present on opening day, at seven o'clock climbing up Karangahake and helped peg out the Rogers claim, in which he was a shareholder.[92] He was one of eight owners of this claim and one of ten in the All Nations.[93] In May, he acquired shares in the Mazeppa Company.[94] In December, he sued for interests in the All Nations and Main Lead, but withdrew one application and did not appear in court when the other two were heard.[95], in 1876 he became both a shareholder and a director of the All Nations Company.[96] (His brother John

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[85] *Thames Advertiser*, 21 November 1888, p. 3, 4 January 1893, p. 2.

[86] *Te Aroha News*, 4 May 1914, p. 2, 15 May 1914, pp. 2, 3, 28 April 1915, p. 4, 30 April 1915, p. 3.

[87] *Te Aroha News*, 6 May 1914, p. 3.

[88] *Te Aroha Times and Waiorongomai Advocate*, 3 November 1897, p. 2; *Ohinemuri Gazette*, 20 October 1900, p. 2.

[89] Death Certificate of James Brown, 30 October 1925, 1925/6577, BDM; Probate of James Brown, Hamilton Probates, BCDG 4420/2045, ANZ-A.

[90] Death Certificate of Marion Brown, 12 November 1937, 1937/15641, BDM.

[91] *Te Aroha News*, 18 February 1909, p. 2.

[92] *Thames Advertiser*, 20 February 1875, p. 3, 4 March 1875, p. 3, 9 April 1875, p. 3, 10 April 1875, p. 3, 21 April 1875, p. 3.

[93] Te Aroha Warden's Court, Register of Ohinemuri Claims 1875, folios 20, 26, BBAV 11568/1a, ANZ-A.

[94] *New Zealand Gazette*, 13 May 1875, p. 329.

[95] Thames Warden's Court, Record of Warden's Decisions 1873-1876, nos. 164, 167, 168, BACL 14565/1a, ANZ-A.

[96] *New Zealand Gazette*, 27 April 1876, p. 309, 25 May 1876, p. 377.

also had shares in the latter.)[97] Also in 1876, he held shares in the Bella Company, at Owharoa.[98] Two years later, a Paeroa meeting elected him to a committee tasked with convincing the government to buy the goldfield, and soon afterwards he joined the newly formed Ohinemuri Mining Association, as did John.[99]

Murphy moved to Ohinemuri to be a storekeeper and publican. From 1875 to 1877, he ran the All Nations Hotel at Mackaytown, a small settlement near Karangahake.[100] In March and April 1876 he was granted two business sites at Mackaytown.[101] Because of the slow development of the district, Murphy was soon in financial difficulty. In April 1875, to permit him to open his hotel and store, he obtained a mortgage over his allotment and house at Mackaytown from James Stewart, his brother-in-law, by giving a bill of sale over them.[102] In April 1877, he filed as bankrupt.[103] His total debt was £463 17s 10d, his only assets being household furniture, value £10, and book debts with a notional value of about £200.[104] The trustee for his estate reported that 'in consequence of the people all leaving the District he was compelled to shut up the Store about six months and the Hotel about two months ago'. The book debts were 'irrecoverable' because 'almost all the Debtors' had left.[105] Two months later, Murphy's application to be discharged was granted.[106] His finances soon improved: the only times he was sued was in 1876 for £1 12s 6d, for

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[97] *New Zealand Gazette*, 27 April 1876, p. 309.

[98] *New Zealand Gazette*, 25 May 1876, p. 379.

[99] *Thames Advertiser*, 30 January 1878, p. 3, 24 April 1878, p. 3.

[100] *Thames Advertiser*, 4 May 1875, p. 3, 31 May 1875, p. 2, 16 January 1877, p. 3; *Thames Star*, 20 April 1877, p. 3.

[101] Thames Warden's Court, Mackaytown and Thames Letterbook 1876-1896, pp. 20, 21, BACL 14458/1b, ANZ-A..

[102] Thames District Court, Bankruptcy Files, Grahamstown, 1872-1875, entry for 19 April 1877; Trustee's Report 3 May 1877, BACL 14471/5a, ANZ-A; *Mercantile Gazette of New Zealand*, 18 August 1877, p. 77; *Thames Electoral Roll, 1877*, p. 58.

[103] *Thames Advertiser*, 21 April 1877, p. 2.

[104] Thames District Court, Bankruptcy Files, Grahamstown, 1872-1875, entry for 19 April 1877, BACL 14471/5a, ANZ-A.

[105] Thames District Court, Bankruptcy Files, Grahamstown, 1872-1875, Report of Trustee, 3 May 1877, BACL 14471/5a, ANZ-A.

[106] Grahamstown District Court, Minute Book 1870-1884, entry for 28 June 1877, BACL 13818/1a, ANZ-A.

goods provided, and three years later for £1 10s 5d, for the same reason.[107] In 1879, he won the contract for delivering mail thrice weekly to Paeroa, Mackaytown, Owharoa, and Waitekauri.[108]

Murphy was a prominent member of the community. In October 1876, at a Mackaytown meeting protesting against being included in the Thames County he spoke about his experience of mining at Thames and the need for roads.[109] He seconded a motion criticizing the parliamentarian who had not, as requested, formed an Ohinemuri County Council.[110] Later that year, both he and John were appointed to a committee to organize sports meetings.[111] In 1879 he enrolled in the Paeroa volunteer corps.[112] In January 1879, he urged the government to erect a bridge between Frasertown and Mackaytown 'to enable the children to cross and attend a school, instead of being brought up in ignorance'.[113]

Murphy also acquired land for farming. In 1875, he was granted a 50-acre agricultural lease, at Mangakara Creek, Waitekauri, and another was granted to his son Cornelius who, being aged eight, was a dummy for him. In 1878 Murphy's lease was transferred to another settler, from whom he bought a lease of 50 acres near Owharoa, which in turn was transferred to another farmer in December 1879. Cornelius' lease was also transferred to another settler.[114] Murphy's 1878 request for a land grant because he had paid for his family to immigrate was declined.[115] His brother John also applied for a lease, in 1876, but withdrew his application.[116] Any farming

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[107] Thames Magistrate's Court, Plaint Book 1875-1880, 320/1876, 356/1879, BACL 13737/15b, ANZ-A.

[108] *New Zealand Gazette*, 19 June 1879, p. 85.

[109] *Thames Advertiser*, 14 October 1876, p. 3.

[110] *Auckland Weekly News*, 21 October 1876, Supplement, p. 4.

[111] *Thames Advertiser*, 8 December 1876, p. 2.

[112] Thames No. 3 Scottish Rifle Volunteers, Capitation Roll to 31 December 1880, Army Department, ARM 41, 1882/1o, ANZ-W.

[113] *Thames Advertiser*, 15 January 1879, p. 3.

[114] Paeroa Warden's Court, Register of Ohinemuri Agricultural Leases 1875-1892, folios 4, 5, 9, ZAAP 13784/1a; Register of Agricultural Leases and Rents, Ohinemuri, 1875-1896, ZAAP 13784/1b, ANZ-A; *Thames Advertiser*, 5 August 1875, p. 2.

[115] *Auckland Weekly News*, 18 May 1878, p. 8.

[116] Thames Warden's Court, Mackaytown and Thames Letterbook 1876-1896, pp. 15, 154, BACL 14458/1b, ANZ-A.

must have been at a subsistence level, as the land was undeveloped, a good reason for seeking land elsewhere.

FARMING AT TE AROHA WEST

Early in 1876, Murphy was one of the Mackaytown residents who petitioned for a road to be made to Te Aroha and for them to be given land there.[117] In May 1878, he asked the county council to get the Waste Land Board to open blocks for settlement on the deferred payment system, stating that he had a list of people seeking such land.[118] Six months later, he called a meeting at Paeroa 'of persons desirous of Settling on the Lands of the Upper Thames, lately acquired by the Government, and purchasing on the deferred system'.[119] Subsequently, he withdrew this plan for a meeting because the council had taken action.[120] At the beginning of 1879, he asked the Native Minister about when settlers could buy land in the Aroha Block.[121] Finally, in April 1880, he bought Lot 15 of Block XII, 78 acres at what became known as Te Aroha West, for £251, well above the upset price of £156.[122] A correspondent described it as having 'a good river frontage', a 'good bush', and being about two miles by road from 'the Landing' at Te Aroha. These 'advantages' meant it attracted most attention at the auction and 'was eagerly competed for. Four persons applied for it, and at the sale the bidding was brisk', forcing him to pay nearly £3 10s per acre compared with the upset price of £2.[123] Six years later, he complained to the Waste Lands Committee of parliament that, as the other three applicants sought other land as well, he was the only proper applicant, but their bidding had forced him to pay this 'premium'. He asked to be 'allowed to have the said land at the upset price', but the politicians decided that he

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[117] Petition of Mackaytown Settlers, 21 February 1876, Auckland Provincial Government Papers, ACFL 8170, 500/76, ANZ-A.

[118] *Thames Advertiser*, 3 May 1878, p. 3, 17 May 1878, p. 2.

[119] *Thames Advertiser*, 19 November 1878, p. 2.

[120] *Thames Advertiser*, 20 November 1878, p. 2.

[121] *Thames Advertiser*, 15 January 1879, p. 3.

[122] *Thames Star*, 16 April 1880, p. 2.

[123] Own Reporter, 'Tour in the Aroha, Waitoa, and Piako Districts', *Thames Advertiser*, 22 June 1880, p. 3; 'Reports of Waste Lands Committee', *AJHR*, 1887, I-5, p. 1; Waste Lands Committee, Session 2, 1887, Minutes of Meeting of 17 November 1887, Legislative Department, LE 1, 1887/17, ANZ-W.

had no claim.[124] In the following year his petition was rejected for the same reason.[125]

His land was originally leased for ten years at a rental of £26 2s a year.[126] In June 1884, being 'unable at present to pay the instalment due on his selection', he was allowed an extension 'on his promise to pay as soon as possible'.[127] For some years he had trouble meeting these commitments, but by December 1893 he had fulfilled the conditions of tenure.[128] In 1882, his land was valued at £260; by 1905 its rateable value was £760.[129] In 1904 he told his bank manager that his land and stock were 'unencumbered', making the farm's value £1,500.[130]

When acquired, the land was covered with 'fern, scrub, and titree', but as this was 'not thick', it would be 'easily cleared'. The black soil was 'especially rich along the river'.[131] Immediately after the purchase, he asked for a road connecting his farm with the main road. As a Ngati Rahiri reserve would be affected, the land board postponed making a decision.[132] A month later, he was observed 'busily engaged fencing and clearing' and planning to erect a house.[133]

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[124] 'Reports of the Waste Lands Committee', *AJHR*, 1886, I-4, p. 3.

[125] 'Reports of Waste Lands Committee', *AJHR*, 1887, I-5, p. 1.

[126] Register of Rents of Lands Sold Under Deferred-Payment Leases, folio 91, Aroha Block XII Section 15, Lands and Survey Department, LS 13/1, ANZ-W.

[127] Auckland Land Board, Minute Book 1882-1884, Meeting of 5 June 1884, p. 263, BAAZ 4019, 12/1, ANZ-A; Crown Lands Board, *Auckland Weekly News*, 7 June 1884, p. 20.

[128] Auckland Land Board, Minute Book 1884-1887, Meetings of 20 November 1884, 2 December 1886, 13 January 1887, pp. 10, 282, 294, BAAZ 4019, 12/2; Minute Book 1891-1893, Meeting of 19 December 1893, p. 376, BAAZ 4019, 12/4, ANZ-A; Crown Lands Board, *Auckland Weekly News*, 4 October 1884, p. 19.

[129] *A Return of the Freeholders of New Zealand*…, p. M 75; Piako County Council, Rate Book 1905-1906, Waitoa Riding [no pagination], Matamata-Piako District Council Archives, Te Aroha.

[130] Bank of New Zealand, Paeroa Branch, Manager's Memoranda Book 1902-1914, p. 112, Bank of New Zealand Archives, Wellington.

[131] Own Reporter, 'Tour in the Aroha, Waitoa, and Piako Districts', *Thames Advertiser*, 22 June 1880, p. 3.

[132] *Thames Advertiser*, 17 May 1880, p. 3.

[133] Own Reporter, 'Tour in the Aroha, Waitoa, and Piako Districts', *Thames Advertiser*, 22 June 1880, p. 3.

As for financial reasons Murphy had to combine farming with contracting, carting, and mining, he could not concentrate on his farm, on which he lived near to the river.[134] An example of having to earn money in other ways was when, in July 1880, he had a license to cut timber on the Aroha Block.[135] Another example was in February 1886, when he sued Henry Hopper Adams[136] for £37 11s 11d, for milk and butter supplied and the balance 'in connection with timber yard'. Murphy explained that in December 1884, when he had sought 'amount then due £32 something', Adams, who had a claim against Murphy for £11 15s, called him into his office, and it was agreed to subtract this amount from the bill. When Murphy signed a receipt, Adams 'took the Bill and said the least I could do was to strike out the rest as he had given me so much work for the Battery Company'. Murphy said he 'could not do this', and since then Adams had not paid anything, despite receiving 'milk and other things'. He had been 'minding' Adams' timber yard, although he admitted there was no agreement that he would be paid for doing so. When minding it for its previous owner he received 10s a week. Between the previous January and October he had 'measured the timber, kept the books, received and delivered the timber', and had carted two loads to Te Aroha. He had 'repeatedly' asked Adams to pay, threatened to summons him, and 'sent my Son once to ask for the money due', which Adams promised to pay the following Saturday but 'never did'. He admitted that other carters removed timber from the yard and that he had no agreement 'to mind the yard in consideration of cartage given me'. Cross-examined, he could not say how much timber he sold in the yard during June. 'Can't say if it was £15 or £20 – I saved timber from floods'.

Adams disputed the amounts claimed. 'When the timber was sent to the yard Murphy agreed to look after it as it was an advantage to him to have it there'. He agreed Murphy had saved 'a little timber from flood'. Others should have paid for some cartage, and he had not been asked to pay the account outstanding. The magistrate disagreed, requiring him to pay Murphy £25 11s 4d.[137]

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[134] *Waikato Times*, 2 August 1887, p. 2; *Te Aroha News*, 19 February 1890, p. 2.

[135] *Auckland Star*, 22 July 1880, p. 2; *Thames Advertiser*, 24 Julyb 1880, p. 2.

[136] See paper on his life.

[137] Te Aroha Magistrate's Court, Applications 1888-1892, folios 21-24, BBAV 11505/7c, ANZ-A.

In 1889, Murphy leased 26 acres on the high school endowment at Waiorongomai at an annual rental of £5 16s.[138] Six years later, the local newspaper described his Waiorongomai farm as an 'object lesson to those who think agriculture is played out'. At least half the land had been 'swamp through which neither man nor beast could get. By an intelligent system of drainage he has made all this available; the drains show that the depth of vegetable loam is practically inexhaustible'. Nowhere in Waikato had deeper or richer soil. 'It is an ideal maize land, and it is well worthy of a visit by those who wish to know what the intelligent application of capital even on a limited scale to land can do in improving its capabilities'.[139] In October, when asked to remove a fence from the road, he 'replied that he would attend to the matter during the next winter'.[140] At the end of the year, he was reproved for pigs running at large in Waiorongomai.[141]

Murphy encouraged the development of the Gordon Settlement, in 1885 calling on the government to survey it as the speediest and cheapest option.[142] Despite being interested in taking up land there, he did not do so.[143] The first creamery to be erected at Te Aroha West was constructed on his land.[144] In 1903 he complained that blackberries were spreading on his and the adjoining land.[145] Otherwise his farming went unreported.

CONTRACTOR AND CARTER

Murphy was a contractor for swamp drainage and road construction. In April 1880, just before he purchased his farm, he and a prominent miner, Edward Quinn,[146] had a contract to drain some swamps across the river from the future Te Aroha. A correspondent saw them 'hard at it', definitely meaning 'business'.[147] In July 1880, he applied to make roads in Ohinemuri, and two months later unsuccessfully tendered for filling in a swamp and

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[138] *Te Aroha News*, 20 March 1889, p. 7.

[139] *Te Aroha News*, 30 January 1895, p. 2.

[140] Piako County Council, *Te Aroha News*, 19 October 1895, p. 2.

[141] Piako County Council, *Te Aroha News*, 30 November 1895, p. 2.

[142] *Te Aroha News*, 10 October 1885, p. 7.

[143] Letter from 'Country Ratepayer', *Te Aroha News*, 25 December 1886, p. 3.

[144] Letter from 'Old Settler', *Te Aroha News*, 29 November 1910, p. 2.

[145] Piako County Council, *Auckland Weekly News*, 30 April 1903, p. 28.

[146] See paper on his life.

[147] Te Aroha Correspondent, *Thames Advertiser*, 16 April 1880, p. 3.

forming a road on the Paeroa side of Rotokohu.[148] In December, his tender of £35 10s was accepted for forming a street leading to the proposed Te Aroha bridge.[149] In July 1881, he was paid £6 for helping to made a road between the mines and the battery.[150] In December, he unsuccessfully tendered to make and metal the main road to Waiorongomai.[151]

In 1883, Murphy advertised that he was a carter and contractor: 'Carting Done at Both Townships'.[152] In mid-year, he had a contract for carting shoots and rails for the New Find Company.[153] He also earned a considerable amount for carting rails from the Waiorongomai landing to the tramway.[154] During the 1880s, his son Cornelius assisted with the carting.[155] In 1889, Murphy stated that he had carted 'many hundred tons of material for the tramway and battery'.[156]

In October 1883, one tender to the Waitoa Road Board for 'earth work' and pipes was declined and another accepted. As he and another contractor had tendered for the same amount, 'the two agreed to decide the matter by a throw of dice, which resulted in favour of Murphy'.[157] Four months later, his progress was unsatisfactory.[158] Late in February 1884, as he had failed to complete the contract either on time or according to specifications, he was warned that if it was not finished by the end of the following month he would forfeit his deposit and penalties would be imposed.[159] As no more was heard, he must have done as required.

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[148] *Thames Advertiser*, 8 July 1880, p. 3, 7 September 1880, p. 2.

[149] *Thames Advertiser*, 18 December 1880, p. 3.

[150] Harry Kenrick to Under-Secretary, Mines Department, 21 July 1881, Mines Department, MD 1, 82/11, ANZ-W.

[151] Piako County Council, Minutes of Meeting of 14 December 1881, Matamata-Piako District Council Archives, Te Aroha.

[152] Advertisements, *Te Aroha News*, 14 July 1883, p. 1, 13 October 1883, p. 1.

[153] *Te Aroha News*, 14 July 1883, p. 2.

[154] Te Aroha Tramway, Vouchers Paid, Mines Department, MD 1, 07/1014, ANZ-W.

[155] *Te Aroha News*, 18 October 1884, p. 7. 11 July 1885, p. 2.

[156] *Te Aroha News*, 17 July 1889, p. 2.

[157] Waitoa Road Board, *Waikato Times*, 4 October 1883, p. 2.

[158] *Waikato Times*, 2 February 1884, p. 2.

[159] Waitoa Road Board, *Waikato Times*, 26 February 1884, p. 2.

In 1885, as 'Government-overseer' in charge of widening the track between Te Aroha and Katikati, he did an 'excellent job'.[160] Also during that year, having 'been entrusted with the supervision of several road parties', he was in charge of repairing parts of the roads from Cambridge to Taupo and Rotorua and was 'entitled to very great credit' for their 'excellent condition'.[161] The following year, he again supervised repairs being made to the track across the range to Katikati.[162]

THE SAGA OF MURPHY'S PUNT

In September 1882, the council permitted Murphy to erect 'a landing Store upon the banks of the Waihou River at Waiorongomai'.[163] He promised to remove it at one week's notice, if required.[164] This landing became known as Murphy's Landing.[165] In May 1883, he was 'authorized to run the punt' originally established by another merchant, and advertised 'Storage Accommodation at the Government Landing, Waiorongomai, for all Goods addressed to Mr D. Murphy's care'.[166] Three months later, it was announced that a road would be constructed through his Te Aroha West farm to the landing.[167] The following month, at a council meeting Peter Ferguson[168] claimed that Henry Ernest Whitaker[169] was seeking personal benefit by diverting the road from the landing to Waiorongomai through a section of use only to himself. Furthermore, 'he had entered into some sort

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[160] *Te Aroha News*, 28 March 1885, p. 2; *Waikato Times*, 2 April 1885, p. 2, 27 July 1885, p. 2.

[161] *Te Aroha News*, 6 June 1885, p. 2; *Waikato Times*, 2 June 1885, p. 2, 25 August 1885, p. 2, 26 November 1885, 15 December 1885, p. 2.

[162] *Te Aroha News*, 17 April 1886, p. 2.

[163] Piako County Council, Minutes of Meeting of 29 September 1882, Matamata-Piako District Council Archives, Te Aroha.

[164] Piako County Council, *Waikato Times*, 30 September 1882, p. 2.

[165] For example, Piako County Council, Minutes of Meeting of 13 July 1888, Matamata-Piako District Council Archives, Te Aroha.

[166] Piako County Council, *Waikato Times*, 17 May 1883, p. 2; advertisement, *Te Aroha News*, 14 July 1883, p. 1.

[167] *Waikato Times*, 16 August 1883, p. 2.

[168] See paper on Peter Ferguson and his New Era.

[169] See paper on Harry and Charles: Henry Ernest Whitaker and Charles Stanislaus Stafford.

of compact with some other property-holder in the vicinity', meaning Murphy, 'to give effect to his own personal ends'.[170] Whitaker denied Ferguson's claim that the landing could be anywhere else and denied any 'collusion between Murphy and myself'. When Ferguson responded that Murphy and another settler had misled him, Whitaker cited Murphy denying he had told Ferguson what the latter claimed, and stated that he believed Murphy more than Ferguson.[171]

In June 1884, the council permitted Murphy to erect a building on the Waiorongomai side of the river, to be removed when required.[172] Three months later, as he had sold his punt to his son Cornelius he asked it 'to formally sanction the transfer', which was done.[173] Cornelius was then aged 16.[174] Late in the year, a Waiorongomai builder built a punt 'larger in every way than the Te Aroha' one,[175] which therefore would attract more farm traffic. Launched by Cornelius in March 1885, it worked 'admirably'.[176] Three months later, Murphy convinced the council to use the Public Works Act to make a road from Waiorongomai to the landing.[177]

In January 1886, Cornelius Murphy informed the council that the punt 'was not paying and he intended taking it off. It had cost him £100 and he would sell it to the council for £50. He would continue if the council paid him a subsidy of 2s per day', which was agreed to.[178] The following month, he told the council that the punt did not pay expenses, and if it would not buy it he asked for 2s 6d per day. The council would not give more than 2s.[179] By 1888 he was receiving a subsidy of £36 per annum and charged 6d for each horse and 3d for each foot passenger.[180] In May that year, Cornelius entered into a butchery partnership at Te Aroha and

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[170] Piako County Council, *Te Aroha News*, 15 September 1883, p. 2.

[171] Piako County Council, *Te Aroha News*, 15 September 1883, p. 3.

[172] Piako County Council, *Waikato Times*, 28 June 1884, p. 2.

[173] Piako County Council, *Waikato Times*, 27 September 1884, p. 3.

[174] Death Certificate of Cornelius Murphy, 18 May 1931, 1931/3026, BDM.

[175] *Te Aroha News*, 22 November 1884, p. 2.

[176] *Te Aroha News*, 14 March 1885, p. 2.

[177] Piako County Council, *Te Aroha News*, 6 June 1885, p. 7.

[178] Piako County Council, *Waikato Times*, 19 January 1886, p. 3; *Te Aroha News*, 16 January 1886, p. 2, 23 January 1886, p. 2.

[179] Piako County Council, *Waikato Times*, 13 February 1886, p. 2.

[180] Piako County Council, *Te Aroha News*, 16 May 1888, p. 2.

Waiorongomai.[181] After the partnership ended two months later,[182] he farmed, unsuccessfully, at Gordon.[183] As Cornelius was no longer interested in operating the punt, his father told the council in mid-May that his son wanted to stop it in one month's time, or in six months should a bridge be erected by then.[184] Henry James Hawkins, a Te Aroha West farmer,[185] responded in a letter highly critical of Murphy and his punt:

> I was mightily amused … at Cr Murphy's attitude towards the other members of the Piako County Council at their last meeting, on the question of the erection of a bridge across the river at his landing, as proposed by the Council. It is always an evidence of secondary or inferior minds, that they bring into use any power or influence they possess, that they have found effective in other occasions, whether applicable or not. Mr Murphy's great forte, on which he, like so many of his countrymen [Irishmen], relies is intimidation; and intimidation he tried by threatening to give up the punt in a month, or would keep it on six months if the Council will erect a bridge in that time. Nearly all believe Mr Murphy is the motive power about that punt, Cornelius Murphy the cipher required by law, his father being a councillor. Poor martyr to his country's good, he can't keep the punt on much longer. The real fact of the case is, people using the punt are thoroughly tired of the extortionate charges made on it for crossing at night; it is bad enough in all conscience during the day, but no sooner does the clock strike 7 p.m., than all charges are doubled, 2s for a trap, 1s for horse and rider, 6d for a foot passenger is levied for being ferried over a calm stream, 5ft 6in deep and 120ft wide; charges which make the head ache to pay, whilst we stand on the bank shouting for half-an-hour before the lad of fourteen in charge puts

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[181] *Te Aroha News*, 16 May 1888, p. 2, 23 May 1888, p. 7, 16 June 1888, p. 2.

[182] *Te Aroha News*, 18 July 1888, p. 7.

[183] *Waikato Times*, 7 September 1886, p. 2; *Te Aroha News*, 5 March 1887, p. 3; A.F. Etheridge (Chief Secretary, Crown Lands Board, Auckland) to Cornelius Murphy, 4 March 1889; Cornelius Murphy to A.F. Etheridge, 11 March 1889; memoranda of 19 March 1889, 25 November 1889, n.d. [January 1890]; Commissioner of Crown Lands to Cornelius Murphy, 3 June 1891, Lands and Survey Department, BAAZ 1108/1093, ANZ-W.

[184] Piako County Council, *Te Aroha News*, 16 May 1888, p. 2.

[185] See *Waikato Electoral Roll, 1887*, p. 9; *Te Aroha News*, advertisement, 6 December 1884, p. 7, advertisement, 19 June 1886, p. 3, letter from H.J. Hawkins, 10 March 1888, p. 2, 21 August 1889, p. 2, advertisement, 11 December 1889, p. 7; Hamilton Probates, BCDG 4420/1295, ANZ-A.

> in an appearance. Mr Denis Murphy, or his son, receives from the Piako County Council the sum of £36 a year as subsidiary to keep the punt running; they take all the fares besides, which possibly tops up to about £80 a year, not at all an inconsiderable sum for a lad of fourteen to bring in, besides doing a lot of other work between times; so I cannot see that Mr Murphy is very much hurt over the matter. I can also assure him he has no right to give up running the punt, so long as it is needed, indeed I think the Council could compel him to continue it if it wanted. The Council have expended ratepayers money in forming the road through his land, drained a swamp for him, subdivided his farm with fences, what all farms require, made the approaches to the punt, and paid him for running it; and I think he could be compelled, if by no other means than his own private interests, to continue it. He requires the punt for his own horses and drays, the punt cannot be worked without the wire across the river; compel him to remove the wire rope and the punt is useless. Mr Murphy's threat then recoils upon himself, so I think he can be compelled to continue running it, and as prices of labour and everything else is now so low, to run it at very much reduced charges. His plea is, when passengers grumble, as they often do, that the charges were fixed by the County Council; very likely, as times have very much altered, perhaps the Council will favour us by reducing the fares to reasonable limits…. A man may make a merit of throwing up £80 a year when it is likely it is to be taken from him, but the film is so thin that any person of ordinary perspicuity can see through it. I trust the Council will erect the bridge.[186]

Murphy denied that either the council or the Waitoa Road Board had 'ever spent *one single shilling* of the ratepayers' money in either fencing or draining my land…. I only write this for the ratepayers' information, as I altogether refuse to have anything to say to "H.J. Hawkins," whose statements' were 'entirely incorrect'.[187] Hawkins responded to this 'feather-weight' by stating that he was 'sorry for him that he has put his foot a little further into the mire than there was any occasion for'. He cited the road board cutting an outfall drain and forming a road across a swamp on Murphy's land for £14 10s, spending £6 for making the approaches to the punt, and £2 for digging

> some very trivial cuttings on the line of road. If that is not spending ratepayers' money improving his section, I do not know what else it is. So that if not a *shilling singly* was spent on it, the

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[186] Letter from H.J. Hawkins, *Te Aroha News*, 26 May 1888, p. 2.

[187] Letter from Denis Murphy, *Te Aroha News*, 30 May 1888, p. 2.

> total goes well up into the hundreds. And still the fact remains that while Cr Murphy in the Council often makes use of the word convenience, as applied to his own, or others in whom he takes an interest, he should have so utterly ignored the convenience of all person using his punt, as to threaten to stop it without so much as saying "by your leave." Murphy's punt is a convenience to many though the charges on it are far too high.[188]

In mid-June, Cornelius informed the council that he would cease to run it after the end of July. His father told it that the charges were the same as for the Te Aroha punt, and in accordance with the original agreement. Despite 113 people requesting the erection of a bridge, the council did not have the necessary funds and called for tenders to continue the punt.[189] A tender from John Lloyd[190] and Martin Irwin[191] was accepted, at the same charges apart from foot passengers paying only 1d.[192] They were to run it from 1 August, but as the agreed subsidy of 2s per day was not included in the agreement they did not sign it. Murphy, who wanted to sell it to them for £75, arranged for his son to continue working it. James Stewart, his sister's son, who had lived with Murphy after his father's death in July 1883,[193] having been 'informed' that Lloyd and Irwin had declined to take up the contract, tendered to operate it for 2s per day, 'the subsidy to continue *only* until such time as the traffic increases so as that the punt will pay small wages. I ask nothing towards the cost of punt at the termination of the contract'. He was 'prepared to start at once, as I have made arrangements' to use it. The council was asked to address its reply 'care of Mr D. Murphy', who told it that Stewart was 'a very decent young fellow' [he had been born in 1872][194] who had worked the punt for Cornelius 'for the past six months'. He stressed the 'advantage they would gain in

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[188] Letter from H.J. Hawkins, *Te Aroha News*, 6 June 1888, p. 2.

[189] Piako County Council, Minutes of Meeting of 15 June 1888, Matamata-Piako District Council Archives, Te Aroha; Piako County Council, *Te Aroha News*, 16 June 1888, p. 2.

[190] See *Te Aroha News*, advertisement, 21 February 1885, p. 1, 6 February 1886, p. 2, 27 March 1886, p. 3, 7 July 1888, p. 2, advertisement, 29 December 1888, p. 7.

[191] Probably not the Martin Irwin in *New Zealand Herald*, 4 November 1886, p. 4; *Taranaki Daily News*, 20 June 1918, p. 4?

[192] Piako County Council, *Te Aroha News*, 14 July 1888, p. 2.

[193] Theresa Murphy to Philip Hart, 31 October 2021, email; Waiorongomai School, Class Lists for 1883 and 1884, YCAF 4135, 10a, 13a, ANZ-A.

[194] Birth Certificate of James Stewart, 1872/18701, BDM.

accepting Stewart's tender'. Murphy 'had made arrangements with Stewart' on the understanding that Lloyd and Irwin had 'declined to take up the contract'. He added that 'he had intended shifting the punt a little further down and keeping it for his own private use'. As an interested party, he did not vote when the council accepted Stewart's tender.[195] In the following issue of the *Te Aroha News*, a letter from Lloyd and Martin was published:

> On the 20th July Mr Murphy sent for us, and in conversation told us in the presence of his son, Cornelius Murphy (the then lessee) that as the agreement was not to our satisfaction, and as he did not think that the County Clerk could add anything to the agreement without authority, he would undertake that his son … would run the punt until the next meeting of Council, when he believed the matter would be settled satisfactorily.
>
> The editor added '(!)' after this sentence.
>
> In course of conversation he told us that in the event of the bridge being built we should get no compensation whatever for punt, as there would be no further use for it, as Mr [Charles] Everett at Te Aroha[196] had no compensation when the bridge was built there. We could have bought a punt from Mr Everett for £40, but Mr Murphy said that that punt would not do on the river there, as the ends of punt had too much of a slope, and that the punt was not safe.
> Cr Murphy also said that efforts were being made to form a Borough and that in that case there might be a difficulty about the subsidy, and the payment for punt on termination of contract. We offered Mr Murphy £50 for punt and £5 for hut, cash, but Mr Murphy would not accept less than £75. We would have given Mr Murphy £75 if the Council on termination of contract would pay us the cost price, viz., £75 less 10 per cent. Mr Murphy said if we did not buy his punt he would run it for his own private use. In reply to this we told him that if we bought his punt we would let his children across free of charge when going to school.[197]

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[195] *Te Aroha News*, 15 August 1888, p. 2.

[196] See *Tauranga Electoral Roll, 1887*, p. 8; *New Zealand Herald*, 29 July 1891, p. 6; *Ohinemuri Gazette*, 26 December 1891, p. 5; and possibly *Auckland Star*, 24 November 1900, p. 3.

[197] Letter from John Lloyd and Martin Irwin, *Te Aroha News*, 18 August 1888, p. 2.

In its same issue, the *Te Aroha News* published 'extraordinary revelations' that would 'open the eyes of the County Council and the public generally to what has been going on':

> Cr Murphy at the last meeting of the Piako County Council referred to Mr James Stewart as a very decent young fellow, who lived at Waiorongomai, and as having been employed by his son, Mr C. Murphy, to run the punt for some months past. Now it appears that this Mr James Stewart is only a mere lad of about fifteen years, and small for his age at that. But more! It is stated by Messrs Lloyd and Irwin in their letter (and several others have told us the same), that Mr James Stewart is Cr Murphy's own nephew, and, we understand, has lived at his uncle's for years past. Possibly Cr Murphy forgot this fact at the time. Be that as it may, he certainly referred to this Mr James Stewart as if innocent of any relationship existing. In Messrs Lloyd and Irwin's letter to the Council … they referred to Cr Murphy's *kindness* in keeping his son running the punt until date of Council's meeting. We believe substantial revelations have caused Messrs Lloyd and Irwin to view this kindness on Cr Murphy's part in slightly different light. What right had Mr James Stewart to send in a tender at all when he did, seeing that July 13th had been fixed by Council as the last day for receiving tenders, and that a tender *had been* already accepted? And by whose advice did the lad Stewart offer such *special inducements* for *his* tender to be accepted? There is no evidence to prove that Cr Murphy knew his nephew had moved in the matter at all, much less that he was aware of the contents of his letter to the Council. Of course not. We certainly think if Cr Murphy desired the punt to be retained in the family, it would have been much better for his son to have tendered in a straight-forward manner for it, and no doubt he would have got it. Why all this beating around the bush, and why is it necessary young Stewart should appear on the scene? Was it fair of Cr Murphy *not* to inform the Council (if he was aware of the fact) that Stewart was a minor? Was it fair, or right, knowingly to allow them to accept the tender of a mere boy to take charge of a punt on a deep and rapid river? Who would be responsible in case of an accident through negligence, the lad, or the Council who placed him in charge? Messrs Lloyd and Irwin, so far as we can see never refused to carry out their contract – they certainly asked for some alterations and concessions to be made, but did not refuse to go on with the contract in the event of the Council declining to grant the concessions asked for. Cr Murphy may consider the matter already very satisfactorily fixed

> up, but we have reason to believe that the general public does not think so.[198]

Shortly before the September council meeting, the newspaper opposed £36 a year being paid 'as a subsidy to the owner, lessee, Cr Murphy's son, nephew, Mr James Stewart or whoever may be put forward in the matter this time. So far as we remember no one every asked the Council to provide funds' to maintain this punt apart from Cornelius Murphy. There was no petition to the council, 'although possibly one might be worked up yet if the subsidy is considered in danger'. It outlined developments to date:

> Cr Murphy (we presume for his *own* convenience and also as a speculation) asked for and received permission to run a punt and to levy certain charges on those making use of it. This went on up to Sept. 1884, when a letter was read at the Council meeting from Cr Murphy stating that he had sold the punt to his son, and requesting the transfer be sanctioned. This was granted. The next step was to get a road leading directly to Waiorongomai from the Landing secured, and this Cr Murphy agitated for until the Council consented to take it under the Public Works Act; and in November 1885 resolved to invite tenders for fencing and repairing this road. The new road to the Landing having been settled satisfactorily, certain other little arrangements follow. In January 1886, the Council received a letter from Mr C. Murphy (the son) stating the punt was not paying, and that it cost him one hundred pounds, and he would sell it for *50* pounds (by the bye the price has been lately raised to £75 – no doubt after two years and a half more wear and tear, the timber is more fully seasoned, etc!) *or* would continue to work it if subsidised to the extent of two shillings a day. The subsidy was granted and has been paid ever since. Could anything have worked out more admirably? And then we have the sequel, first, a month's notice, punt to cease running; bridge must be erected; bridge scheme does not go off; punt subsidy must be retained whatever means are adopted in order to secure it. Now if Cr Murphy had much real regard for the Riding he represents he would long ago have moved in the direction of causing Waitoa Riding to contribute at least half for the subsidy. Except for Cr Murphy and his family, those who make use of the punt are principally the settlers for Te Aroha West (Waitoa Riding); who could easily arrange as to crossing at any time by boat. But few horsemen make use of the punt, preferring to ride round by Te Aroha. *If* the punt is a *public necessity*, it will surely be patronised sufficiently to make it worth

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198 *Te Aroha News*, 18 August 1888, p. 2.

> Mr James Stewart's (a lad of about fourteen we believe) while to look after it without any subsidy.[199]

At the council meeting, Cornelius offered to operate it if granted a subsidy of 2s 6d per day on top of the tolls.[200] Murphy stated that Stewart was aged 16 and that the punt was of convenience to the public 'and *perhaps* a source of profit to himself. He would be quite satisfied with any action the Council might decide upon in the matter; but he did not know anyone else that would take it'. According to the *Te Aroha News*, he then made a 'long rigmarole statement, and referred to a written statement he had made and caused a copy thereof to be sent to each of the Councillors, (in which he attempted to justify the part he had played in this punt business)'. After the chairman, William Philip Chepmell,[201] ruled that, as Stewart was underage, the agreement with him was void, Murphy announced that he would 'see that the punt is worked by my son' until the council made a new arrangement. After councillors agreed to call fresh tenders, Chepmell expressed concern that, as Stewart was living with his uncle and guardian, Murphy, councillors might 'render ourselves liable to an action if we paid him any money; as practically it is Cr Murphy to whom the money would be paid'. Murphy wanted the advertisement placed in the *Waikato Times*, not the *Te Aroha News*, but no councillor supported him. The discussion ended with Murphy saying 'he believed there would soon be a large population at Waiorongomai, and that the punt was likely to pay very well'.[202]

The *Te Aroha News* later commented that nobody knew what the punt was worth better than Murphy. 'From the manner in which he acted when there was a danger of the subsidy going to outsiders, it would certainly appear he hastily repented' giving notice of terminating the contract.[203] It expected he would offer a lower tender, 'being apparently so anxious to retain this subsidy'.[204] Cornelius made the only tender, again for 2s 6d per day. Council, without Murphy's participation, decided the punt was not

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[199] Editorial, *Te Aroha News*, 8 September 1888, p. 2.

[200] Piako County Council, Minutes of Meeting of 13 September 1888, Matamata-Piako District Council Archives, Te Aroha.

[201] See *New Zealand Herald*, 18 October 1930, p. 14.

[202] Piako County Council, *Te Aroha News*, 15 September 1888, p. 2.

[203] *Te Aroha News*, 3 October 1888, p. 2.

[204] *Te Aroha News*, 6 October 1888, p. 2.

needed, declined the tender, and ended the subsidy. It was suggested that now anyone could start up a punt, without a subsidy.[205]

The December council meeting received a request from 46 Te Aroha West settlers asking for the construction of a bridge at 'Murphy's Crossing', with a punt operating in the meantime. One councillor commented that Cornelius wanted '£36 a year for keeping on a punt, whereas the interest on the money required to construct a bridge would amount to very little more'. The council agreed that Cornelius should run the punt once more, on the conditions in Stewart's tender, with a subsidy of 2s a day, while the option of erecting a bridge was investigated.[206]

According to the *Te Aroha News*, 'an amusing letter' from a Te Aroha West resident read at the April 1889 meeting of the council 'occasioned much merriment':

> Young Stewart, the present runner of the punt at Murphy's Landing, gave me a bit of gratuitous information on the evening of the 8th, in telling me the bridge across the river there was not to be a free bridge, but a toll one, that he had just received a letter from the Council about it, giving him the appointment of toll-keeper; a gate was to be put on the bridge and kept locked, only to be opened when passengers were crossing, the tolls as far as he knew them were to be 6d for a trap, 4d for a horse, beyond that he did not know. As I had never occasion to doubt either the veracity or honesty of young Stewart, I was very much taken aback and indignant that we should be subjected to the inconvenience of a toll-gate there, with all its attendant delays and vexations, for the paltry revenue that would be derived from it. Seeing no corroboration of the statement in the papers, nor hearing none from anybody else, I taxed him with falsehood last Saturday, when he admitted it was false. I then asked him what made him tell me and he threw the blame on the Murphy's, that they had put him up to it. If such was the case it was a nasty mean trick to purposely misconstrue the purposes of the Council and turn the satisfaction we anticipated by the erection of the bridge into discontent, for it will take me some time and a considerable amount of effort before I clear my brain of its effects.[207]

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[205] Piako County Council, *Te Aroha News*, 13 October 1888, p. 2.

[206] Piako County Council, *Te Aroha News*, 22 December 1888, p. 2; Piako County Council, Minutes of Meeting of 20 December 1888, Matamata-Piako District Council Archives, Te Aroha.

[207] 'An Amusing Letter', *Te Aroha News*, 17 April 1889, p. 2.

In August, the council gave Cornelius a subsidy of £3 10s a month.[208] The following month, a local correspondent wrote that 'this renowned warship' had been sold to Edward Gallagher,[209] who owned coaches servicing the district.[210] It was sold because a bridge was being erected; opened in early October,[211] it was known as 'Murphy's Bridge'.[212] According to two local historians, 'the punt affair cost Murphy dearly. He was frozen out of roading contracts offered by the Council and suffered some hardship as a result'.[213]

ACQUIRING RESIDENCE AND BUSINESS SITES

In September 1882, Murphy acquired a business site at Waiorongomai, but as he did not occupy it, it was forfeited four years later.[214] Another site was transferred to him at the end of 1882.[215] During the mining boom of 1895, he purchased a residence site, but surrendered it three years later.[216] In 1904, he purchased two residence sites on the edge of Morgantown and five months later transferred them to his wife, in whose name they remained.[217] On one he erected a five-roomed house, the other remaining

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[208] Piako County Council, Minutes of Meeting of 15 August 1889, Matamata-Piako District Council Archives, Te Aroha.

[209] Te Aroha Correspondent, *Waikato Times*, 28 September 1889, p. 2.

[210] See paper on his life.

[211] *Te Aroha News*, 9 October 1889, p. 2.

[212] For example, Te Aroha Warden's Court, Register of Applications 1883-1900, 40/1897, BBAV 11505/1a, ANZ-A.

[213] Peter Barker and Kevin Wells, *Te Aroha: Between river and range* (Te Aroha, 2009), p. 23.

[214] Te Aroha Warden's Court, Business Site Licenses Butt Book 1882-1884, folio 5, BBAV 11548/1e; Letterbook 1883-1900, p. 123, BBAV 11534/1a; Rent Ledger 1881-1890, folio 234, BBAV 11492/1a, ANZ-A.

[215] Thames High School, Minutes of Meeting of 3 December 1882, High School Archives, Thames.

[216] Te Aroha Warden's Court, Rent Ledger 1894-1910, folio 26, BBAV 11570/7a, ANZ-A.

[217] Te Aroha Warden's Court, Rent Ledger 1894-1910, folio 113, BBAV 11570/7a, ANZ-A; Minutes of Land Tenure Commission, 1914, pp. 127, 128, Lands and Survey Department, LS 77/2, ANZ-W.

vacant.[218] This house, named 'The Nest', was where he spent his final days.[219] In 1914, he told a royal commission investigating the land tenure system in the Hauraki Mining District that the rental of 5s for each site was too high. 'We consider that it is too much to pay double rent for 1/4 acre', and the land 'was no good when we took it up'. He wanted the two sections treated as one, and to acquire the freehold; the £20 charged was too high and should be halved. 'My idea was to get it as they do in Ireland, purchase them at a 20 years rent and at that rate we should have to pay £5 each section'.[220]

HIS FINANCES

For a time Murphy had two allotments in the Parareka Block, at Thames, but in April 1871 was forced to hand them over to men who had advanced him £150.[221] At Te Aroha, although at first he found it difficult to pay instalments for his land under the deferred payment scheme, by having several sources of income he was rarely sued for unpaid debts. In September 1883, he was sued for £19 3s 9d, wages owing, and settled out of court.[222] The following May, when contracting, he was ordered to pay £32 2s 3d and £25 3s 6d for goods supplied to him and his men.[223] One month later, a warrant of distress was issued against him to enforce payment of the latter, now increased to £29 9s; £21 15s was paid.[224] The following year, he was sued in Hamilton for £2 9s 4d, and, as he did not appear, was ordered to pay

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[218] Te Aroha Borough Council, Rate Book 1906-1907 [no pagination], Matamata-Piako District Council Archives, Te Aroha.

[219] *Te Aroha News*, 11 September 1918, p. 2.

[220] Evidence of Denis Murphy, Minutes of Royal Commission on Hauraki Mining District, 1914, p. 127, Lands and Survey Department, LS 77/2, ANZ-W.

[221] Alfred Buckland, F.A. Whitaker, and Malcolm Banks v. Denis Murphy, 29 April 1871, Thames Warden's Court, Shortland Bonds 1871-1873, BACL 14476/1a, ANZ-A.

[222] Te Aroha Warden's Court, Civil Record Book 1881-1884, 145/1883, BCDG 11221/1a, ANZ-A.

[223] Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 105, 108/1884, BCDG 11221/1a; Magistrate's Court, *Te Aroha News*, 17 May 1884, p. 2.

[224] Te Aroha Magistrate's Court, Home Warrant Book 1883-1928, 20/1884, BBAV 11498/1a, ANZ-A.

'by default'.[225] He was not sued after this date, indicating that his financial position was stronger.

PARTICIPATING IN, AND ASSISTING, THE LOCAL COMMUNITY

During the Te Aroha rush, at a public meeting Murphy successfully moved that a recreation reserve of several acres be established and that the government provide a telegraph service.[226] In the winter of 1886, he assisted the council to repair the road between Te Aroha and Waiorongomai by providing a dray and harness for carting metal.[227] In 1893, with another man he asked the council to clear slips on the lower road up the Waiorongomai valley because they intended to use it; they contributed £4, half the cost.[228]

In 1884, he subscribed to the Waiorongomai Hall Company, and was elected a director.[229] The following year, when mining was in serious decline, with his friend Hugh McLiver[230] he presented a petition asking the warden to reduce business site rents.[231] In February 1885, he was elected to the licensing committee, coming second with 55 votes, three less than the highest result.[232] He stood as a temperance advocate.[233] This does not mean that he did not drink, as was revealed in mid-1881 when George Stewart O'Halloran, licensee of the Hot Springs Hotel,[234] sued him. 'Murphy denied the liability', and under the Tippling Act the magistrate 'had no other course but to dismiss the case'. O'Halloran 'stated that he expected as much, but his object was to test the case for the benefit of other confiding publicans, who, it appeared, so far as the law is concerned, can be robbed

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[225] Magistrate's Court, *Waikato Times*, 11 June 1885, p. 2.

[226] *Thames Advertiser*, 2 December 1880, p. 3.

[227] Piako County Council, *Waikato Times*, 11 May 1886, p. 3; *Te Aroha News*, 15 May 1886, p. 2.

[228] Piako County Council, *Waikato Times*, 30 March 1889, p. 2.

[229] *Te Aroha News*, 9 August 1884, p. 2.

[230] For an example of their friendship, see Piako County Council, *Waikato Times*, 1 June 1886, p. 2.

[231] *Te Aroha News*, 7 March 1885, p. 2.

[232] *Te Aroha News*, 28 February 1885, p. 2.

[233] *Thames Advertiser*, 25 February 1885, p. 3.

[234] See paper on his life.

with impunity'.[235] In July 1885, when away from the district supervising road works, he resigned from the committee.[236] For an unstated reason, in 1886 he declined to become a member of the new Waiorongomai Progress Association.[237]

In May 1886, Murphy unsuccessfully stood for the Waitoa Road Board, obtaining 22 votes (the highest candidate received 58).[238] As Murphy and another candidate were tied, the returning officer resolved the impasse by voting for his opponent.[239] In July 1889, he stood once more,[240] prompting 'Old Settler' of Te Aroha West to ask why he expected electors to vote for him. 'He is most of his time living many miles from the district; and an absentee member we do not want'. He had not forgotten 'the punt and nephew' business, and wondered whether, 'now the punt is nearly done with, the nephew or some of the sons, who like contracts', wanted him on the board. If it was 'to be a log rolling election', others had 'stronger claims'.[241] Murphy received the lowest vote, 43; the highest was 102.[242]

In 1886, Murphy was voted to chair a Waiorongomai meeting to elect a school committee and then elected chairman of the new committee.[243] He was re-elected as late as 1895,[244] and possibly later; the loss of most of the local newspaper for the latter 1890s makes it impossible to know when he was last elected. As an indication of his standing in the community, in 1887, during the Queen's Jubilee celebrations, a tree was planted in his honour.[245] Later, he was a vice-president of both the football and cricket clubs.[246]

MEMBER OF THE PIAKO COUNTY COUNCIL

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[235] Te Aroha Magistrate's Court, *Thames Advertiser*, 2 June 1881, p. 3.

[236] *Waikato Times*, 4 July 1885, p. 3.

[237] *Te Aroha News*, 5 June 1886, p. 2.

[238] *Te Aroha News*, 8 May 1886, p. 2.

[239] *Waikato Times*, 11 May 1886, p. 2.

[240] *Te Aroha News*, 24 July 1889, p. 2.

[241] Letter from 'Old Settler', *Te Aroha News*, 27 July 1889, p. 2.

[242] *Te Aroha News*, 31 July 1889, p. 2.

[243] *Waikato Times*, 1 May 1886, p. 2.

[244] *Waikato Times*, 28 April 1892, p. 3; *Te Aroha News*, 27 April 1895, p. 2.

[245] *Te Aroha News*, 25 June 1887, p. 3.

[246] *Te Aroha News*, 26 April 1890, p. 2; *Auckland Weekly News*, 3 September 1903, p. 34.

In 1886, when a Denis Murphy was before the Hamilton court for cattle stealing, a newspaper cleared up 'some misapprehension' by explaining that he was 'in no way related to the respected member for the Aroha riding'.[247] When he stood in an 1884 by-election, Murphy declared himself 'free and independent of all parties' and pledged to support the goldfield.[248] He said that his friends had insisted he stand. 'Through mismanagement in various ways, our mines and district generally had got into discredit, and it would be necessary for them all to pull together to set things right again'.[249] A Catholic magazine considered that this Catholic would be a worthy member, for he was 'one of the pioneers of the district, a resident, a thoroughly practical settler'.[250] Polling gave 91 votes to Edward Kersey Cooper, a leading mine manager,[251] 68 to Murphy, and 13 to William Archibald Murray,[252] who owned an estate near Morrinsville and invested in local mines.[253] Immediately Murphy's supporters challenged the validity of the poll because some who possessed miners' rights had not been permitted to vote.[254] After investigating, Harry Kenrick,[255] the magistrate, ruled that the actions of the returning officer meant that not only was the by-election invalid but so were all council elections in the previous three years, a ruling that created 'much dissatisfaction'.[256] Claiming to have found new evidence that his election was legal, Cooper announced that he would attend the next council meeting to take his seat.[257]

When another by-election was held in October, there was much less interest.[258] Cooper had withdrawn his nomination too late to have it cancelled; he asked his supporters not to vote because he had been duly elected and would take his seat at the next meeting. With Murray not

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[247] *Auckland Weekly News*, 14 August 1886, p. 18.

[248] Advertisement, *Te Aroha News*, 16 August 1884, p. 2.

[249] *Te Aroha News*, 23 August 1884, p. 2.

[250] *Freeman's Journal*, 8 August 1884, p. 10.

[251] See paper on his life.

[252] *Waikato Times*, 26 August 1884, p. 2.

[253] See paper on his life.

[254] Te Aroha Correspondent, *Waikato Times*, 28 August 1884, p. 2.

[255] See paper on his life.

[256] *Waikato Times*, 11 September 1884, p. 2, Te Aroha Correspondent, p. 3, Te Aroha Correspondent, 13 September 1884, p. 3; *Te Aroha News*, 13 September 1884, p. 2.

[257] *Waikato Times*, 2 October 1884, p. 2.

[258] *Waikato Times*, 30 September 1884, p. 3.

standing again, Murphy, backed by Waiorongomai residents and miners, won by 109 votes to 10.[259] Immediately, six residents, including James Mills,[260] a close associate in later council controversies, petitioned that his election be declared void because his nomination was late and not made in the manner required.[261] Kenrick agreed, because the poll was not held within the prescribed time. Cooper held the seat, in Kenrick's view, with 'as good a claim to a seat' as 'the other members declared elected by the same returning officer, though none were legally elected'. As they could not be unseated, Cooper 'must be regarded as a member'.[262] As Cooper was dissuaded from taking his seat, the anticipated 'scene' was avoided.[263] In the elections in November, Murphy again stood for the Aroha Riding, when a correspondent described him as an old resident with a thorough knowledge of the district's needs and many friends.[264] Two opponents, one of them Mills, retired so their supporters could vote for Murphy's remaining opponent, a Te Aroha merchant.[265] Murphy won by 110 votes to 87; but only 12 Te Aroha residents voted for him.[266]

As councilor, Murphy advanced the needs of the goldfield. In February 1886, when tenders of £185 for two sledge tracks were accepted, Murphy urged that these be extended to use up the government's £400 subsidy. When others thought that it should be consulted first, he replied that it was 'not a good thing to return money to the Government when once you have got it', a 'naïve opinion' that 'raised a hearty laugh'.[267] He also helped in practical ways, as in March 1885 when machinery was being carted up the lower road and the council authorized him to employ men as needed to keep it open.[268]

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[259] *Te Aroha News*, 4 October 1884, p. 2; *Waikato Times*, 4 October 1884, p. 2.

[260] See paper on his life.

[261] Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 75/1884, BCDG 11220/1a, ANZ-A; *Waikato Times*, 7 October 1884, p. 2; *Te Aroha News*, 11 October 1884, p. 2.

[262] *Waikato Times*, 16 October 1884, p. 2.

[263] *Waikato Times*, 25 October 1884, p. 2; *Te Aroha News*, 25 October 1884, p. 2.

[264] Te Aroha Correspondent, *Waikato Times*, 11 November 1884, p. 2.

[265] Advertisement, *Te Aroha News*, 8 November 1884, p. 7.

[266] *Te Aroha News*, 15 November 1884, p. 7.

[267] Piako County Council, *Waikato Times*, 13 February 1886, p. 2.

[268] Piako County Council, *Te Aroha News*, 14 March 1885, p. 2.

Murphy supported all efforts to develop the district. In 1887, when the council debated leasing the tramway, he stated that 'anything that would have the effect of bringing capital into the country would have his support'.[269] The interests of his riding were paramount to him, and in 1886 he attempted, unsuccessfully, to have council meetings held at Te Aroha.[270] Some ratepayers suspected that 'his fertile brain' devised schemes for road works that would benefit himself and his friends.[271] In 1887, the 'indefatigable' Murphy was responsible for obtaining an extra representative, at the cost of the Matamata Riding.[272] During the discussion, the chairman 'said he was quite sure the Aroha did not require a second member so long as Cr. Murphy continued to represent it'.[273] In October that year, in reporting that it was not known if he would stand again, the Hamilton newspaper commented that it he did his 'good service' would 'secure for him a large measure of support'.[274] 'Having received a requisition signed by a large number of the electors', Murphy announced he would stand.[275] 'His past services make his return certain', the *Waikato Times* considered, and he topped the poll in his riding.[276] The following year, another councillor told a Waiorongomai banquet that no councillor took more interest in the prosperity of Te Aroha, and he 'had also done all he could towards obtaining good roads'.[277]

Murphy sympathized with those struggling to make a living. In 1888, along with Mills, the other councillor for his riding, he instructed the county engineer to pay Bernard Montague,[278] another road contractor, 8s a day instead of the 7s the engineer had reduced it to. As 'a working man himself' with 'a lot of friends on the field', he wanted the wages in his riding to be 8s, even if it was 6s elsewhere. 'They might pull down the wages in the other

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[269] Piako County Council, *Waikato Times*, 25 January 1887, p. 2.

[270] *Te Aroha News*, 10 April 1886, p. 7.

[271] Letters from 'A Te Aroha Ratepayer', William F. Hunt, and 'County Ratepayer', *Te Aroha News*, 25 December 1886, p. 3.

[272] Editorial, *Waikato Times*, 22 March 1887, p. 2.

[273] *Waikato Times*, 22 March 1887, p. 3; for another version, see Piako County Council, *Te Aroha News*, 26 March 1887, p. 2.

[274] *Waikato Times*, 20 October 1887, p. 2.

[275] *Te Aroha News*, 23 October 1887, p. 2.

[276] *Waikato Times*, 22 October 1887, p. 2, 17 November 1887, p. 2.

[277] *Te Aroha News*, 14 April 1888, p. 2.

[278] See paper on his life.

ridings as much as they like so long as they not interfere with Te Aroha', he argued, unsuccessfully.[279] It was later revealed that Montague was a personal friend.[280]

Murphy did not stand for re-election in 1889, instead unsuccessfully standing for the Waitoa Road Board. 'Old Settler', still offended by 'the "punt and nephew" business', commented that he had not been 'such a great success' on the council.[281]

SUPPORTING ESTABLISHING A TE AROHA BOROUGH

When a motion that Waiorongomai become a town district was put to a meeting there in late October 1884, Murphy unsuccessfully moved an amendment that it combine with Te Aroha in a borough.[282] At a subsequent meeting, he led the opposition to a town district, claiming that only three Waiorongomai residents paid their rates.[283] Almost immediately he had doubts about forming a borough, declining to chair a Waiorongomai meeting to consider this.[284] Despite being on a committee to organize a borough,[285] at the end of November he convened a meeting of Waiorongomai and Quartzville residents to oppose its formation. He did not want changes until an improved system of local government was established, and seconded a motion that a counter-petition be organized to oppose the Te Aroha one for a borough. He also seconded a motion that a committee be formed to watch over Waiorongomai's interests, and was elected to it.[286] Argument continued throughout the 1880s,[287] Murphy playing a minor role, although in

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[279] Piako County Council, *Te Aroha News*, 16 May 1888, p. 2.

[280] *Te Aroha News*, 15 September 1888, p. 2.

[281] Letter from 'Old Settler', *Te Aroha News*, 27 July 1889, p. 2.

[282] *Te Aroha News*, 25 October 1884, p. 2.

[283] *Te Aroha News*, 1 November 1884, p. 2.

[284] *Te Aroha News*, 8 November 1884, p. 2.

[285] *Te Aroha News*, 29 November 1884, p. 2.

[286] *Waikato Times*, 6 December 1884, p. 2; *Te Aroha News*, 6 December 1884, p. 2.

[287] See *Waikato Times*, 16 December 1884, p. 2, 28 May 1885, p. 2, 3 August 1886, p. 2, 23 November 1886, p. 3; *Te Aroha News*, 28 February 1885, p. 7, 25 December 1886, p. 2, 25 February 1888, p. 2, 7 July 1888, p. 2, 14 July 1888, p. 2, 18 July 1888, p. 2, 21 July 1888, p. 2, 28 July 1888, p. 2.

September 1886 he told councillors that he was deputed to ask whether, if a borough was not formed, they would object to a town district.[288]

His opinion had changed again by mid-1889, when he told a Waiorongomai meeting that he supported a borough. After explaining what the council had done for the roads, according to the *Waikato Times* he made 'acrimonious remarks' against John Ilott, editor of the *Te Aroha News*,[289] for his 'treacherous and unscrupulous' offer of free advertisement when the council sought labourers at 6s a day. He considered that the *Waikato Times* always reported council meetings fairly. 'Speaking for himself, he has no axe to grind. All he wanted was to keep the revenue in the district; the profit on the tramway and that went away from them. If they went into the borough now they would get their fair share of the money, if not they could go back to the County'. His riding was not fairly dealt with compared with the others. In answering questions 'in a clear and forcible manner', he courteously stopped at Ilott's request so that he could take notes, 'more than once asking, "Are you ready, Mr Ilott?" ' When Murphy stated that, since 1 April 1888, the council had given £150 to the riding, Ilott pointed out that the correct amount was £850.[290]

Ilott's very detailed report of this meeting quoted Murphy at length. He claimed that since the opening of the goldfield the council had not spent a farthing of goldfields revenue repairing the streets, 'though he had brought the matter up in the Council, meeting after meeting'. At the last meeting, when the subject of repairing the streets and roads in his riding arose, only he and Mills opposed the proposal that council sue mining companies that cut up the road carting machinery. 'It had been pointed out to them time after time the great things' the council had done, but 'to his way of thinking' it had 'done no more for them than any other local body would have done'. He listed all the contracts for the riding for almost the past three years, amounting to £158 14s. All the profit from the tramway in the past 14 months 'was taken away from them'. With a borough they would 'keep the revenue' and be able to make more goldfield roads and tramways. 'What had the Council done at all for them, why even the footpath in Kilgour Street, at Waiorongomai, had been made by private contributions'. The council 'acted more towards the place as if it was a charitable

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[288] Piako County Council, *Waikato Times*, 30 September 1886, p. 2.

[289] See paper on the temperance movement in the Te Aroha district.

[290] *Waikato Times*, 16 July 1889, p. 3.

institution than giving it its rights'. It would be 'a great mistake' not to establish a borough,

> for he assured them they were not liable for one shilling, beyond their fair proportion of any monies owing by the Council. They could not be charged anything for the tramway, if they took it over, and it would be optional with them whether they took it or left it in the County's hands. Besides there was nothing whatever to prevent them from merging back again into the County in a year or two if they wished to do so.

Ilott told the meeting that he was sorry that Murphy 'showed such bad blood towards him'. At a meeting the previous year he had shown that Murphy greatly under-estimated the amount the council had voted for road works, and gave details to show that the riding received an average of £8 per week more than it paid in rates. After praising the council's 'most generous, unselfish, and public-spirited manner towards the goldfield', he stated that 'it was positively disgraceful, and enough to make one's blood boil with indignation to listen to the way they'd been spoken of and maligned that night, and on many previous occasions by those who must well know they spoke falsely. (Cheers)'. Although many people had left and 'general confusion' had prevented 'a satisfactory count', the scrutineers believed that most people had voted for a borough.[291]

Chepmell wrote that Murphy was incorrect, notably his 'extraordinary statement' inaccurately citing a finance committee report, which Chepmell published to disprove Murphy's claims about the distribution of goldfields revenue.[292] The *Te Aroha News* wrote that not only were some of Murphy's and Mills' statements 'utterly false', they had 'not been a success in the Council, but quite the reverse'. They wanted meetings held at Morrinsville so that their travel expenses would be increased. 'And what about the punt and Mr James Stewart? Truly a nice sample of legislators, who would like to have the management of the goldfield entrusted to them'.[293] The newspaper had 'frequently been quite disgusted at the cowardly manner in which' the council was 'maligned and *mis*-represented to the ratepayers of this district, by those who should know well they were speaking recklessly'.

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[291] *Te Aroha News*, 17 July 1889, p. 2.

[292] Letter from W.P. Chepmell, *Te Aroha News*, 7 August 1889, p. 2.

[293] *Te Aroha News*, 3 August 1889, p. 2.

They had 'no very great regard for the truth, or sense of honour'.[294] An editorial very critical of the arguments of 'the Borough agitators' who were trying to coerce Waiorongomai cited Murphy stating 'so impressively' that anything this settlement received was 'a bit of a sop to keep them quiet'. It attacked the 'disgraceful and deliberate manner' in which the council was 'misrepresented', and argued that the district's needs were better met by a county than a borough. Its challenge to the agitators to disprove its rebuttal of their figures of county spending had not been taken up, 'because they know they cannot'.[295] Murphy did not respond.

INVOLVEMENT IN TE AROHA AND WAIORONGOMAI MINING BEFORE 1908

In 1909, when describing a new mine, Murphy's Find, the *Te Aroha News* quoted Murphy's account of his involvement there before the first rush. When prospecting Ohinemuri during 1873 and 1874, his party 'found a belt of splendid auriferous country coming under Te Aroha mountain. We got loose gold, and loose stone with gold in it, but we could never find the Reef'. In the late 1870s, when helping to survey the Aroha Block,

> "I was prospecting when I could in the belt of country which we had discovered in connection with my Ohinemuri prospecting, and which I still felt would lead to something really worth while. I got such good prospects of gold that I applied to Government for assistance to prospect the district. Sir George Grey applied in the house in the session of 1880, for permission for me to have assistance to prospect the Te Aroha district,[296] and it was granted by Parliament. But before the thing was carried through Hone Werahiko,[297] the native, discovered the gold on the side of the range about three hundred feet ahead from here (where we were conversing at the entrance to the drive). The field was proclaimed on his discovery. And then, when Hone Werahiko discovered gold, and was granted the prospectors claim, I went to work for wages on Hone's claim. I wanted to increase my knowledge of the country. One day Mr [James] Corbett[298] brought down from the

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[294] Editorial, *Te Aroha News*, 7 August 1889, p. 2.

[295] Editorial, *Te Aroha News*, 31 August 1889, p. 2.

[296] Incorrectly printed as Ohinemuri; see correction in *Te Aroha News*, 20 February 1909, p. 2.

[297] See paper on his life.

[298] See paper on the Prospectors' Claim at Te Aroha.

> prospector's lead a dish of such rich gold specimens - it was almost a dish of gold - that the township went gold mad over it. Tenders were called for a drive to cut Hone's lead at a lower level. I wanted more light, and tendered very low and got the tender. I put in a tunnel and cut the lead at the lowest depth, and it got into hard country, pinched almost out to two inches or less, but with no gold in it. The prospectors lost heart and myself and others who had got No. 1 South Claim just beyond Hone's claim, we also lost heart and gave it up. The field had been declared under the 66th Act and no one was allowed to peg out more than 50ft along the supposed line of reef, and 150ft at either side. The whole field was pegged out into small claims, so we could not put in a tunnel, such as the one we are now putting in. I had felt that the only thing would be to prospect over a large area. I had intended at some future time to put in a low level tunnel and cut the prospector's lead at a lower level and reach the main reef. But I had to give up the whole idea. And all the time on the Golden Gully or Morning Star side of the spur [the eastern side] scores of men were prospecting and finding lots of gold, but they could never get the reef.[299]

His claims of prospecting in the district in the 1870s and helping the survey cannot be verified from contemporary sources. In September 1886 he claimed that, having 'frequently' explored between the Tui and Premier mines, he knew that 'a belt of auriferous country' existed there, but 'whether it would prove payable or not I cannot say'.[300] Four months later, in urging the council to construct a track from Te Aroha via the top of the mountain to the Colonist mine, he stated 'there was a reef in the vicinity of the proposed track, it would lead to prospecting, and be in many ways most useful'.[301] The *Parliamentary Debates* did not record Sir George Grey obtaining approval to aid Murphy's prospecting in 1880.

Murphy was present when the field was opened,[302] and may have worked for Hone Werahiko for wages, but this was not recorded. In December 1880 he had two contracts for driving in the Prospectors' Claim.[303] The first had to be abandoned because 'it would be ruinous to

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[299] *Te Aroha News*, 18 February 1909, p. 2.

[300] Piako County Council, *Te Aroha News*, 4 September 1886, p. 3.

[301] *Te Aroha News*, 29 January 1887, p. 2.

[302] Te Aroha Warden's Court, Miner's Right no. 334, issued 25 November 1880, Miners' Rights Butt Book 1880, BBAV 11533/1a, ANZ-A.

[303] *Thames Advertiser*, 1 December 1880, p. 3, 3 December 1880, p. 3, 16 December 1880, p. 3, 20 December 1880, p. 3.

carry it on any further at the price'. The six contractors had driven 'in a thorough workman-like manner, and to the satisfaction of the manager and managing director'.[304] He even worked during the Christmas holidays.[305] Although not one of the original shareholders of the No. 1 South Claim, by January 1881 he had bought shares in the company formed to develop it.[306]

His involvement in Waiorongomai mining was minimal. In December 1881 he claimed possession of one claim for non-working, but withdrew his suit a month later,[307] perhaps because he realized it was valueless. In 1882, his son Cornelius purchased an interest in a Waiorongomai mine for £5 and sold it shortly afterwards for £20. Being aged only 14, he was Murphy's dummy.[308] Early in that year he managed the Emily, but its lack of value meant work ceased at the beginning of July.[309] He had a contract for erecting part of a water race in 1888.[310]

In November 1892, Murphy was one of the three men who purchased 'the machine site, water right, hoppers, and battery building' that Peter Ferguson had erected,[311] and offered to sell them to Hugh McLiver.[312] Two months later, Murphy convened a meeting to establish a prospecting association, gave £10 towards its funds, and stated that he had promises of assistance from others. He was appointed to the committee to draw up a plan.[313] Two years later, he was a member of the four-man Cadman Prospecting Association committee.[314]

Apart from investing in some mines and encouraging prospecting, Murphy was prominent in attempting to obtain financial assistance. When first standing for the council in August 1884, he stated that he wanted to

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

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

306 *New Zealand Gazette*, 24 February 1881, p. 258.

307 Te Aroha Warden's Court, Plaint Book 1880-1898, 76/1881, BBAV 11547/1a; Transfers and Assignments 1882, nos. 165, 304, BBAV 11581/1a, ANZ-A.

308 Te Aroha Warden's Court, Register of Licensed Holdings 1881-1887, folio 6, BBAV 11500/9a, ANZ-A.

309 *Thames Star*, 3 July 1882, p. 2.

310 *Te Aroha News*, 10 November 1888, p. 2.

311 See paper on Peter Ferguson and his New Era.

312 *Te Aroha News*, n.d., reprinted in *Thames Star*, 7 November 1892, p. 4.

313 *Thames Advertiser*, 25 January 1893, p. 2.

314 *Te Aroha News*, 20 February 1895, p. 2.

encourage the introduction of capital.[315] 'More batteries and cheaper crushing charges' were needed,[316] along with a track between Waiorongomai and Karangahake and cheaper miners' rights.[317] In February 1885, a Te Aroha meeting elected him to a deputation to explain the district's needs to the Minister of Mines.[318] Late that year, at a council meeting he responded when Charles Gould, a farmer,[319] said he did not wish to spend any more money on the goldfield. He thought Gould 'ought to be the last person to make such a remark. If the Council were all like Cr Gould there would be no gold field at all. The field was fast realising the anticipation of its supporters. Cr Gould was a large property owner in the district, and would be benefited greatly by the gold field'. When another councillor objected to spending more, Murphy responded that it would bring settlers to occupy his 'large blocks of country'. Murphy's motion to make more goldfield tracks was carried.[320]

In January 1888, Murphy seconded Mills' motion that the council subsidize a low level tunnel to be driven by a prospecting association, yet to be floated, near Hone Werahiko's 1880 find.[321] This was 'one of the best works the Council could assist' and 'the subsidy would come to very little as work would not be carried out on a very large scale'. He undermined his case by stating, 'They have no reef to exactly drive for, but wish to put in a tunnel to see what is in the hill, and what reefs they can cut'. As the council had no proposal to consider, all councillors apart from Mills and Murphy voted against the motion.[322]

In 1889, the *Te Aroha News* criticized him for supporting building the railway from Te Aroha to Thames so that local quartz could 'be sent to Thames, where they had the plants to treat it'. Murphy professed 'to have had a good deal to do with mining' but knew 'perfectly well (or should know by this time)' that there was no process at Thames 'suitable for obtaining

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[315] Advertisement, *Te Aroha News*, 16 August 1884, p. 2.

[316] *Te Aroha News*, 23 August 1884, p. 2.

[317] *Te Aroha News*, 23 August 1884, p. 2.

[318] *Waikato Times*, 24 February 1885, p. 2.

[319] See paper on his life.

[320] Piako County Council, *Te Aroha News*, 14 November 1885, p. 2.

[321] See paper on Hone Werahiko.

[322] Piako County Council, *Te Aroha News*, 21 January 1888, p. 2.

the best results from Te Aroha ore'; and Waiorongomai had a splendid plant.[323]

The only time Murphy opposed assistance to the goldfield was in 1884, when he argued against Peter Ferguson's request that the council construct a road to his battery, believing that Ferguson would have the sole right to use it and could charge other users.[324] He did not want the lower road to be monopolized by Ferguson's company.[325]

Like all involved in Waiorongomai, Murphy had strong opinions about how the tramway was constructed and operated. When first standing for the council, he promised 'to see that the tramways are so managed as to secure the largest amount of benefit, at the least possible cost'.[326] He told Quartzville residents that he wanted the tramway let on contract, although he doubted it could be worked more cheaply.[327] In October, he signed a petition asking the warden to lease it.[328] When reduced charges were proposed at a council meeting in May 1885, he argued that ore could not be carted for less than 4s 6d per truck and asked for the tramway manager's opinion, which confirmed his opinion.[329] In December, he led the opposition to cutting the rates, arguing that any reduction would mean a loss to the council and the tramway going into private hands, to which 'he would never consent'.[330] After listening to the arguments put forward by the companies, he stated that 'this was a matter in which he was deeply interested, and as it not only concerned the welfare of the goldfield, but the county at large, he made it his business to look well into the matter and see whether a reduction was or was not desirable'. Since the May meeting, experience had 'proved conclusively that he was right' that ore could not be transported more cheaply. Details of use proved that 'with the present charge the tramway was only paying its way'. In response to suggestions that a reduction of 1s or 1s 6d would 'encourage miners to work those mines which had been closed as unpayable', he argued that this would not happen. 'A shilling a truck never kept a mine closed, and he defied any councillor

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[323] *Te Aroha News*, 20 April 1889, p. 2.

[324] *Te Aroha News*, 2 August 1884, p. 2.

[325] *Te Aroha News*, 23 August 1884, p. 2.

[326] Advertisement, *Te Aroha News*, 16 August 1884, p. 2.

[327] *Te Aroha News*, 23 August 1884, p. 2.

[328] *Te Aroha News*, 18 October 1884, p. 7.

[329] Piako County Council, *Waikato Times*, 19 December 1885, p. 3.

[330] *Waikato Times*, 19 December 1885, p. 2.

present to point to an instance where it had done so'. Any reduction would not 'materially assist the miners or the field generally', but would mean 'renewed loss on the working of the tramway, and making it once more a serious loss and burden', which could lead the council to lease it 'to private individuals, who by working it to their own advantage, might cause greater injury to the field than the present tramway charges'. It was the cheapest tramway in Australasia, and 'if they did anything at all they would have to raise the charges'. He did not want the council to make any profit, but the proposed reduction would mean a loss of £2,000 a year. 'To reduce the charges only meant taking the money off the struggling ratepayers, and giving it to the mining companies who could better afford it'. It was 'scandalous' that the companies requested this concession 'when they knew perfectly well the council could not afford it'. Te Aroha residents did not want this reduction; the petition the companies sent was 'signed by butchers, bakers and their boys and others who had no stake in the county whatever. It was merely an attempt to get the thin edge of the wedge in, as the undoubted object at this moment was to get the tramway into private hands'. His resolution that council make no reduction, and that any future proposal required 'due notice', was carried unanimously.[331]

Nearly two years later, his move to reduce charges was defeated after a councillor pointed out that he had earlier opposed reductions.[332] Although during 1886 he opposed leasing the tramway, in January 1887 he 'warmly supported' it because he anticipated that it would attract capital.[333] He continued to show interest in mining, for instance in 1895 actively assisting prospecting.[334]

MURPHY'S FIND

In February 1909, the *Te Aroha News*, always pleased to print stories of golden wealth in the locality, published an anonymous copyrighted article headlined 'Murphy's Find' about his attempt to find the southern end of a remarkable reef:

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[331] Piako County Council, *Waikato Times*, 19 December 1885, p. 3.

[332] Piako County Council, *Te Aroha News*, 5 June 1886, p. 7.

[333] Piako County Council, *Waikato Times*, 25 January 1887, p. 2.

[334] *Te Aroha News*, 20 February 1895, p. 2.

> The whole story is as interesting a romance as one could wish to listen to from the lips of any prospector about these parts. And in the humble attempt not to spoil it in the telling we give it here:- Said Mr Murphy, "I have been trying to float a Company for the last twenty-eight years, and I have never been able to do it until last July." And the distinctive feature about this find is that it is now floated as a company with twenty shares of £50 each, eighteen of which were taken up immediately upon its formation, while the other two have been repeatedly applied for without success for they are being held for the benefit of the syndicate. So that this scheme, whereby Mr Murphy expects to strike the Waihi reef is no wild cat scheme, but a plain straight forward attempt to track home to her lair the mother reef which Mr Murphy is convinced was a source of all that wonderful kind of treasure which turned men's heads in the "Golden Gully" in bygone days.

Murphy's experiences in mining this portion of the goldfield in 1880 were quoted, as were his subsequent moves to develop it:

> The next step I took was over twenty years ago. I spoke to Mr Pavitt with regard to the forming of a syndicate to put a tunnel from this side of the mountain. Mr Pavitt worked the thing up so well that he got shares enough sold to get us sufficient capital to put the tunnel in some hundreds of feet. But some of the miners and some of the managers would not agree to take up any shares unless the tunnel was put in from the Morning Star side of the range, but they will not touch it if it is put in from your side of the Spur. And I said, "Mr Pavitt I'll drop out then (for I would not have anything to do with the tunnel at the other side) but I'll do all I can in the County Council to get the 5s per foot subsidy for the work." In the County Council Mr Mills and I did all we could to obtain the subsidy to put the tunnel from the back of the Morning Star, where it was approved of, and we did not succeed. The County Council was empowered by law to grant the subsidy but they wouldn't grant it.[335]

(Francis Pavitt was a civil engineer living in Hamilton who had interests in three Waiorongomai claims and the companies formed to work them in the 1880s and in one Tui claim in the first decade of the twentieth century.[336] Murphy's negotiations with him were not reported, but Pavitt,

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[335] *Te Aroha News*, 18 February 1909, p. 2.

[336] For his life, see *Cyclopedia of New Zealand*, vol. 2, p. 825; *Auckland Weekly News*, 2 July 1908, p. 36; for his shareholdings, see Te Aroha Warden's Court, Register of Licensed Holdings 1881-1887, folios 118, 140, 151, BBAV 11500/9a; Mining Applications

when on the works committee of the Stoney Creek Prospecting Syndicate in the mid-1890s may have discussed testing the area with him.[337] During the 1880s and 1890s, Mills attempted to develop several Waiorongomai mines.)[338]

Murphy 'sometime previously' had told a former council chairman, William Louis Campbell Williams,[339]

> "Mr Chairman the day will come when the goldmining in Te Aroha will be second to none in New Zealand." That was when I was trying to get some money to make tracks in the Te Aroha side of the goldfield.
> Ten years after our attempt to obtain the subsidy from the Council I saw Mr McIndoe with regard to trying to get a syndicate to take up the matter of putting in a tunnel from the side of the range where we were now putting it in, but without result. About six years later I spoke to Mr Somers about the same thing, then also without effect.[340]

(Thomas McIndoe was a saddler and land agent at Te Aroha before moving to Auckland in 1909.[341] During the 1890s he held interests in mines at Waiorongomai, Tui, and Te Aroha.[342] Murphy may have been involved with him in the 1895 version of the Te Aroha Prospecting Association; they were certainly both members of the Cadman Prospecting Association at Waiorongomai in that year.[343] Ralph Lake Somers was proprietor of the Hot Springs Hotel for 22 years, and mayor for eight.[344] His only investment in

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1904, 21, 53/1904; Mining Applications 1905, 30/1905, BBAV 11289/18a, ANZ-A; *New Zealand Gazette*, 31 May 1883, p. 722, 18 October 1883, p. 1518, 29 November 1883, p. 1703.

337 *Te Aroha News*, 15 June 1895, p. 2.

338 See paper on his life.

339 See *Waikato Times*, 15 January 1904, p. 3; *New Zealand Herald*, 20 June 1928, p. 12, 30 November 1929, p. 13.

340 *Te Aroha News*, 18 February 1909, p. 2.

341 See paper on his life.

342 For example, Te Aroha Warden's Court, Mining Applications 1895, 24, 32/1895; Mining Applications 1896, 10, 41/1896, BBAV 11582/4a, ANZ-A; *Te Aroha News*, 7 September 1895, p. 2.

343 *Te Aroha News*, 20 February 1895, p. 2, 7 September 1895, p. 2.

344 See *Observer*, 21 November 1914, p. 5; *Te Aroha News*, 2 October 1923, p. 1, 3 October 1927, Supplement, p. 2, 1 December 1944, p. 5.

local mining was in the Bendigo Company in the early twentieth century.)[345]

> Well, last New Year's Day I met Mr W.L.C. Williams on the Bowling Green in the Domain, and my words that I had spoken came back. He said to me "I see you have gone into mining again, how do you think it will turn out?"
> "Well," I said, "Do you remember what I said twenty years ago?"
> "I do, well," he said.
> "Well," I said, "That's my reply to you to-day. I repeat it, the day will come when gold mining in Te Aroha will be second to none in New Zealand, and our tunnel will be the one to discover the vein."
> "I hope it will," he said.
> "I hope it will," I said.
> Last July I met Mr James Brown whom I met 40 years ago on the Thames.
> Speaking concerning the prospects of gold in this district I told him that I knew where there were some good payable reefs, and that it would take 200ft to get to the first reef. After telling him other things that I knew about it, he said:-
> "Come and we'll have a look at it."
> We started on the following day and I showed him everything I could find. As I had not been on the ground for 27 1/2 years I got done up and we had to return home. I told him of other places where we could get gold, but I was too tired to go. He said from what he had seen, it was the best mining spec he had ever come across, with what it would cost to prove it, we'd try to float it.
> We went to Mr McIndoe and Mr Somers, Captain Montgomery[346] and others, and in a few days a syndicate was formed. It was put into 20 shares at £50. Eighteen shares were taken up at once and the other two have been repeatedly applied for, but the Committee will not part with them, but are keeping them for the benefit of the syndicate, knowing how much they will ultimately be worth. I believe that our mine will be the best in the Dominion because of its position, said Mr Murphy. Being on the side of the hill does away with all shaft sinking.
> When we decided to float this we came up here and pegged out a claim of 100 acres known as Murphy's Find and applied to the Warden for a prospecting lease and he granted it. Mr Jas. Brown pegged out another claim of 100 acres north east of this, known as Murphy's Find Extended. The Warden granted a prospecting lease for that claim.

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[345] Company Files, BADZ 5181, box 226 no. 1332, ANZ-A.

[346] See *New Zealand Herald*, 27 August 1908, p. 8, 14 June 1909, p. 8; *Waihi Daily Telegraph*, 13 January 1909, p. 2.

In Mr Brown's portion of the claim we have backs of 1,500 to 2,000ft. The lowest backs that we have, and what we believe to be the Waihi Reef are not less than 500ft above the tunnel, and then they rise gradually to 2,000ft as before mentioned. Beside these backs the floor of the tunnel is 550ft above the flat which gives us fully 500ft of backs (allowing for hoppers and trams below that) for any future levels with a length of 84 chains in the line of reefs. The Government is giving us a subsidy of 5s for driving 400ft. We are about to form a good track to the mine and are applying to the Government for subsidy for that also, and believe we'll get it. We started to make the track to the mine on the 2nd February last and we are now on with the tunnel about 175ft; the tunnel is seven feet high, five feet wide at the bottom, and four feet at the top. Since starting we have landed two tons of iron rails at the tunnel. When opening up for starting the tunnel we cut a six feet reef a splendid looking quartz, in a rubbly leader about nine inches wide. On the hanging wall of this reef we got nice colours of gold. But we are not stopping to do anything with this reef but just travelling straight ahead to reach the prospectors' lead and beyond that the mother reef. We will work this afterwards when we have found them. I think we will strike the prospectors' lead in about 300 feet from the mouth of the tunnel, that is Hone Warehiko's lead. About 200 feet further on we expect to strike the Waihi Reef. I believe all the gold in "Golden Gully" was shed from that reef. We are tunnelling E by 3 degrees S, that is at right angles to the direction our great reefs take. There are tunnels in the hill which run more or less parallel to the direction of these great reefs, and that is enough to ensure failure. In a tunnel running parallel with a direction of the mother reefs a man might go on prospecting till doomsday and find nothing."

We looked ahead of where we stood, far, far into the depths of the tunnel of Murphy's Find. Like a glow worm we could see the light at the extreme end and bringing one's eye in a line with the weighted piece of string at the mouth of the tunnel I saw the drive had kept a wonderfully straight course.

We took up one of the heap of candles which lay at our feet, and lighting it walked by its glimmer in to the far recess where the miners could be dimly discerned in a little cloud of mist. It seemed like invading the realm of spirits, so eerie they looked. But a closer view revealed three men, one turning a drill and the other two striking in turn, to bore a hole for the charge. There would be two such charges applied at once in this part, for the rock was less obdurate than in some other parts. Then the men would come out and have their lunch while the blast went off. The smoke would be cleared away by the time they went in again.[347]

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[347] *Te Aroha News*, 18 February 1909, p. 2.

This 'interesting romance' overlooked the realities of mining. The 'little cloud of mist' in which the miners were working in their 'realm of spirits' was quartz dust, endangering the health of those working a monotonous eight-hour shift. Murphy, like many another promoter, could argue that by drawing a line on a map the Martha reef at Waihi appeared to link up with his claim, but geologists would not agree.

On 4 August 1908, Murphy applied for a prospecting license over 100 acres, bounded on one side by the Success Special Quartz Claim and on another partly by the domain.[348] The area had been abandoned about 15 years previously. His syndicate had raised £850 locally, and work would begin immediately the license was granted.[349] It was granted on condition that working 'should not encroach on the Domain'.[350] James Brown immediately applied for a prospecting license over 100 acres on the southwest side of his ground.[351] Murphy later said that he put in the two bottom pegs by the Domain and Brown put in the top two 'at my direction'.[352]

Murphy explained that this particular area was chosen for a tunnel because for 30 years prospecting had been carried on in the gully the eastern, or Stoney Creek, side of Prospectors' Spur, now called Murphy's Spur. 'This was known as the "Morning Star" claim and yielded finds of gold-bearing stone sufficiently rich to induce an American syndicate to set up a £60 plant at the head of Stoney Creek'.[353] (In 1885 he had told the council that Stoney Creek 'would prove a good goldfield',[354] but had not invested in any claims there, and there was no evidence of an American syndicate erecting a small plant. The Stoney Creek Prospecting Syndicate of

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[348] Te Aroha Warden's Court, Mining Applications 1908, 25/1908, BBAV 11289/19a, ANZ-A; for map of the license, see Mines Department, MD 1, 09/358, ANZ-W.

[349] Warden's Court, *Te Aroha News*, 27 August 1908, p. 2; *Auckland Weekly News*, 24 September 1908, p. 36.

[350] Te Aroha Correspondent, *New Zealand Herald*, 2 September 1908, p. 5.

[351] *Te Aroha News*, 5 September 1908, p. 3.

[352] Te Aroha Warden's Court, Mining Applications 1909, 142/1909, BBAV 11289/20a, ANZ-A.

[353] *Te Aroha News*, 1 April 1911, p. 2.

[354] Piako County Council, *Waikato Times*, 13 March 1886, p. 2.

the mid-1890s was a local concern, which failed to attract the interest of a French syndicate.)[355]

As the reef which shed the loose quartz found by Werahiko 'could never be located', eventually it was decided to drive 'at the spot selected by' Murphy, described by the *Te Aroha News* as 'a miner of life-long experience and integrity'. Old miners believed 'hard sandstone rock' was 'likely to bear a golden reef containing free milling ore, and Murphy's spur is the only belt in the range of that character which has not been interfered with by volcanic action'. Murphy said the reef, 'which outcrops on the top, must come down the spur', where it would be cut at right angles by his drive, an opinion 'shared by other mining experts'. An unnamed American 'expert', had told Murphy that the drive would strike the end of the Martha lode.[356]

Unbeknown to Murphy, the portal of his tunnel was inside the domain because 'we did not know the boundary'.[357] In early September, several men started 'to make a track, leading through a very pretty part of the bush', to his claim. 'The track, which will doubtless become popular with tourists and residents for its scenic beauties, will be known as "Brown's Avenue" '.[358] Ten days later, in briefly describing the preparations, the *Te Aroha News* said 'very encouraging prospects' were being met, using the usual phrase about any mine anywhere in its early stages.[359] Four days later, it reported the discovery of a five-foot reef 'during preparatory work'. The prospects remained 'encouraging'.[360] Another five days later, 'good preparatory work' was in progress and 'something payable' was expected within a few weeks.[361] Two days later, to transport rails, trucks, a forge, and other necessities 'an additional three men' were employed to widen Brown's Avenue 'through the pretty bush scenery'.[362] The newspaper was shown 'a splendid specimen, thickly permeated with gold', found some 17 years previously in 'The Old Prospectors', close to Murphy's Find. This specimen

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[355] *Te Aroha News*, 3 April 1895, p. 2, 10 April 1895, p. 2, 24 April 1895, p. 2, 8 May 1895, p. 2, 15 June 1895, p. 2, 6 July 1895, p. 2, 3 August 1895, p. 2.

[356] *Te Aroha News*, 1 April 1911, p. 2.

[357] Te Aroha Warden's Court, Mining Applications 1909, 142/1909, BBAV 11289/20a, ANZ-A.

[358] *Te Aroha News*, 5 September 1908, p. 2.

[359] *Te Aroha News*, 15 September 1908, p. 2.

[360] *Te Aroha News*, 19 September 1908, p. 2.

[361] *Te Aroha News*, 24 September 1908, p. 2.

[362] *Te Aroha News*, 26 September 1908, p. 2.

was from two and a half tons of picked stone which produced 27oz 12dwt of retorted gold.[363] The specimen came from a reef discovered by two prospectors,[364] Elijah Brokenshire and William Morris Newsham. Copies of the local newspaper from July 1890 to early January 1895 were destroyed by fire in 1912,[365] and as other newspapers did not report this find suggests that it was not taken very seriously at the time. Brokenshire had been an early Thames miner who became a contractor and farmer at Te Aroha West;[366] no records indicate that he did any prospecting in those years. Newsham, a prominent Waiorongomai miner,[367] concentrated his explorations there.[368] In 1910 he implied that he had once prospected nearer to Te Aroha.[369]

At the end of September, Ernest Henry Wright, an accountant and land agent,[370] as secretary of Murphy's Find Minding Syndicate called tenders to drive 100 feet.[371] As the contractors worked three shifts, six men

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[363] *Te Aroha News*, 26 September 1908, p. 2.

[364] Matthew Paul (Inspector of Mines) to Under-Secretary, Mines Department, 17 July 1909, Mines Department, MD 1, 09/358, ANZ-W.

[365] *Te Aroha News*, 8 May 1939, p. 3.

[366] See *Te Aroha News*, Piako County Council, 21 October 1909, p. 2, 17 August 1911, p. 2, 19 August 1936, p. 10.

[367] See paper on his life.

[368] Piako County Council, Minutes of Meetings of 25 November 1891, 5 July 1892, Matamata-Piako District Council Archives, Te Aroha; Te Aroha Warden's Court, Register of Applications 1891-1899, Hearing of 13 October 1891, application 21; Hearing of 10 May 1892, application 4, BBAV 11505/4a, ANZ-A; *Thames Advertiser*, 31 August 1891, p. 2, 26 July 1892, p. 2; *Waikato Times*, Piako County Council, 9 July 1892, p. 2, 4 August 1892, p. 2; *Auckland Weekly News*, 26 July 1890, p. 10, 28 January 1893, p. 18; *AJHR*, 1893, C-3, pp. 14, 18, 73, Appendix, pp. v, xv; *AJHR*, 1894, C-3, p. 48, C-3A, p. 15; Mines Department, MD 1, 97/9072, ANZ-W.

[369] Te Aroha Warden's Court, Mining Applications 1909, 142/1909, BBAV 11289/20a, ANZ-A.

[370] See *Tauranga Supplementary Electoral Roll, 1908*, p. 54; *Te Aroha News*, 29 September 1908, p. 2; E.H. Wright (Secretary, Murphy's Find Mining Syndicate) to Director, Thames School of Mines, Inwards Correspondence re Assays 1921-1922, School of Mines Archives, Thames.

[371] *Te Aroha News*, 29 September 1908, p. 2.

drove for 24 hours a day.[372] By the end of October they struck 'very hard' rock.[373] In December, they were still in 'very hard country' but 'practical miners' believed there was 'something good behind it'.[374]

The syndicate took the common step of seeking government assistance. In November, Wright asked the Minister of Mines, Roderick McKenzie, for a subsidy for a 100-foot prospecting tunnel, explaining they had hit a 'very hard bar of country which has never yet been pierced'. The syndicate had invested £30 in plant and other items and spent £45 on wages and general expenses.[375] That they had to seek aid so soon after incurring minimal expenses indicated that they were under-capitalized. The following day, Somers, who was mayor as well as chairman of the syndicate,[376] informed McKenzie that the borough council supported the request because the prospecting was genuine and the promoters were local residents.[377] Matthew Paul, the mining inspector, reported that the syndicate was searching for Werahiko's reef, which had 'suddenly cut off' and never been found. The hard belt of rock was immediately below where Werahiko had made his find, and the syndicate had raised £750 to cut through it, £100 less than claimed three months before.[378] Their tunnel was in 95 feet and they were 'most sanguine that this lost lode will be found'. He believed they needed to drive at least 400 feet, and recommended supporting them; they were granted £100, at the usual rate of five shillings per foot for 400 feet.[379]

Within days of receiving the subsidy, tenders were called for another 100 feet of driving.[380] Eight tenders were received, and that of Morgan and

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[372] Matthew Paul to Under-Secretary, Mines Department, March 1909, Mines Department, MD 1, 09/358, ANZ-W.

[373] *Te Aroha News*, 31 October 1908, p. 3.

[374] *Te Aroha News*, 3 December 1908, p. 2.

[375] E.H. Wright to Minister of Mines, 4 November 1908, Mines Department, MD 1, 09/358, ANZ-W.

[376] Te Aroha Correspondent, *Auckland Weekly News*, 4 November 1909, p. 36.

[377] R.L. Somers to Minister of Mines, 5 November 1908, Mines Department, MD 1, 09/358, ANZ-W.

[378] Matthew Paul to Under-Secretary, Mines Department, 5 December 1908, Mines Department, MD 1, 09/358, ANZ-W; *Auckland Weekly News*, 24 September 1908, p. 36.

[379] Matthew Paul to Under-Secretary, Mines Department, 5 December 1908; Under-Secretary, Mines Department, to R.L. Somers, 11 December 1908, Mines Department, MD 1, 09/358, ANZ-W.

[380] *Te Aroha News*, 17 December 1908, p. 2.

party[381] for £1 11s 6d per foot was accepted.[382] That the rock continued to be hard was indicated by a snippet in the *Te Aroha News*: 'The blasting in connection with Murphy's new mine requires to be explained to apprehensive visitors. One lady hearing the loud Boom! wondered what was afoot at Rotorua'.[383] The tunnel was in 160 feet by 13 February, but it was 'expected that the extension will have to be carried a good way on'.[384] Five days later, when it was 16 feet longer and the contractors were pushing ahead 'expeditiously', the romantic story of Murphy's efforts cited above was published, possibly to assist in raising capital.[385] Another five days later the syndicate sought another £100 for a 'genuine necessity', a good track to its tunnel. McKenzie was assured that prospects were good and they were probably about 100 feet from the first reef.[386] Receiving no response, the syndicate appealed to Paul for assistance because their work was 'very unremunerative to those intimately concerned'.[387] Paul reported that they were doing good work and that the tunnel was more costly than expected. Although they had formed a track from the main road, it needed to be graded and widened so they could use a sledge because all material was being carried for a 'considerable distance'.[388] No subsidy was provided; nor did the Thames School of Mines respond favourably to a request that it assay samples without charge.[389]

In April, the contractors hit some 'very tight country' that required 'a good deal of shooting'.[390] Two weeks later, the stone was 'kindlier'.[391] In June, indications were reportedly still very good. After extending the drive to 310 feet, Morgan and party won another contract to drive another 100

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[381] Not identified.

[382] *Te Aroha News*, 12 January 1909, p. 2; *Auckland Weekly News*, 19 June 1909, p. 49.

[383] *Te Aroha News*, 6 February 1909, p. 2.

[384] *Te Aroha News*, 13 February 1909, p. 2.

[385] *Te Aroha News*, 18 February 1909, p. 2.

[386] E.H. Wright to Minister of Mines, 23 February 1909, Mines Department, MD 1, 09/358, ANZ-W.

[387] E.H. Wright to Matthew Paul, 15 March 1909, Mines Department, MD 1, 09/358, ANZ-W.

[388] Matthew Paul to Under-Secretary, Mines Department, 15 March 1909, Mines Department, MD 1, 09/358, ANZ-W.

[389] *Te Aroha News*, 22 April 1909, p. 3.

[390] *Te Aroha News*, 6 April 1909, p. 2.

[391] *Te Aroha News*, 20 April 1909, p. 2.

feet.[392] At the end of that month McKenzie was informed that, although prospecting was encouraging, at £2 a foot the syndicate had spent £700 on driving alone.[393] By the time Paul reported in mid-July, they had spent £800 driving 387 feet. Several veins of quartz had been intersected, and there was an eight-foot lode at the mouth. If driven for 600 feet the tunnel would 'solve the problem' of whether gold existed in payable quantities near the township.[394] When the council asked for a subsidy of £33 10s to enable the tunnel to be extended, the department provided £50 for another 200 feet.[395]

By September, the stone was 'of a more kindly nature'.[396] Yet one month later the syndicate decided 'to unearth the reef in another part of the property'. As there was 'no doubt that a payable reef' was 'close at hand', it was 'only a question of unearthing the precious metal'.[397] At the beginning of November it was reported that samples tested had produced encouraging results. Further samples had been sent away, and as negotiations were 'likely' to float a company, Murphy and Brown would apply for special claims to replace their prospecting licenses.[398] Murphy applied not only for Murphy's Find Special Quartz Claim, an area of 98 acres, but for a machine site in 'Golden Gully' and a water race, 20 chains long, commencing at Stoney Creek.[399] (He had applied, in September, for a prospecting license over the 100 acres he applied for a year previously, but this application was struck out in November.)[400]

Samples from the Bonanza reef were assayed at the Waihi and Thames Schools of Mines of. This reef had been cut near the mouth of the drive but 'not opened up until a few weeks ago, after the tunnelling

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[392] *Auckland Weekly News*, 10 June 1909, p. 49.

[393] E.H. Wright to Minister of Mines, 29 June 1909, Mines Department, MD 1, 09/258, ANZ-W.

[394] Matthew Paul to Under-Secretary, Mines Department, 17 July 1909, MD 1, 09/358, NA.

[395] Acting Under-Secretary, Mines Department, to Matthew Paul, 27 July 1909, Inspector of Mines, Waihi, BBDO A902, S79, ANZ-A; *Te Aroha News*, 31 July 1909, p. 3.

[396] *Te Aroha News*, 9 September 1909, p. 2.

[397] *Te Aroha News*, 7 October 1909, p. 3.

[398] *Auckland Weekly News*, 4 November 1909, p. 36.

[399] Te Aroha Warden's Court, Mining Applications 1909, 151-153/1909, BBAV 11289/20a, ANZ-A.

[400] Te Aroha Warden's Court, Mining Applications 1909, 145/1909, BBAV 11289/20a, ANZ-A.

operations had been suspended'; clearly the prospectors had not regarded it as having high values. The assay books of the Waihi School of Mines have not survived, but those at Thames reveal that on 20 October four samples were tested that, with one notable exception, could not be described as 'encouraging', as Somers claimed.[401] The first produced 3dwt of gold, valued at 18s; the second produced 3oz 13dwt of gold plus 25oz of silver, the total value being £17 2s; the third had a trace of gold, value nil; and the last produced 1dwt, value 5s 6d.[402] Three days later, five more samples were treated: two produced 4gr and the other three 6gr, the lowest value being 1s and the highest 4s 6d.[403] Three more samples were tested on 30 October produced 2dwt 6gr, valued at 11s; 1dwt 12gr, worth 8s; and 4dwt 6gr, worth £1 4s.[404] None of these details were published, for they would not have supported Somers. Only two more samples were tested, on 8 November: one produced 2dwt, worth 10s 6d, and the other 12gr, worth 2s 5d.[405] Paul wrote in March 1910 that the drive had reached 446 feet without finding any sign of a rich lode, while the 40 feet driven on the six foot wide reef at the mouth had proved to carry 'no values'.[406] A later mining inspector briefly noted the syndicate found 'nothing of value'.[407]

On 18 November, the *Te Aroha News* printed a brief note: 'Work at standstill'.[408] Two days later, it explained that, although the tunnel was in 440 feet, work had stopped because 'while some of the Syndicate feel confident that if it was continued a payable reef would be met with ere long', others favoured 'giving another part of the mine a trial'.[409] In

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401 Te Aroha Correspondent, *Auckland Weekly News*, 4 November 1909, p. 36.

402 Thames School of Mines, Assay Book 1907-1909, entry for 20 October 1909, School of Mines Archives, Thames.

403 Thames School of Mines, Assay Book 1907-1909, entry for 23 October 1909, School of Mines Archives, Thames.

404 Thames School of Mines, Assay Book 1907-1909, entry for 30 October 1909, School of Mines Archives, Thames.

405 Thames School of Mines, Assay Book 1907-1909, entry for 8 November 1909, School of Mines Archives, Thames.

406 Matthew Paul to Under-Secretary, Mines Department, 31 March 1910, *AJHR*, 1910, C-3, p. 18.

407 Inspector of Mines, Waihi, Assistance to Prospecting (General), n.d., BBDO A902, MM174, ANZ-A.

408 *Te Aroha News*, 18 November 1909, p. 3.

409 *Te Aroha News*, 20 November 1909, p. 3.

December, it wrote that 'not a few' were 'disappointed at the temporary abandonment of work in the prospecting tunnel', for 'many' believed there was 'gold ahead'.[410] Late in January 1910, it expected work to resume in a week or so,[411] but this did not happen.

In February, newspapers did not publish an accusation made in the warden's court when Murphy complained that the Golden Slipper claim, held by another miner, William John Cornes,[412] overlapped his and Brown's prospecting areas. Newsham claimed that Murphy's tunnel went 'at right angles to the reef. They drove away from that reef.... Heard most extraordinary assays were obtained from that reef. I heard also that it had been salted'. This charge of fraud may not have been aimed at Murphy, whose response was not recorded. Murphy told the warden that the tunnel had cut some leaders 100 feet from the entrance, and that he thought it had cut Werahiko's reef at 300 feet, but admitted that no work had been done on these,[413] an indication of their lack of value.

On 30 August 1910, Murphy applied for six months' protection.[414] Over £1,100 had been spent, the main drive was in 440 feet, and the Bonanza reef had been driven on for 40 feet along the hanging wall and across it for eight feet. 'So far we have had nothing payable. May have to drive another 200 feet but we may get the reef before - Will take £500 to do that. We want time to raise money'.[415] After protection was granted no further work was done, and arguments over boundaries continued.[416] Rent was paid until

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410 *Te Aroha News*, 18 December 1909, p. 3.

411 *Te Aroha News*, 22 January 1910, p. 3.

412 See *Waihi Daily Telegraph*, 17 October 1929, p. 2.

413 Te Aroha Warden's Court, Mining Applications 1909, 142/1909, BBAV 11289/20a, ANZ-A; see Warden's Court, *Te Aroha News*, 24 February 1910, p. 2; Te Aroha Correspondent, *New Zealand Herald*, 24 February 1910, p. 7.

414 Te Aroha Warden's Court, Mining Applications 1910, 59/1910, BBAV 11289/20a, ANZ-A.

415 Te Aroha Warden's Court, Mining Applications 1910, 59/1910, BBAV 11289/20a, ANZ-A; Warden's Court, *Te Aroha Mail*, 29 September 1910, in Press Cutting Book, Government Spa, Te Aroha Hot Springs, Te Aroha Library.

416 Te Aroha Warden's Court, Register of Mining Privileges 1909-1913, folio 22, BBAV 11500/3a; Mining Applications 1909, 142/1909, BBAV 11289/20a, ANZ-A; F.J. Burgess to Under-Secretary, Mines Department, April 1911, *AJHR*, 1911, C-3, p. 41.

Murphy surrendered the claim on 28 March 1911.[417] An unspent portion of the government subsidy remained,[418] but this could only be spent if syndicate members contributed more money themselves, which they did not. The *Te Aroha News* explained that Murphy, who had not charged for his services, had 'expected to cut the reef within 200 to 500 feet'.

> It does seem too bad to abandon a claim within, say, 100 feet of the limit set out from the start, and on which £1108 19s 10d has been spent in round figures. Another £500 would suffice to thoroughly test the claim, and we hope Mr Murphy will succeed in getting together the necessary capital and that he may yet strike what an American mining expert declared to be the other end of the famous Martha lode.[419]

Murphy had told the warden in 1909 that his syndicate owned the adjacent special claim marked out in Brown's name but had done no work on it.[420] Clearly they were waiting to see what transpired in the tunnel before prospecting this ground. After helping Murphy in the initial examination of Murphy's Find, Brown had turned his attention to the head of Stoney Creek, but, being aged 65 and lacking practical mining experience, he probably did no prospecting himself.[421] He could have afforded to put more money into Murphy's Find, but clearly did not want to lose any more. On his death in 1925, he left an estate of £23,801 3s 8d,[422] more than any of the other known partners. Murphy owned much less land and had less means: when he died in 1918, his estate was valued at £1,736

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417 Te Aroha Warden's Court, Register of Mining Privileges 1909-1913, folio 22, BBAV 11500/3a, ANZ-A.

418 F.W. Wild to Under-Secretary, Mines Department, 26 January 1912, Mines Department, MD 1, 09/358, ANZ-W.

419 Editorial, *Te Aroha News*, 1 April 1911, p. 2; final sentence printed as 'American mining declared expert'.

420 Te Aroha Warden's Court, Mining Applications 1909, 14219/09, BBAV 11289/20a, ANZ-A.

421 Te Aroha Warden's Court, Mining Applications 1908, 26/1908; Mining Applications 1909, 142, 150/1909, BBAV 11289/20a, ANZ-A; Death Certificate of James Brown, 30 October 1925, Deaths, 1925/6577, BDM.

422 Bank of New Zealand, Paeroa Manager's Memoranda Book 1901-1914, p. 39, Bank of New Zealand Archives, Wellington; Hamilton Probates, BCDG 4420/2045, ANZ-A.

17s 3d.[423] The only other syndicate members whose names are known were McIndoe and Somers, both successful in their businesses but either not willing or not able to devote large sums to this speculative venture.[424]

Apart from providing a pleasant bush walk,[425] nothing of value resulted from the much-vaunted Murphy's Find. It had gone through a common cycle: basing high hopes on often far-fetched geological theories, detecting encouraging signs in objectively discouraging explorations, losing funds provided by those Murphy convinced to provide capital, wasting the subsidy provided by the government, and wasting the labours of Murphy and the miners he supervised.

FIRST MARRIAGE

In an obituary that did not mention his family, the *Te Aroha News* described him as a 'sterling, upright man' who had 'won many friends'.[426] In 1865, he had married Isabella Devine, in a Catholic ceremony, when they were both aged 24.[427] Two children died at very young ages: the first on the same day as the birth, and the second, Denis' namesake, after eight weeks.[428] Their first child, Cornelius, was born in Queensland in early 1867, unrecorded, and was baptized in Sydney in March that year, presumably as the family was heading back to New Zealand.[429] Three sons and two daughters grew to adulthood, but only Cornelius provided him with grandchildren, as John and Joseph were childless and both daughters

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[423] Testamentary Register 1919, folio 31, BBCB 4208/15, ANZ-A.

[424] For McIndoe, see *Thames Advertiser*, 20 March 1897, p. 2, *Te Aroha News*, 5 March 1907, p. 2; Probate, BBAE 1570/1183/42, ANZ-A; for Somers, see *Observer*, 14 December 1901, p. 4; *Te Aroha News*, 2 October 1923, p. 1; Register of Probates, BCDG 4423/5a, no. 6266, ANZ-A.

[425] Ted Axford, *A Childhood in Te Aroha, 1907-1912* (Wellington, 1992), p. 34: see photograph on p. 69, which was probably of this walk; see *Auckland Weekly News*, 8 July 1909, Supplement, p. 6, for photograph of portal of Murphy's Find mine.

[426] *Te Aroha News*, 9 September 1918, p. 2.

[427] Marriage Certificate of Denis Murphy, 21 May 1865, 1865/4384; Death Certificate of Isabella Murphy, 7 June 1901, 1901/2456, BDM.

[428] Birth Certificate of unnamed child, 2 December 1868, 1868/15773; Death Certificate of unnamed child, 2 December 1868, 1868/2861; Birth Certificate of Denis Murphy, 19 June 1870, 1870/17544; Death Certificate of Denis Murphy, 18 August 1870, 1870/7834, BDM.

[429] Theresa Murphy to Philip Hart, 11 November 2021, email.

became nuns.[430] There is no evidence about the happiness or otherwise of their marriage, but family tradition has it that 'he was a good father in the early days'.[431] As for Isabella, events at Rotorua suggest that by at least the late 1880s his affection for her had faded.

THE ROTORUA SCANDAL

In 1885, Murphy did an 'excellent job' as 'Government overseer' in charge of improving the track between Te Aroha and Katikati, and as supervisor of road works between Cambridge and Rotorua and Taupo he was 'entitled to very great credit for the excellent work' done.[432] In April 1889 he became overseer of roads in the Rotorua district, and worked for two and a half years under the supervision of John Cunningham Blythe.[433] In 1891, a journalist visiting Rotorua discovered 'an energetic overseer in the person of an old friend of mine, Dennis Murphy, yer sowl! But Dennie is an old "Thames joker," you know, and the "grit's in 'em all" '.[434] That not all admired him became apparent after Blythe committed suicide.

According to Don Stafford, the historian of Rotorua, 'few people received such a degree of respect and affection' as Blythe, and there was 'sadness throughout the district' when he died 'under tragic

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[430] Birth Certificates of Mary Murphy, 4 October 1872, 1872/18623; John Murphy, 23 June 1874, 1874/33214; Annie Murphy, 8 January 1877, registered 16 August 1907, 1907/25754; Joseph Murphy, 29 September 1878, 1878/15864; Death Certificate of Isabella Murphy, 7 June 1901, 1901/2456, BDM; Theresa Murphy to Philip Hart, 31 October 2021, 11 November 2021, 12 November 2021, emails.

[431] Theresa Murphy to Philip Hart, 31 October 2021, email.

[432] *Waikato Times*, 2 April 1885, p. 2, 2 June 1885, p. 2, 25 July 1885, p. 2, 25 August 1885, p. 2, 26 November 1885, p. 2, 15 December 1885, p. 2.

[433] Evidence of Denis Murphy, taken on 14 July 1892; Secretary for Crown Lands to Chairman, Public Petitions Committee, 25 July 1892, Public Petitions, no. 109, Legislative Department, LE 1, 1892/15, ANZ-W; J.A. Tole, *The Murphy Enquiry: Review of Whole Case and Evidence (Addressed to G. Mueller, Esq., Chief Surveyor, Auckland, appointed to conduct the Enquiry, and transmitted for the information of the Hon. Minister for Lands)* (Auckland, 1892), p. 1.

[434] 'A Tramp, Esq', *Casual Ramblings: Up and Down New Zealand* (Auckland, 1891; reprinted 1995), p. 93.

circumstances',[435] which Stafford preferred not to clarify. He had no children by his wife, Jane Ann Stephens, born in England (her maiden nasme was Cray) in 1861,[436] who preferred to be known as Annie.[437] He was a lay reader in the Anglican Church, which she attended until converting to Roman Catholicism two months before Blythe's death on 31 December 1891.[438] (Note that Murphy was a Catholic, which, as will be shown, was clearly relevant to her conversion.) At the inquest, Annie Blythe described his last days. After they had been to benediction at the Catholic Church on the evening of Christmas Day, her husband said 'he would take a run up town'. She was later awakened by a noise:

> I came into the dining room & I saw my husband standing with a glass in his hand. He said "This finishes all." I said what's the matter. He answered oh nothing nothing & I called for Mr Murphy. I asked Mr Murphy to take the glass from his hand, he did so & then my husband said to Mr Murphy Come into the office with me. I followed him in. My husband wrote something on a paper and gave it to Mr Murphy. I left the office, returned & I couldn't find them there. I searched the rooms & then I got a lantern & went out and looked all about the place for him. I couldn't find him & came in again. About 12 o'clock he came in and he went to bed & he seemed quiet. I asked him how he was & he said, Oh! I'm all right.

She described his behaviour during the following two days as normal, but on the second he felt unwell and had the doctor sent for, and the following evening he died. 'I am not aware of his having taken anything to bring on the attack. On the Tuesday I found a paper in his office on the table in his own writing to the effect that he had taken a dose of Pyrogallic acid; there was neither date or signature to it'.[439] This acid, used by Blythe

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[435] D.M. Stafford, *The Founding Years in Rotorua: A history of events to 1900* (Rotorua, 1986), p. 367; for his life at Rotorua, see index to Stafford.

[436] Theresa Murphy to Philip Hart, 28 November 2021, email.

[437] Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W; Headstone of Denis Murphy, Area A, Row 32, Te Aroha Cemetery; Probate of Denis Murphy, Probates, BBAE 1570/1772, ANZ-A.

[438] Tole, p. 1.

[439] Evidence of Jane Ann Stevens Blythe, Inquest into death of John Cunningham Blythe, 31 December 1891, Justice Department, J 46 COR, 1892/30, ANZ-W.

in developing photographs, was highly toxic.[440] She did not know the contents of the note Blythe gave to Murphy. Her husband 'never said anything about having taken poison', and she did not know what he meant by 'this finishes all'. When Murphy took the glass from his hand he denied 'having taken anything'. Although she denied there had been 'words or difference between us either then or previously', she admitted that for the 'last six months or so our lives were not so happy as usual & we occupied different apartments. I may mention that I accused him of not being faithful to me, and he said one occasion afterwards, I know I've wronged you, and on several occasions'.[441]

Murphy gave evidence that on Christmas night, after going into Rotorua with Blythe, Annie Blythe woke him by calling out. He took a developing glass used in photography from Blythe; it broke and the liquid spilt. It was an empty 'lemonade or soda water bottle' with no label, and Blythe denied having drunk anything from it.

> He then said to me you have always been a good friend to me come on with me to my office. I followed him to the office & he wrote out a document which I have in my possession. He gave it to me, he said take this, this is for you. I said I don't want it after I had read it, he said oh keep it it may be of use to you.

Murphy returned to his room, but five minutes later Annie asked him to search for Blythe with the lantern. After his unsuccessful search, Blythe returned and resisted efforts to make him go to bed. The following day Blythe developed several photographs and appeared to be in normal health until the doctor was sent for. Murphy said he had 'always been on the best of terms with the deceased. During his illness he did not tell me he had taken anything'. He had been sober on Christmas night. 'Sometimes Mr Blythe used such strange expressions that to tell the truth I took but little notice of what he wrote in the document he handed me, but that what he had written was owing to momentary excitement'. He told the foreman that Blythe 'made me several gifts of friendship, one on last Xmas eve, with an Inscription in his own writing. I often heard him say that his wife was the

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[440] *Encyclopedia of Chemical Technology*, 4 ed., ed. Mary Howe-Grant (New York, 1996), pp. 778-787.

[441] Evidence of Jane Ann Stevens Blythe, Inquest into death of John Cunningham Blythe, 31 December 1891, Justice Department, J 46 COR, 1892/30, ANZ-W.

best of women & he had wronged her'. He had never seen Blythe drunk.[442] This was a contrast to Murphy: the Catholic priest deposed that at Annie's request he had beckoned him out of a bar 'to keep him away from the drink'.[443]

Two days after the inquest, Roger Delamere Dansey, Rotorua's clerk of court and postmaster,[444] produced new evidence. In his letter accompanying four declarations by Maori, Dansey claimed these explained 'what prompted a man of sensitive nature to commit the rash act and who were at least morally responsible', and wanted them shown to the Surveyor General.[445] Wiripuia Marino declared that after Murphy moved into Blythe's house after being taken ill, the Blythes began to sleep apart and she saw Murphy and Annie kissing; Blythe accused his wife of committing adultery with Murphy.[446] Ihaka Marino was working on the road when he saw Murphy arrive in a buggy with Annie and go into Pareheru Bush; 'I knew instinctively that they had gone in to copulate'. Once, when Murphy returned from Te Aroha, he and Annie were 'pinching one another on the door steps' of Blythe's house. Another time he discovered Annie wrapped in a shawl in the main room after getting off the sofa. 'I knew at once that they had been copulating there', for 'they have often committed adultery'.[447] Aramu Karaka, otherwise Adam Clarke, a 'half-caste', with two others saw them on an abandoned road. 'We saw Murphy seize Mrs Blythe round the hips and throw her up above his head then he embraced her and again threw her up in the air – he did this about three times then put her down – then they kissed and embraced each other'.[448] The last deposition, by Pararaki Mataia, a roadman, described Blythe being very drunk because,

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[442] Evidence of Denis Murphy, Inquest into death of John Cunningham Blythe, 31 December 1891, Justice Department, J 46 COR, 1892/30, ANZ-W.

[443] Evidence of Rev. Adrian Holierhoeck, 31 December 1891, Justice Department, J 46 COR, 1892/30, ANZ-W.

[444] For details of his long life at Rotorua, see Stafford, index.

[445] R.D. Dansey to Alex C.H. Tovey, 5 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

[446] Declaration of Wiripuia Marino, 2 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

[447] Declaration of Ihaka Marino, 2 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

[448] Declaration of Aramu Karaka, 2 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

Blythe told him, 'he was distressed at his wife's conduct that if I could catch Murphy and his (Blythe's) wife at their evildoing he would give me £10'.[449]

The coroner told the magistrate that this new evidence revealed no more than 'the unhappy relations existing between the parties', but agreed 'with Dansey that Murphy's conduct should be brought to the notice of the Surveyor General'.[450] He informed the Minister of Justice that 'an agitation' had been 'put up to have the body exhumed', but he was certain that the evidence would 'lead any unbiased person to the conclusion that death was the result of deceased's own act solely'.[451] Clearly local gossip had implicated Murphy in murder. The magistrate sent the new evidence to the Justice Department to use as appropriate.

> There is nothing in the statements implicating others, the statements however show a most shocking state of affairs at home, and it would seem go to prove it was this domestic unhappiness which led to the rash act.
> There appears to be considerable feeling at Rotorua with regard to this death, consequently many stories are flying about, amongst other things, it has been stated, that the deceased made over his Life Policies to his wife very recently, the document being witnessed by Murphy who is spoken of openly as being the paramour of the wife – There is also a rumour to the effect, that this Murphy, shortly previous to the death forced the deceased to give him some certificate, but one can scarcely credit, that any person who was not an imbecile could be forced into doing such a thing against his will – For some few months past Mrs Blythe's name has been connected with the man Murphy….
> I am not surprised at the acid used being in the possession of the deceased, as he was fond of amateur photography.[452]

After the inquest, Camille Malfroy,[453] Blythe's replacement, was asked by the Surveyor General to report on Blythe's handling of public money.

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[449] Declaration of Pararaki Mataia, 2 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

[450] Alex C.H. Tovey to R.S. Bush, 8 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

[451] Alex C.H. Tovey to Minister of Justice, 8 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

[452] R.S. Bush to Under-Secretary, Justice Department, 9 January 1892, Inquest into death of John Cunningham Blythe, Justice Department, J 46 COR, 1892/30, ANZ-W.

[453] For his life at Rotorua, see Stafford, index under J.C.M. Malfroy.

Malfroy wrote that he believed Blythe's death was 'attributable to family troubles'; when he showed his telegram to Annie, she 'at once indignantly telegraphed' insisting 'that there was nothing on her part in her relations to her husband' which warranted 'these untruthful statements'.[454] Murphy's lawyer, Joseph Augustus Tole, a former Minister of Justice,[455] forced Malfroy to retract this statement, but Tole considered that he had a 'strong design against Murphy'. On 10 February, the Surveyor General ordered Malfroy to dismiss Murphy. When asked the reason why, he stated that no charges were being made but circumstances 'had come to our knowledge which renders it advisable to make several changes'. His offer to hold an enquiry was accepted, and Gerhard Mueller, Chief Surveyor and Commissioner of Crown Lands in Auckland,[456] chaired it.

When the enquiry commenced in April, the 'greatest interest' was taken in what was expected to 'come before a higher tribunal in another form'.[457] The evidence took an average of 15 hours a day over eight days, producing '560 sheets of foolscap, closely written'.[458] After the first days, a Rotorua correspondent commented that, 'Should the remainder of the evidence correspond with the beginning, it will make a very interesting volume'.[459] Another correspondent anticipated that it might 'yet assume a phase never before reckoned on in a serious way';[460] implying a charge of murder could be laid.

On 4 May, in a 'Special to Advertiser', which in fact repeated word for word the report of 'a correspondent' earlier published in the *Waikato Times*, the *Thames Advertiser* reported on the enquiry:

> The many Thames friends of Mr D. Murphy will be interested to learn that the enquiry relative to the dispensing with Mr Murphy's services as Road Overseer at Rotorua, has just concluded after a protracted investigation of many days. Though the feeling just before and during the early stage of the enquiry, manifested on the part of a certain section of the residents in

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[454] Tole, pp. 3-4.

[455] *New Zealand Parliamentary Record, 1840-1949*, ed. Guy H. Scholefield (Wellington, 1950), pp. 39, 144.

[456] Tole, pp. 4-5.

[457] *New Zealand Herald*, 9 April 1892, p. 6.

[458] *New Zealand Herald*, 11 April 1892, p. 6, 27 April 1892, p. 6.

[459] Rotorua Correspondent, *Waikato Times*, 15 April 1892, p. 2.

[460] Rotorua Correspondent, *New Zealand Herald*, 20 April 1892, p. 6.

> Rotorua itself, was very bitter against Mr Murphy, the native testimony which at one time was chiefly relied on by his opponents, was under the cross-examination of Mr Tole (who appeared on behalf of Mr Murphy) shown to be a tissue of absurdities and contradictions wholly unreliable. Some of the European evidence against Murphy was apparently mostly hearsay and is alleged to have been prompted by mere personal animus. The witnesses produced by Mr Murphy so rebut the imputations directed against his official and private character were all Europeans of the highest respectability in and about Rotorua and the strong testimony they gave in his favour left no doubt on the minds of those who heard it, that he had been slandered and unjustly dealt with. The complete change in public feeling in Murphy's favour is clearly shown by the fact that when at the close of the enquiry Mr Tole made a short and spirited address denunciatory of the action of some of the officials and the crown witnesses, he was greeted with loud applause by the large audience present.[461]

Despite this optimism, Murphy's dismissal was confirmed. Tole then published a 37-page pamphlet, which had been his review of the case delivered to Mueller after the enquiry ended, exonerating Murphy by demolishing the evidence against him. Tole argued that Annie's conversion was the talk of Rotorua, with some claiming that Blythe was upset, others denying this, and cited letters from Anglican clergy bitterly critical of her conversion. A 'narrow minded "set" who would like to govern Rotorua' wanted Murphy dismissed, and Maori, stirred up by Dansey, produced uncorroborated evidence that caused this to happen, despite Murphy having an 'unvariedly good character for work and conduct', no charges being laid, and no reflections being made on him at the inquest. At the enquiry, opponents of Murphy sat on the bench with Mueller and there were several breaches of good procedure, including barracking when Murphy gave evidence. Tole was refused access to the file containing the information used against Murphy; financial transactions were raised without prior warning; and Mueller had revealed his prejudice by refusing to hear evidence in support of Murphy. Tole claimed the enquiry was designed to vindicate the department's action. Evidence was not made on oath, and all the Maori evidence was untrustworthy, as he explained over many pages. Pakeha evidence showed animus, and after Blythe's death the *Hot Lakes Chronicle*

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[461] 'A Correspondent', *Waikato Times*, 30 April 1892, p. 2; 'The Rotorua Enquiry: Mr Murphy Slandered Unjustly', *Thames Advertiser*, 4 May 1892, p. 2.

published 'carping and insulting paragraphs' about the alleged lovers. That Murphy physically supported Annie in public was proof not of intimacy but of her having a broken ankle. Accusations about the payment of wages were all false. There was a conspiracy against Murphy; 'an error and an injustice' had been committed, 'which his restoration to the public service alone can help to rectify'.[462] (Concerning allegedly untrustworthy Maori evidence, there may have been bad feeling between some Maori and Murphy, for when an overcoat was stolen from his whare near Rotorua in January 1890 he suspected that Maori were responsible.)[463]

In June, Murphy interviewed the Premier, Richard John Seddon, when he visited Te Aroha, to be told that as the evidence was against him 'the only remedy was to petition Parliament, and rebut the evidence given, failing which he could hold no hope'.[464] Murphy did petition, on the grounds that he had been 'improperly and unjustly dismissed', and sought reinstatement and compensation for 'losses' he sustained.[465] In his lengthy evidence to the petitions committee on 14 July, he stated Blythe considered his work was satisfactory, but Malfroy disagreed with him about Pararaki, who was a bad worker. After Pararaki was told there was no more work for him, he, Dansey, and others made allegations and false statements. Murphy produced statements withdrawing evidence against him or supporting him, and denied undue familiarity with Annie or quarrelling with her husband. In response to Malfroy's charges that he had falsified pay sheets, he claimed to have had no control over payments but just did as Blyth said; he gave elaborate details about Blythe's unorthodox methods. He had spent nearly £170 defending himself and had been unemployed for five months. 'If I only get my character sustained and the expenses, I would not mind the compensation'. He had lived with the Blythes for 18 months from June 1890, living in the adjoining schoolhouse: 'I had just a tent in the corner with my bed in it'. For the last 11 months of that time, he ate his meals with them in their house. Blythe was often away, but a 17-year-old niece was always there, as was a 13-year-old girl. From November onwards he slept in the back part of the house because the schoolroom was used to store chaff. He sat in the Blythe's main room two or three evenings a week. Asked whether he knew that Blythe and his wife were 'not on friendly terms', he

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[462] Tole, pp. 1-37.

[463] *New Zealand Police Gazette*, 29 January 1890, p. 20.

[464] *Thames Advertiser*, 14 June 1892, p. 2.

[465] 'Reports of Public Petitions M to Z Committee', *AJHR*, 1892, I-2, p. 6.

answered 'I do. I do well', and confirmed that he was on good terms with Annie. As Murphy's wife and children lived at Te Aroha, it was a long day's journey to see them, and during his 18 months at Rotorua he returned four times: 'I could not get away'. He insisted that he was on good terms with his wife and children, and often wrote to them twice a week. 'I have a piece of land at Te Aroha and I could not break up my home I was trying to earn some money to put the place in order'. He denied ever speaking to Annie about her marriage, but had overheard Blythe telling her that he would apply for separation and restoration of conjugal rights. She replied, 'You have been so unfaithful to me I will not sleep with you'. He had suspected that they were not sleeping together, and learnt at the inquest that this had been so for the previous six months. 'She discovered something about him being unfaithful to her, and that was the cause of the row'. He denied discussing this with her or their having had any 'general talk': 'she was not a talkative woman; she was very reserved'. He denied she ever tidied up his bedroom, made his bed, or was ever in the place he slept. He once took one of his daughters to Rotorua, but his wife never visited: 'she could not leave her home'. Blythe showed his daughter the scenery, and she and Annie corresponded a few times afterwards. After Blythe took poison,

> Mrs Blythe was singing out to me "Mr Murphy! Mr Murphy!" – She came running to me in my room. He had a glass in one hand and a bottle in the other. She asked me to take the glass from him and I did so. After he quieted down a bit he said "Denny, you have been a good friend to me; come into the office we will have a smoke,"

and wrote out a character reference, despite him saying he did not need one. There was not a big struggle to get the glass from Blythe, but the glass broke and the liquid spilt over Murphy's hand. 'I was under the impression he took nothing. I do not know what was in it…. He seemed to be very excited at the time', caused by 'a misunderstanding' with his wife.[466]

Nine days later, Murphy, then at Waiorongomai, sent the committee corrected notes of his evidence. He added more details of Blythe's methods of paying public and private accounts with the same cheque book to show that evidence based on cheque book butts, accepted at the enquiry, was not proof. 'Myself and Family have suffered very much through the damage

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[466] Evidence of Denis Murphy, taken on 14 July 1892, Public Petitions, no. 109, Legislative Department, LE 1, 1892/15, ANZ-W.

done to my Character', and he accused Malfroy of concocting evidence. He asked that the former warden, now a member of parliament, William Fraser, be a character witness, as he had known him for over 20 years.[467] Tole and 'others of my friends' recommended that he should have remained in Wellington until the case was settled; he told a sympathetic parliamentarian that 'it has cost me so much up to this that I could not well stand any more expenses', but would return if it would do any good. He was afraid the department would not present all the evidence, 'such as notices sent out by Dansey to the natives to "come and give evidence on the side of the Government against Murphy and their expenses would be Paid" '.[468]

There was much sympathy for Murphy. The *Observer* wrote that his experiences were 'a striking commentary on the travesties that are occasionally perpetrated under the name of justice in our country districts. It would be difficult to conceive a more infamous case of wrong'. It had 'very little doubt that he has been slandered, and that he is even now the victim of a most cruel and indefensible wrong on the part of the Government'. That Murphy was 'a man of good standing' was proved by his election to the council, licensing committee, and school committees. He had been invited to leave his poor accommodation to live in Blythe's home after an attack of influenza. When Annie became a Catholic, it seemed 'reasonable to infer that MURPHY was responsible for the conversion', which did not offend her husband. After 'some domestic tiff' Blythe drank some pyrogellic acid but had not expected to suffer serious effects or to die; after 'attending to his ordinary business' for five days he did, from damage to his kidneys. The inquest 'disclosed nothing reflecting upon MURPHY or Mrs BLYTHE. But the tongue of scandal wags quickly, and in this instance it appears to have had interested and malicious motives'. There were 'ugly insinuations':

> Some Maoris were got hold of who had seen or thought they had seen such things as kisses exchanged, and these and other little accusations, fanned by the breath of religious prejudice, soon kindled a flame of scandal that was fed by every bit of slanderous gossip in the air. Telegrams were sent to the Department, and on the strength of the vaguest scandal concerning his moral

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[467] Denis Murphy to Public Petitions Committee, 23 July 1892, Public Petitions, no. 109, Legislative Department, LE 1, 1892/15, ANZ-W.

[468] Denis Murphy to Thomas Thompson, MHR, 26 July 1892, Public Petitions, no. 109, Legislative Department, LE 1, 1892/15, ANZ-W.

> character, MURPHY was dismissed. No charge was made against him.

It cited Tole's 'very able and exhaustive pamphlet' and noted that Mueller had Malfroy, one of Murphy's accusers, 'associated with him' during the enquiry. Dansey, 'a sort of Pooh-Bah of Rotorua' who held 'pretty well all the offices in the community' and had 'interested himself against' Murphy, was the interpreter, 'a most improper thing. The evidence was of the flimsiest description', the most serious charge being that Murphy was seen kissing Annie several times, making Blythe 'dark or sad', and that with the latter's approval he had driven her to inspect some roads. Because of the gossip and Annie's conversion, his dismissal had been confirmed. There was no evidence he had been an unsuitable overseer, and kissing was not grounds for dismissal. It hoped parliament would give Murphy 'that justice that has been so shamefully denied him'.[469]

Instead, the petitions committee resolved that Murphy had 'not shown any reason for granting the prayer of the petition, nor any cause for a reopening of the case'.[470] When Fraser requested reconsideration, it responded that, as no fresh evidence had been presented, it could make no recommendation.[471]

SECOND MARRIAGE

Despite Murphy's very public efforts to clear his name, the allegations were true, at least in essence. In the electoral roll produced in October 1893, Annie was registered as living at Te Aroha West, undoubtedly at Murphy's house, because Isabella was not living there.[472] Annie remained there for the remainder of the decade,[473] while Isabella continued to live elsewhere, in 1899 with her son John, a battery hand at Waitekauri.[474] When Isabella died in Thames hospital on 7 June 1901 of pneumonia and exhaustion, aged

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[469] *Observer*, 23 July 1892, p. 10.

[470] 'Reports of Public Petitions M to Z Committee', *AJHR*, 1892, I-2, p. 6.

[471] *Thames Advertiser*, 20 August 1892, p. 2; 'Reports of Public Petitions M to Z Committee', *AJHR*, 1892, I-2, p. 8.

[472] *Waikato Electoral Roll, 1893*, p. 4.

[473] *Waikato Electoral Roll, 1894*, pp. 4, 27; *Bay of Plenty Electoral Rolls, 1896*, pp. 5, 39; *1897*, pp. 5, 38; *1900*, pp. 6, 47.

[474] *Ohinemuri Electoral Rolls, 1897*, p. 46; *1899*, p. 82; *1900*, p. 69.

60, her address was recorded as Waitekauri;[475] she had not been recorded on the electoral roll for that settlement. Her son John, not his father, paid for her grave plot in the Shortland cemetery.[476]

On 17 June, at his house at Te Aroha West, Murphy, a widower for just ten days, married Annie, of the same address, who had been a widow for nearly ten years: he was 60 and she was 40.[477] His children did not approve of his second marriage and wanted to have nothing to do with his new wife.[478] There is no evidence of their life together. Because of their ages, and Annie's presumed infertility, they had no children. Murphy transferred a residence site into her name,[479] for no apparent reason.

DEATHS

Murphy's poor health dominated their life together until his death in September 1918: for the last 25 years of his life he suffered from chronic miners' phthisis and emphysema, although he died 'peacefully'.[480] His *Te Aroha News* obituary, as usual, concentrated on the positive aspects of his life. Having been first on the goldfields at Thames, Ohinemuri, and Waiorongomai (meaning Te Aroha), he 'was fully acquainted with the rough conditions of those early days. Blessed with a very retentive memory', he was 'frequently appealed to to settle arguments about the early events of the goldfields, and he was rarely proved at fault. A sterling, upright man, he won many friends'. In recent years, his advancing age meant that he led a retiring life, 'confining himself to an occasional stroll down the street – "just to prove there is life in the old buffer yet," as he would say'.[481]

After his death, his property was auctioned. His four-roomed house, on a double section, contained a 'valuable canteen of table cutlery and electro plate, also one tea and coffee service', a sewing machine, a painting, four oleographs, a new bath and a large galvanized one, a chiffonier, '1 Maori

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[475] Death Certificate of Isabella Murphy, 7 June 1901, 1901/2456, BDM.

[476] Theresa Murphy to Philip Hart, 30 October 2021, email.

[477] Marriage Certificate of Denis Murphy, 17 June 1901, 1901/1313, BDM.

[478] Theresa Murphy to Philip Hart, 31 October 2021, email.

[479] Te Aroha Warden's Court, Rent Ledger 1893-1910, folio 113, BBAV 11570/7a, ANZ-A.

[480] Death Certificate of Denis Murphy, 8 September 1918, 1918/33932, BDM; *Te Aroha News*, 9 September 1918, p. 2.

[481] *Te Aroha News*, 9 September 1918, p. 2.

carved war canoe, 1 carved Maori box, 3 Maori korowais' [cloaks],[482] and some less valuable items.[483] The total value of his estate was £1,736 17s 3d.[484] All his property plus an annuity of £50 was left to his widow.[485]

Annie did not die until 1941, when aged 79, in the Auckland mental hospital because of her senility.[486] By then she had changed her religion once more, to Seventh Day Adventist, to whom she left all her estate for its 'necessitous members' and the poor of Auckland. The estate was valued at only £431 5s 10d.[487] Her death certificate did not name her husband, even though it was recorded that she was a widow,[488] indicating that Murphy's children wanted nothing to do with her after his death and may, indeed, have had little or nothing to do with her previously.

CONCLUSION

Like most of his contemporaries, Murphy struggled to make a living in whatever way was possible, mostly mining, contracting, and farming, eventually with modest success financially though suffering from lasting ill health derived from his days as a miner. Like Mills, Gavin, and Gallagher, he was active, aggressively active, in local government politics. His private life became public with the 'Rotorua scandal', so meticulously dissected by a legal expert; his analysis was an example of how a carefully researched and reasoned argument could be produced to prove a man's innocence, even though, as it became apparent later on, he was not in fact innocent.

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[482] P.M. Ryan, *The New Dictionary of Modern Maori* (Auckland, 1974), p. 22.

[483] Advertisement, *Te Aroha News*, 20 September 1918, p. 3.

[484] Testamentary Register 1919, folio 31, BBCB 4208/15, ANZ-A.

[485] Probate of Denis Murphy, Probates, AAOM 6029, box 368, no. 24945, ANZ-W.

[486] Death Certificate of Jane Ann Stephens Murphy, 25 August 1941, 1941/22298, BDM; *New Zealand Herald*, 27 August 1941, p. 1.

[487] Probate of Jane Ann Stephens Murphy, Probates, BBAE 1570, 1033/41, ANZ-A.

[488] Death Certificate of Jane Ann Stephens Murphy, 25 August 1941, 1941/22298, BDM.

Appendix

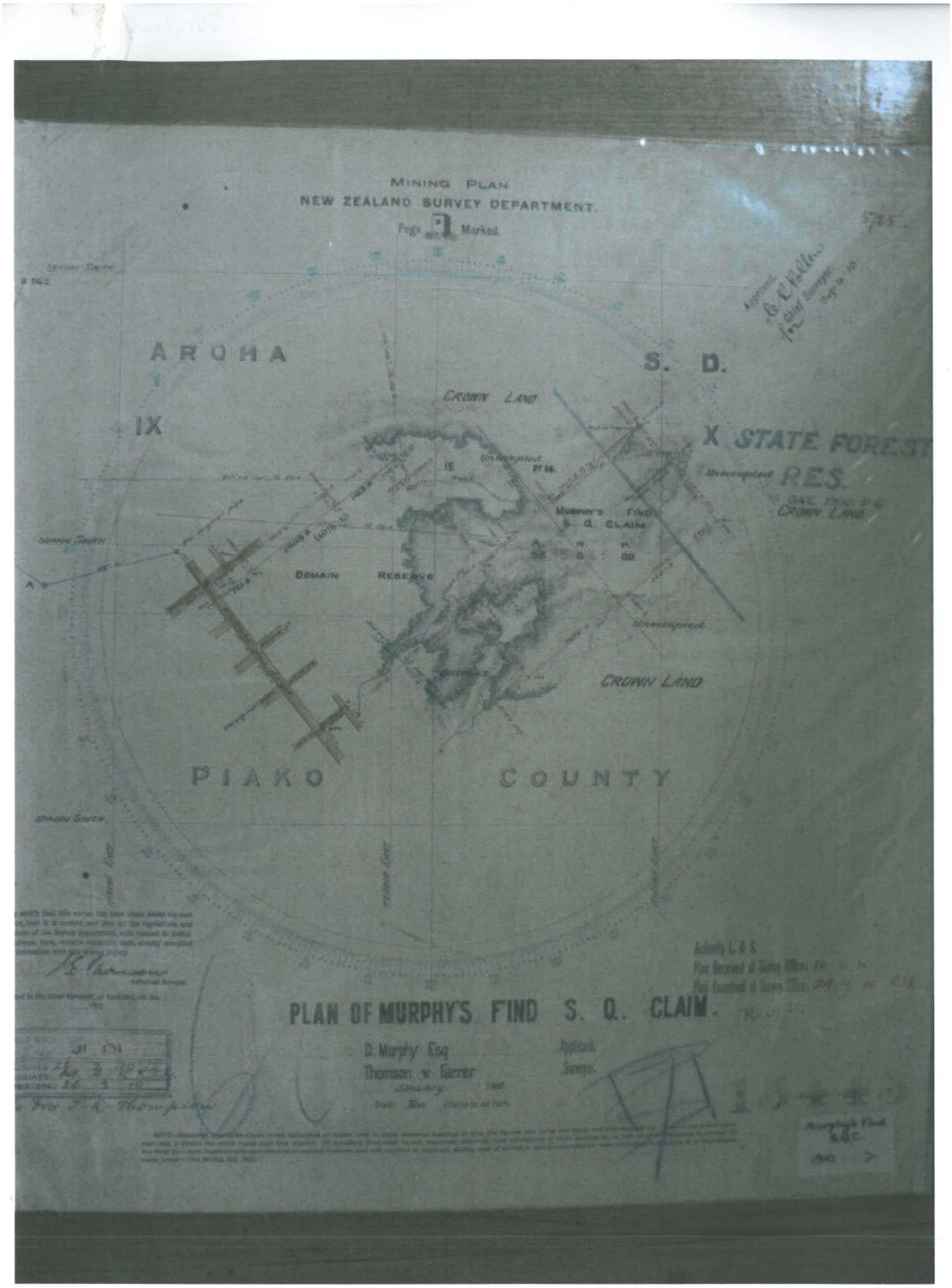
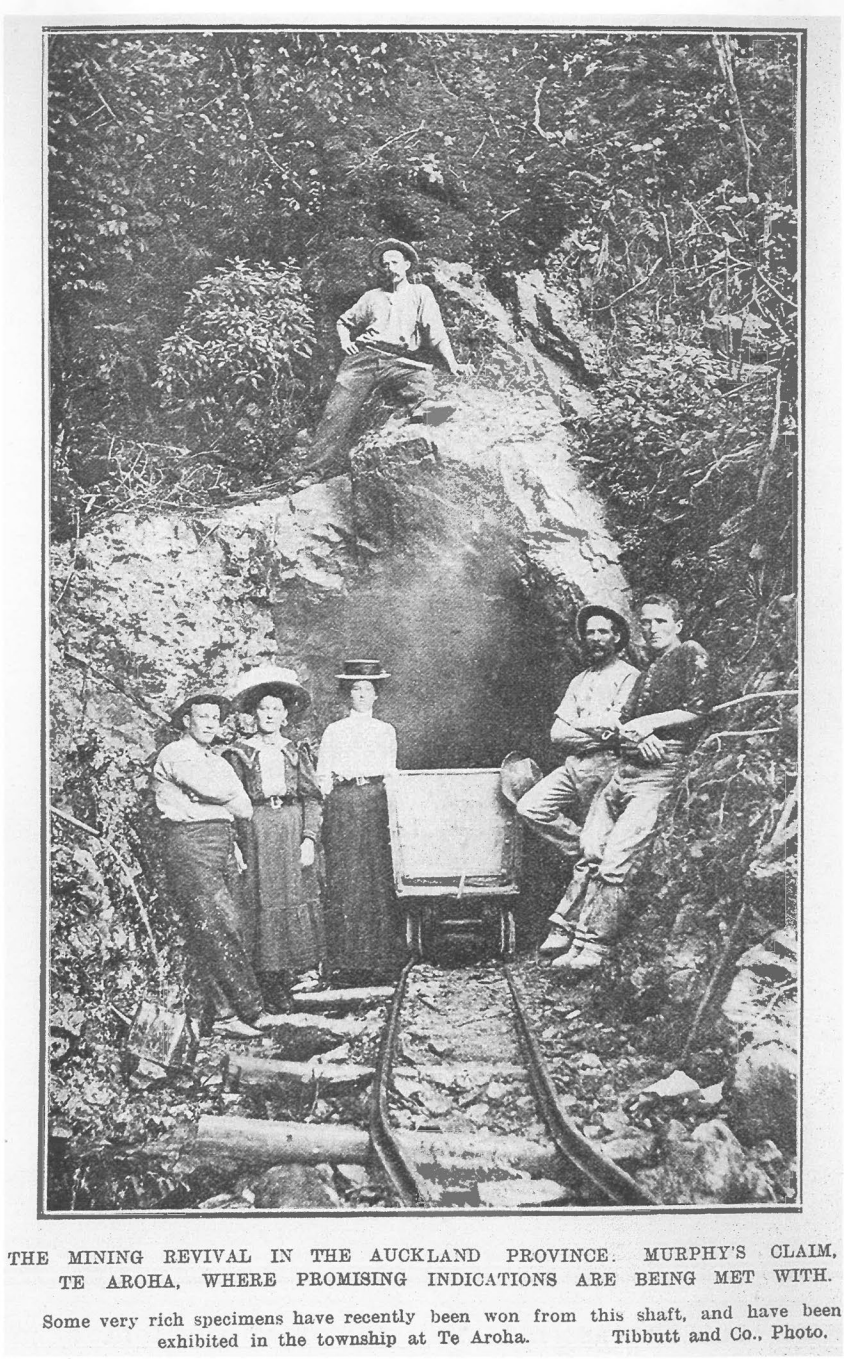


Figure 1: Thomson & Farrer, 'Plan of Murphy's Find S.Q. Claim', January 1910, Te Aroha and District Museum; used with permission.



THE MINING REVIVAL IN THE AUCKLAND PROVINCE. MURPHY'S CLAIM, TE AROHA, WHERE PROMISING INDICATIONS ARE BEING MET WITH.

Some very rich specimens have recently been won from this shaft, and have been exhibited in the township at Te Aroha. Tibbutt and Co., Photo.

Figure 2: Tibbutt & Co., 'The Mining Revival in the Auckland Province: Murphy's Claim, Te Aroha, where promising indications are being met with', *Auckland Weekly News*, 8 July 1909, Supplement, p. 6, AWNS-19090708-6-5, Sir George Grey Special Collections, Auckland Libraries; used with permission.